

District Plan Text

Porirua City Council
Administration Building
Cobham Court
P O Box 50 218
Porirua City

Telephone (04) 237 5089
Fax (04) 237 6384

Website: www.pcc.govt.nz

Porirua City District Plan

Porirua City District Plan

THE PORIRUA CITY COUNCIL HEREBY CERTIFIES that it has approved the *Porirua City District Plan* by resolution on 13 October 1999.

The *Porirua City District Plan* will become operative on the 1st of November 1999.

THE COMMON SEAL of the PORIRUA CITY COUNCIL was affixed in the presence of:



John B Seddon
Chief Executive



PREPARED UNDER THE RESOURCE MANAGEMENT ACT 1991 BY THE
PORIRUA CITY COUNCIL

OPERATIVE DATE 1 NOVEMBER 1999

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PLAN UPDATE SCHEDULE

The following is a schedule of Plan Changes, Plan Updates and Map Updates that have been made to the Porirua City District Plan since it became operative on 1 November 1999. A revised version of this schedule will be sent out with the details of each Plan Change or Map Update.

PLAN TEXT UPDATES

Update number 1, December 2002

NO	DESCRIPTION	PAGE	DATE ¹	FILE ²
1A		Update Schedule	12/02	SP/11/7
1B		Contents	12/02	SP/11/7
1C		N Divider	12/02	SP/11/7
1D	Designation reinstatement	K-7	13/03/02	K0902
1E	Legal Description update	K-7	25/11/02	K0906
1F	Legal Description update	K-9	27/08/02	K1001
1G	Legal Description update	K-9	27/08/02	K1002
1H	Legal Description update	K-9	27/08/02	K1008
1I	Designation Title update	K-9	27/08/02	K1013
1J	Legal Description update	K-9	27/08/02	K1013

Update number 2, March 2004

NO	DESCRIPTION	PAGE	DATE	FILE
2A		Update Schedule	03/04	SP/11/7
2B	Designation	K-4	06/01/03	K0405
2C	Designation	K-4	23/08/01	K0406
2D	New Notice of Requirement	K-5	12/10/01	K0404
2E	New Notice of Requirement	K-5	12/10/01	K0407
2F	Legal Description update	K-7	02/10/03	K0903
2G	Legal Description update	K-7	01/07/03	K0910
2H	Designation Title update and Legal Description update	K-8	02/10/03	K0915
2I	Legal Description update	K-8	02/10/03	K0926
2J	Legal Description update	K-8	02/10/03	K0927
2K	Designation removal	K-9	21/05/03	K1004

¹ The date the change was effective from.

² Council file number with the details of the change.

Update number 3, October 2005

NO	DESCRIPTION	PAGE	DATE	FILE
3A	Plan Change 2 – Business Park Zone	Numerous	19/01/05	SP/11/6/2
3B	Plan Change 3 – Medium Density Residential Policy Area	Numerous	20/10/04	SP/11/6/3
3C	Plan Change 4 – Baxters Knob Commercial Recreation Policy Area	Numerous	20/10/04	SP/11/6/3
3D	Plan Change 5 – Aotea Mixed Use Policy Area and Suburban Shopping Centre Area	Numerous	20/10/04	SP/11/6/4
3E	Add extended lapse dates for designations K1005, K1007, K1012, K1014, K1047, K1050	K-8, K-9 and K-10	29/10/04	K1005, K1007, K1012, K1014, K1047, K1050
3F	Delete lapsed designations K1035, K1049 and K1051	K-9, K-10	01/11/04	K1035, K1049 and K1051
3G	Add Notice of Requirement K1051	K-11	15/10/04	RC 3907
3H	Add Notice of Requirements K1035 and K1049	K-11	21/10/04	RC 3909 and RC 3910
3I	Add Notice of Requirement K1201	K-11	05/07/05	RC 4121

Update number 4, October 2006

NO	DESCRIPTION	PAGE	DATE	FILE
4A	Plan Change 1 – Above Ground Network Utility Lines	Numerous	17/10/06	SP/11/6/1
4B	Amendment to Designation – Section 181 RMA	K-7	23/02/05	K0912 and RC 3896
4C	Amendment to Designation – Section 180 RMA	K-3	19/07/06	K0301
4D	Correction of Minor Error – Section 20A, Schedule 1 RMA	K-9	20/09/06	K1031
4E	Amendment to Designation – Section 180 RMA	K-2	8/10/04	K0101
4F	Alteration to Designation – Section 181 RMA	K-4	8/03/06	K0401 and RC 4375

Update number 5, December 2008

NO	DESCRIPTION	PAGE	DATE	FILE
5A		Update schedule	5/12/08	SP/11/9/6/1
5B		Contents	5/12/08	SP/11/9/6/1
5C	Plan Change 6 – Judgeford Hills Zone	Numerous	5/12/08	SP/11/9/1

Update number 6, June 2009

NO	DESCRIPTION	PAGE	DATE	FILE
6A		Update schedule	24/6/09	
6B	Amendment to Designation – Section 181(3) RMA	K-10	24/6/09	K1052; DN0004/09

Update number 7, November 2009

NO	DESCRIPTION	PAGE	DATE	FILE
7A		Update schedule	09/03/10	
7B		Contents	09/03/10	
7C	Plan Change 8 – Recreation and Open Space Zone	Numerous	09/03/10	SP/11/9/1

Update number 8, March 2011

NO	DESCRIPTION	PAGE	DATE	FILE
8A		Update schedule	15/03/11	
8B		Contents	15/03/11	
8C	Remove Part C2A Business Park Zone	C2A-1 – C2A-11	15/03/11	
8D	Remove Part D2A Business Park Rules and Standards	D2A-1 – D2A-13	15/03/11	
8E	Part A – Section A5 - Identification Of Zones	A5-5 – A5-8	15/03/11	
8F	Part B – Section B1 General Issues	B1-2	15/03/11	
8G	Part C – Section C7 Transport	C7-1	15/03/11	
8H	Part C – Section C11.1.1 Policy	C11-1	15/03/11	
8I	Part D – Guide to the Maps and Rules	D1	15/03/11	
8J	Part M - Interpretation	M22	15/03/11	

Update number 9, May 2011

NO	DESCRIPTION	PAGE	DATE	DOC REF #
9A		Update schedule	19/05/11	PCC-#662144
9B	C01 – City Centre Zone	C1-2, C1-3, C1-5, C1-12	19/05/11	
9C	C08 – Heritage	C8-2	19/05/11	
9D	C12 – Natural Hazards	C12-4	19/05/11	
9E	C14 – Network Utilities	C14-5, C14-6, C14-7	19/05/11	

NO	DESCRIPTION	PAGE	DATE	DOC REF #
9F	D1 – City Centre Zone	D1-1, D1-3, D1-4, D1-6	19/05/11	
9G	D2 – Industrial Zone	D2-1, D2-3, D2-5	19/05/11	
9H	D3 – Suburban Zone	D3-1, D3-3, D3-5, D3-6, D3-8, D3-9, D3-10, D3-16	19/05/11	
9I	D4 – Rural Zone	D4-1, D4-5-D4-7	19/05/11	
9J	D4B – Recreation Zone Rules and Standards	D4B1, D4B3, D4B4	19/05/11	
9K	D4C – Public Open Space Rules and Standards	D4C1, D4C3, D4C4	19/05/11	
9L	F – Information to be supplied	F2, F4 & F10	19/05/11	
9M	M – Interpretation	M12, M19-M25	19/05/11	

Update number 10, July 2011

NO	DESCRIPTION	PAGE	DATE	DOC REF #
10A		Update schedule	1/07/11	PPC#660103
10B	C3 – Suburban Zone	Various	1/07/11	
10C	D1 – City Centre Zone Rules and Standards	D1-8	1/07/11	
10D	D2 – Industrial Zone Rules and Standards	D2-6, D2-7	1/07/11	
10E	D3 – Suburban Zone Rules and Standards	Various	1/07/11	
10F	D4 – Rural Zone Rules and Standards	D4-7, D4-8	1/07/11	
10G	F – Information to be Supplied	F8	1/07/11	
10H	H – Carparking, Vehicle Movements and Roads	H2, H8-H10,	1/07/11	
10I	M – Interpretation	M1, M2, M3, M14, M15, M17, M18, M19, M23, M24, M25, M27	1/07/11	

Update number 11, September 2011

NO	DESCRIPTION	PAGE	DATE	DOC REF #
11A		Update schedule	03/10/11	PCC#712085
11B	D3 – Suburban Zone Rules and Standards	D3-3	03/10/11	

Update number 12, November 2011

NO	DESCRIPTION	PAGE	DATE	DOC REF #
12A		Update schedule	28/11/11	PCC#722094
12B	Part M – Definition of "Site"	M-23	28/11/11	

Update number 13, November 2012

NO	DESCRIPTION	PAGE	DATE	DOC REF #
13A		Update schedule	23/11/12	PCC#829412
13B	Section C4A	C4A-1	23/11/12	
13C	Section D3	D3-1	23/11/12	
13D	Section D4	D4-6	23/11/12	
13E	Part M – Definition of "Yard"	M-28	23/11/12	

Update number 14, February 2013

NO	DESCRIPTION	PAGE	DATE	DOC REF #
14A		Update schedule	4/2/2013	PCC#275028
14B	Section B	B13	4/2/2013	
14C	Section C4	C4-2A	4/2/2013	
14D	Section C4	C4-2A.1	4/2/2013	
14E	Section C4	C4-2A.2	4/2/2013	
14F	Section C4	C4-3.7	4/2/2013	
14G	Section D4	D4-1.4	4/2/2013	
14H	Section D4	D4-1.5	4/2/2013	
14I	Section F	F8-3	4/2/2013	
14J	Part M – Definition of "Primary Production Activity"	M-19	4/2/2013	
14K	Part M – Definition of "Windfarm"	M-28	4/2/2013	

Update number 15, March 2014

NO	DESCRIPTION	PAGE	DATE	DOC REF #
15A		Update schedule	31/3/2014	PCC#974083
15B	B – Significant Resource Management Issues (B5 Heritage Issues)	B-11	31/3/2014	
15C	C8 – Heritage	C8-1 to C8-7	31/3/2014	
15D	D1 – City Centre Zone Rules and Standards	D1-1	31/3/2014	
15E	D2 – Industrial Zone Rules	D2-1	31/3/2014	
15F	D3 – Suburban Zone Rules and Standards	D3-1, D3-5	31/3/2014	
15G	D4 – Rural Zone Rules and Standards	D4-1, D4-6	31/3/2014	
15H	D4A – Judgeford Hills Zone Rules	D4A-23	31/3/2014	
15I	D4B – Recreation Zone Rules and Standards	D4B-1, D4B-3	31/3/2014	
15J	D4C – Public open Space Zone Rules and Standards	D4C-1, D4C-3	31/3/2014	
15K	F – Information to be Supplied	F-5, F-7, F-11	31/3/2014	
15L	HH – Historic Heritage	HH-1 to HH-70	31/3/2014	
15M	J – Heritage Register	J-1 to J-12	31/3/2014	
15N	M – Interpretation	M-2, M-3, M-6, M-7, M-12, M-13 M-14 M-15 M-16 M-23 M-24	31/3/2014	

Update number 16, April 2014 (Correction of typos, complete reprint of the District Plan)

NO	DESCRIPTION	PAGE	DATE	DOC REF #
16A	Update schedule		2/4/14	
16B	Table of Contents		2/4/2014	
16C	C2A – Business Park Zone	C2A -1 C2A-2	2/4/2014	
	C4 – Rural Zone Objectives and Policies	C4-18		
	C4A – Judgeford Hills	C4A-8		

NO	DESCRIPTION	PAGE	DATE	DOC REF #
16D	D0 – Guide to the Maps and Rules	D0-1 D0-2	2/4/2014	
16E	D1 – City Centre Zone Rules and Standards	D1-8 D1-11	2/4/2014	
16F	D2 – Industrial Zone Rules	D2-4 D2-7 D2-9	2/4/2014	
16G	D2A – Business Park Zone	D2A -1 D2A-2		
16H	D3 – Suburban Zone Rules and Standards	D3-15 D3-18 D3-25	2/4/2014	
16I	D4 – Rural Zone Rules and Standards	D4-11	2/4/2014	
16J	D4A – Judgeford Hills Zone Rules	D4A-5 D4A-8 D4A-13 D4A-14 D4A-16 D4A-18 D4A-20 D4A-21 D4A-23	2/4/2014	
16K	F – Information to be Supplied	F-1 F-5	2/4/2014	
16L	K – Designations	K-10	2/4/2014	
16M	M – Interpretation	M-32	2/4/2014	

Update number 17, June 2014

NO	DESCRIPTION	PAGE	DATE	DOC REF #
17A		Update schedule	26/6/2014	PCC#1003691
17B	K – Designations (entire section reprint)	K	26/6/2014	

Update number 18, June 2014

NO	DESCRIPTION	PAGE	DATE	DOC REF #
18A		Update schedule	27/6/2014	
18B	C16 – Judgeford Hills Objectives and Policies (Change from C4A to C16)	Section C16	27/6/2014	

NO	DESCRIPTION	PAGE	DATE	DOC REF #
18C	C17 – Recreation and Public Open Space Objectives and Policies (Change from C4B to C17)	Section C17	27/6/2014	
18D	D5 – Judgeford Hills Zone Rules and Standards (Change from D4A to D5)	Section D5	27/6/2014	
18E	D6 – Recreation Zone Rules and Standards (Change from D4B to D6)	Section D6	27/6/2014	
18F	D7 – Public Open Space Zone Rules and Standards (Change from D4C to D7)	Section D7	27/6/2014	

Update number 19, June 2014

NO	DESCRIPTION	PAGE	DATE	DOC REF #
19A		Update schedule	27/6/2014	PCC#1003655
19B	K – Minor changes to Appendices C and D being K1062 and K1063	K	27/6/2014	

Update number 20, January 2015

NO	DESCRIPTION	PAGE	DATE	DOC REF #
20A		Update schedule	16/1/2015	
20B	Z - Appendices	Z	16/1/2015	
20C	Z1 – Information regarding the statutory acknowledgement contained in the Ngati Toa Rangatira and Trustee of the Toa Rangatira Trust Deed of Settlement	Z1	16/1/2015	

Update number 21, April 2015

NO	DESCRIPTION	PAGE	DATE	DOC REF #
21A		Update schedule	08/04/2015	
21B	Table of Contents	ToC	08/04/2015	
21C	Part A - Introduction	A1-A6	08/04/2015	
21D	Part B – Significant Resource Management Issues	B1-B12	08/04/2015	
21E	Section C18 - Aotea Supermarket Zone Objectives and Policies	C81-1 to C18-6	08/04/2015	

NO	DESCRIPTION	PAGE	DATE	DOC REF #
21F	Section D8 - Aotea Supermarket Zone Rules	D8-1 to D8-14	08/04/2015	
21G	Section E2 – Roads and Access Contributions	E2-1 to E2-2	08/04/2015	
21H	Part F – Information Requirements	F1 to F12	08/04/2015	

Update number 22, July 2015

NO	DESCRIPTION	PAGE	DATE	DOC REF #
22A		Update schedule	1/7/2015	
22B	Part K – Designations	K-05	1/7/2015	

Update number 23, August 2015

NO	DESCRIPTION	PAGE	DATE	DOC REF #
23A		Update schedule	26/8/2015	
23B	Part K – Designations	K-38, K72	27/8/2015	1138266

Update number 24, June 2016

NO	DESCRIPTION	PAGE	DATE	DOC REF #
24A		Update schedule	9/6/2016	
24B	Part K – Designations	Whole Chapter	9/6/2016	1205507

Update number 25, October 2016

NO	DESCRIPTION	PAGE	DATE	DOC REF #
25A		Update schedule	24/10/2016	2429632
25B	Table of Contents	TOC	24/10/2016	
25C	B – Significant Resource Management Issues	B-10	24/10/2016	
25D	C7 – Transport Objectives and Policies	C7-1 to C7-2	24/10/2016	
25E	C14 – Network Utilities	Whole Chapter Removed	24/10/2016	
25F	D1 – City Centre Zone Rules and Standards	D1-1 to D1-6	24/10/2016	
25G	D2 – Industrial Zone Rules and Standards	D2-1 to D2-5	24/10/2016	
25H	D3 – Suburban Zone Rules and Standards	D3-1 to D3-15	24/10/2016	
25I	D4 – Rural Zone Rules and Standards	D4-1 to D4-12	24/10/2016	
25J	D5 – Judgeford Hills Zone Rules and Standards	D5-1 to D5-22	24/10/2016	
25K	D6 – Recreation Zone Rules and Standards	D6-1 to D6-10	24/10/2016	

NO	DESCRIPTION	PAGE	DATE	DOC REF #
25L	D7 – Public Open Space Zone Rules and Standards	D7-1 to D7-10	24/10/2016	
25M	F – Information to be Supplied	F-2 to F-5	24/10/2016	
25N	NU – Network Utilities	Whole New Chapter	24/10/2016	
25O	M – Interpretation	various	24/10/2016	

PLAN MAP UPDATES

New Map Set printed and issued June 2016.

- This new map set consolidates all previous map updates since the 1999 operative maps were printed, including changes resulting from Plan Changes 1 through 17 and Designation updates.

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C3	SUBURBAN ZONE
C4	RURAL ZONE
C5	RESPONDING TO THE PRINCIPLES OF THE TREATY OF WAITANGI
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E7	STORMWATER DRAINAGE
E8	SCREENING
E9	BUSH PROTECTION
E10	ESPLANADE RESERVES
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J *Removed by Plan Change 15 (previously Heritage Register)*

K DESIGNATIONS

L MONITORING

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Z Appendices

Z1 Information regarding the statutory acknowledgement contained in the Ngati Toa Rangatira and Trustee of the Toa Rangatira Trust Deed of Settlement

PART A

INTRODUCTION

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A INTRODUCTION

A1 BACKGROUND

This District Plan replaces the Porirua City District Scheme, and the District Scheme for that part of the Hutt County which was amalgamated with Porirua City in 1989.

The Porirua City District Scheme was prepared under the Town and Country Planning Act 1977, notified in 1982 and became operative in 1991. The Hutt County District Scheme (Review 2) was prepared initially under the Town and Country Planning Act 1953. It was completed and notified under the Town and Country Planning Act 1977 and became operative in 1984.

Following the enactment of the Resource Management Act 1991 (RMA) these two Schemes have been administered by the Council as the Transitional Porirua City District Plan.

A2 THE DISTRICT PLAN DEVELOPMENT PROGRAMME

The process of District Plan preparation began in 1991 with the passing of the Resource Management Act 1991. The timetable for the review process was based on one year of research work, one year to prepare a Draft Plan and one year to prepare the Plan for notification.

A3 THE CONSULTATION PROGRAMME

The review programme has included three stages of public input. The first stage entailed targeted consultation on the resource management issues facing the four main areas of the City. The methods of consultation included public meetings, brochures and questionnaires, public displays, and the distribution of Draft Plan proposals. Input from these programmes helped shape the Draft District Plan which was released for public discussion in August 1993. Brochures on the Draft District Plan were distributed to all households in the City, and public meetings held in each Ward. In addition, copies on the Draft Plan were available on loan from the Council office and public libraries. Council officers also attended a number of meetings around the City to discuss specific issues in the Draft Plan.

Iwi have been involved throughout the review programme and resources made available to iwi to ensure that adequate consultation was undertaken.

A4 CONSIDERATION OF ALTERNATIVES

The preparation of the District Plan was a new project, not a review of the existing District Scheme. Considerable emphasis was applied throughout the programme to identifying whether an objective or policy was warranted, and determining the best methods by which these could be achieved. For example, landscaping is to be promoted through guidelines rather than the imposition of conditions on resource consents because the judgement on whether the condition had been complied with would always be a subjective one. This would make it very difficult to enforce such a condition effectively. In determining where rules were required particular attention was given to whether the effect to be managed was readily measurable.

ALTERNATIVE METHODS OF IMPLEMENTING THE PURPOSE OF THE RESOURCE MANAGEMENT ACT 1991

CLASS OF METHOD	METHOD	SITUATIONS IN WHICH METHOD IS MOST APPROPRIATE
REGULATE	BYLAW	Where there is a yes/no answer e.g. parking offences.
	DISTRICT PLAN STANDARD	Used with rules to control the effect of a measurable factor e.g. height.
	DISTRICT PLAN RULE	Where it is necessary to determine whether an activity is permitted, or a resource consent must be sought.
	DISTRICT PLAN POLICY	To state Council's position on a resource management issue.
	COUNCIL POLICY	Where Council can provide leadership by its own actions.
DO NOTHING	DO NOTHING	All properties are subject to rates, general bylaws etc. This category means that the Council has no other specific policy or rule on an issue.
ENCOURAGE	PROMOTION	Where the community can be encouraged to develop higher standards e.g. through guidelines.
	FINANCIAL INVESTMENT BY COUNCIL	Where there is a clear public function e.g. the upgrading of roads and parks.
	COUNCIL FINANCIAL INCENTIVE	Where there is community benefit from a private action e.g. through grants to community groups.

TABLE 1

The permissive emphasis of the Resource Management Act requires that the point at which an activity changes from being permitted to controlled or discretionary must be unambiguously defined. This has been achieved by setting performance standards for permitted activities which are clear, unambiguous, measurable and relate directly to the effect which they seek to manage.

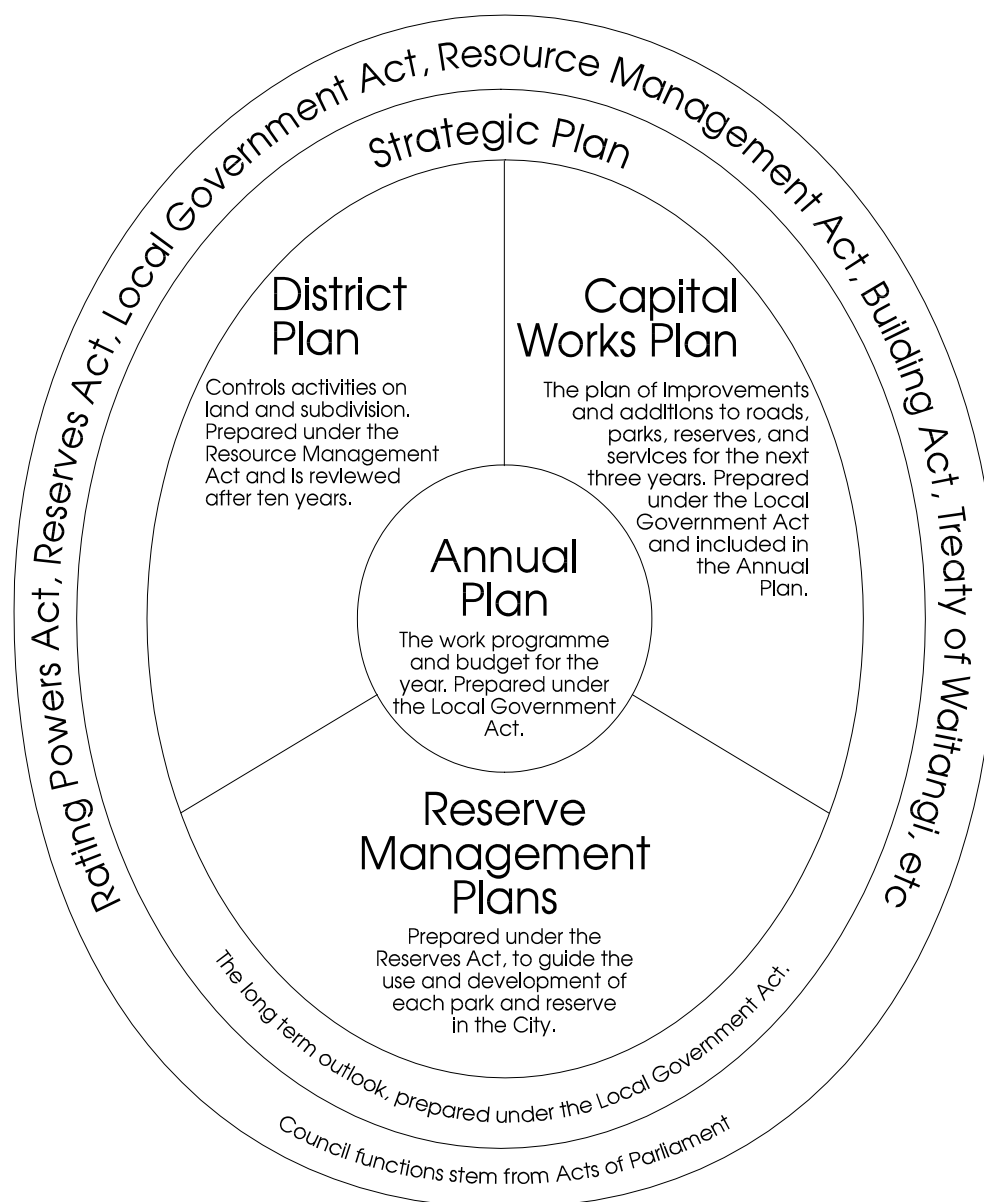
Where methods other than rules have been proposed it is recognised that the District Plan provides guidance to, but does not supersede, the Council's annual planning process through which works and services are funded. Having determined that few rules are required to promote the sustainable management of the resources of the City, the establishment of the costs and benefits of those rules has been relatively straightforward. Excluding the trade related costs and benefits implicit in any zoning, the standards established in each zone have been set with a view to balancing the reasonable expectations of

neighbours with the reasonable expectations of the individual. These standards have been established through studies and consultation which constitute assessments of the costs and benefits of those or other standards.

THE RELATIONSHIP OF THE DISTRICT PLAN TO OTHER COUNCIL POLICY DOCUMENTS

FIGURE ONE

The Resource Management Act has established a complex set of relationships



between the Act, the National Policy Statements, Regional Policy Statements, Regional Plans, and District Plans. In order to reduce the risk of confusion, or contradiction an effort has been made to avoid covering in the District Plan issues which are more appropriately included in another policy document.

The processes of research, analysis, rationalisation and justification have resulted in a District Plan which contains the minimum level of controls on the individual. This has been a conscious process on the part of the Council in order to preserve a healthy, safe and attractive environment while maximising the opportunities for jobs, growth and development.

A5 IDENTIFICATION OF ZONES

Eight distinct zones have been identified with Porirua City: the City Centre, the Industrial, the Suburban, the Aotea Supermarket, the Judgeford Hills, the Rural, the Recreation, and the Open Space zones. These zones have been defined by quite different rules, standards and assessment criteria.

City Centre Zone

The City Centre is clearly defined by the harbour, State Highway One, and the Titahi Bay Limited Access Road. There has been significant private and public investment in the City Centre since research into the growing role of the City Centre was first undertaken in 1989. A long term vision has therefore been developed through a process of wide community debate. This vision is being pursued through the District Plan, together with the Council works programme for roading and landscaping, and through the promotion of development opportunities. The vision recognises areas with a pedestrian focus and areas with a vehicle focus, and includes the capacity for development on a wide range of sites over the next 20 years.

Industrial Zone

The industrial areas of Porirua are modern, purpose built industrial subdivisions. They are well defined geographically and well serviced. For the most part, the activities in the Industrial Zones remain industrial, and the compact nature of the City Centre makes retail expansion into the Industrial Zones both unnecessary and unlikely. The Plan does not however limit retail activities from locating in the Industrial Zone, but does impose standards on development to ensure that any potential adverse environmental effects are appropriately managed.

Suburban Zone

The suburban areas of Porirua are diverse, ranging from the redeveloped baches of Plimmerton, to the large areas of state built housing in Cannons Creek and Waitangirua, and the extensive privately planned Whitby development.

In the very early stages of District Plan research it was recognised that the characteristics and amenity levels of suburban zones had only a limited relationship with the physical layout of the areas. For example, some of the most highly valued beach front real estate is small sections with limited parking and minimal usable open space. In contrast, many of the state built areas have extremely large sections, wide road berms, good access etc and a relatively low market valuation.

It became clear through the study of this and other comparisons that the planning controls which guide the layout of sections and buildings play a relatively limited role in establishing the value, amenity or character of a suburban zone. Other factors e.g. location, landscaping, site development

works, building style etc., play an equal or greater role. As a result of this analysis it was decided to avoid the definition of different planning provisions for character areas within the suburban zone and to instead establish a set of standards to protect neighbour amenity and overall residential character throughout the suburban zones of the City

Rural Zone

Approximately 80% of the land area of Porirua City is rural and has been zoned rural in recognition of the fact that it is different from the urban areas in terms of its character, the type of urban infrastructure available to the residents, and therefore the type of activities which are undertaken in the area.

Three main factors emerged as vital to the future management of the Rural Zone. Discussions held with the rural community were a vital part of the District Plan review process to ensure that a workable long term resolution of these issues could be achieved. The issues relate to the management of rural activities, the protection of the natural and physical environment, and controlling urban expansion.

Taken in turn, the proximity of this zone to an urban centre, and the often steep nature of the land itself does not make farming an easy activity. The District Plan provisions for the Rural Zone must recognise this and not attempt to turn the rural landowners into the caretakers of a pseudo-reserve.

Secondly, no part of the Rural Zone is far from the coast, and much of the coastal area of Porirua is considered to be of national or international significance. One of the questions addressed in the review process was the identification of the areas which either because of their intrinsic values, or because of the risk of damage, warranted protection policies over and above the general level of protection afforded by the continued rural use of the land.

Thirdly, the capacity of the serviced and readily serviced areas of the Suburban Zone makes any encroachment into the rural area unnecessary, and unsustainable. There has been widespread support for the recognition of a clear distinction between the rural and urban zones of the City.

Judgeford Hills Zone

The Judgeford Hills Zone identifies a specific area for clustered development in accordance with defined criteria and standards to facilitate the creation of additional rural lifestyle choices.

Aotea Supermarket Zone

This zone identifies a specific area in Aotea considered to be suitable for a stand-alone supermarket provided certain design and amenity standards are met. The zoning is intended to provide an opportunity to meet local supermarket retail demand in a manner that will enhance a sustainable and resilient urban form.

The retail use authorised by the zone is complementary to the primary retail focus of the City Centre and not in competition with it.

A6 ACTIVITIES VERSUS STANDARDS

The previous District Scheme contained controls on development which were based around the listing of activities or uses deemed appropriate for each zone, and performance standards appropriate to those uses. This approach has several advantages. It is simple to understand and administer, is well known, and those professionals which deal with District Plans on a day to day basis are familiar with the system and understand its workings.

The principal disadvantages of listing activities are that it takes little account of the effect of an individual activity, and it relies on definitions of activity which change very rapidly. A modern service station, and a modern church have effects never envisaged when these activities were first defined in the early planning documents. A service station used to consist of a workshop and two or three petrol pumps and was open for quite limited hours. The modern service station is very different. Similarly a modern church often operates programmes seven days of the week, through the day and evening. Using definitions of activities as the basis for controlling the effects of those activities has a limited value when the nature of the activity is changing rapidly.

A survey of the Suburban Zone identified a wide range of different types of businesses. It became obvious that the nature of the business had only a limited relationship with its environmental impact. Similarly, there is not a direct correlation between the floor area of a business and the scale of environmental effects that the activity is likely to generate.

Employment has also been used to distinguish between home occupations and larger businesses, however it is apparent that the effect of a two person joinery firm could be quite different if the business had one joiner and one office worker, or two joiners.

A7 CONCLUSIONS

The approach to the management of the impacts of activities on the Porirua environment has changed considerably over the years. This District Plan has been prepared under the Resource Management Act 1991 and replaces Schemes prepared under the 1953 and 1977 Town and Country Planning Acts. It is significant to note that the major resource management issues facing the City today have changed little over time. This is reflected in the zoning structure of the new Plan, and in the policies which cover a wide range of resource issues. While the issues have changed very little, the approach to their management has changed dramatically. The new Plan has liberalised many aspects of land use, while ensuring that the effects of any activity which trigger some effects threshold (a permitted activity standard) are very carefully assessed.

PART B

SIGNIFICANT RESOURCE MANAGEMENT ISSUES

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B SIGNIFICANT RESOURCE MANAGEMENT ISSUES

The significant resource management issues facing the City have emerged through the district plan preparation process, and have guided the development of the objectives and policies which follow. The Resource Management Act (RMA) requires that the District Plan include a statement of the significant resource management issues of the City. These issues, some of which relate to the whole City and some of which relate to parts of the City, are set out below.

B1 GENERAL ISSUES

One of the major resource management issues has been to determine the level at which to promote the sustainable management of resources. The previous District Scheme included a large number of different zones, each representing a distinctly different set of objectives, policies and rules. In the development of this Plan assessments of the resource management issues led to the identification of eight areas within the City for which the resource management issues could be clearly differentiated.

The differentiation between these zones is clearly set out in the objectives and policies for each zone. The distinctive factors which promote the sustainable management of each of these areas are set out in the rules and standards for each zone.

The environmental issues addressed by the Plan for the eight zones include the following:

- (i) Ensuring an environment which is healthy, attractive and safe.
- (ii) Recognising the importance of the City Centre as a built resource and the need for it to continue to develop to meet changing needs and demands.
- (iii) To have a suburban environment which is an attractive and lively place in which to live.
- (iv) To have a rural area in which there is a balance between rural activities and the natural environment.
- (v) To recognise and provide for development in the Judgeford Hills Zone in accordance with specific criteria.
- (vi) To recognise and provide for development in the Aotea Supermarket Zone in accordance with specific criteria.

B1.1 Suburban Zone – Medium Density Residential Development

Conventional housing densities do not meet the needs of all parts of the community. Providing choice in the housing market better enables people and communities to provide for their social, cultural and economic wellbeing.

Provision for medium density residential development is also an efficient and effective use of the land resource as it has the potential to help reduce

pressure for urban expansion into the Rural Zone. Appropriately located medium density residential development can also help maximise the use of existing infrastructure and community services, including reserves, suburban shopping centres and public transport routes.

However, if not adequately controlled, poorly located, designed and constructed medium density residential development could create a low quality living environment and may adversely affect the amenity values of surrounding areas.

B2 TREATY OF WAITANGI ISSUES AND OTHER MATTERS OF CONCERN TO MAORI

The RMA includes in sections 6 through to 8, very specific references to resource management issues, and to the Treaty of Waitangi. These issues are complex and prone to misunderstandings. The Plan sets out to meet the obligations of the RMA by recognising issues, clarifying issues, and providing the means through objectives and policies for these issues to be an integral part of the management of the natural and physical resources of the City.

B2.1 A Common Understanding of the Treaty of Waitangi

The Treaty of Waitangi is recognised as the founding document of our nation. The RMA imports, by reference, the principles of the Treaty of Waitangi to guide decision-makers in the exercise of their responsibilities to tangata whenua. Section 8 of the RMA states that:

"In achieving the purpose of this Act all persons exercising functions and powers under it in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi."

The Resource Management Act requires emphasis to be given to those principles for interpretation in the context of issues concerning resource management as distinguished from resource ownership. It is therefore important that, in the first instance, the Council and the tangata whenua endeavour to arrive at a consensus on what the principles should be, bearing in mind that the application of the principles will need to be ongoing consideration with practical and legal experience under the Act. The spirit of partnership and good faith requires as much.

This section introduces the three issues which are essential to a common understanding of the Treaty of Waitangi and its effect on resource management processes and decisions. These three issues are:

- (a) The identity and nature of the Treaty partners.
- (b) The Principles of the Treaty of Waitangi
- (c) The different understandings of resource issues which exist between Maori and the Council (operating under the Act).

A common understanding of these issues is developed in the sections which follow. The response to this understanding is presented in Section C5 of the Plan in the form of objectives, policies and methods of implementation. Section

C5 is the record of the appropriate response by Council to the obligations contained in Section 8 of the Act.

B2.1.1 Understanding the Identity of the Treaty partners

The first requirement of a common understanding of the principles of the Treaty is an understanding of the nature of the Treaty Partners.

The Treaty is an agreement between the Crown and Maori.

Governor Hobson signed the Treaty on behalf of the Queen and the New Zealand Government has recognised that it is an ongoing, active partner to the Treaty.

There are obviously issues regarding the Treaty which extend well beyond the Resource Management Act. The Act states "In achieving the purpose of this Act [Council] in exercising functions and powers under it in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi." While the legal interpretation of this will develop over time, there can be little doubt that the Act places obligations on the Council.

The Treaty was signed by more than 350 Chiefs representing the majority of iwi from throughout New Zealand. Collectively, these iwi constitute the tangata whenua of New Zealand. Individually though, each iwi has tangata whenua status only for the area in which they maintain mana whenua. This means that Maori residing in Porirua who are not of Ngati Toa descent will be able to claim tangata whenua status elsewhere. Thus in Porirua, Ngati Toa are the Maori treaty partner. Te Runanga o Toa Rangatira is an iwi authority under the Resource Management Act 1991. It promotes the interests of Ngati Toa Rangatira in all aspects of social, economic and environmental development.

Consultation with the Tangata whenua should be directed through this body.

B2.1.2 Principles of the Treaty of Waitangi

While the Act refers to the "principles of the Treaty of Waitangi" it does not state what those principles are, or how they are to be interpreted. Bearing this in mind, the principles which follow provide guidance for the Council and Ngati Toa for the purposes of Council's response to section 8 of the Act.

The Principle of Mutually Beneficial Relationship

This includes the duty to act reasonably and in good faith. It imposes a duty on both tangata whenua and the Crown to interact with reason and respect. It implies a partnership which is fundamental to the compact embodied in the Treaty of Waitangi.

Partnership implies a commitment by decision-makers to determine the extent to which both the interests of the public good and those of the tangata whenua can be accommodated. The fundamental message of the Treaty is one of balance. Therefore, assertions of rangatiratanga over certain resources are not attacks on the mana of the Crown to make law in respect of Maori resources, but are simply expressions of the obligation to ensure that the right of Maori to act in accordance with their own values is given an appropriate emphasis.

The Principle of Active Protection

This denotes a duty that is not merely passive, but extends to active protection of Maori resources and other guaranteed taonga to the fullest extent practicable. Active protection implies adequate resourcing for tangata whenua in resource management activities.

In the context of the Resource Management Act, what is to be protected under this principle is a continuing capacity for Maori to exercise self-regulated decision-making authority over those resources important to them. Generally, this obligation has a three-fold application:

Firstly, as far as is practicable, Maori should be protected from restrictions imposed by policy or rule which prevent them using their land and resources according to their cultural preferences.

Secondly, as far as is practicable, Maori should be protected from the adverse effects of the activities of others on their ability to use their land and resources, both in biophysical and spiritual terms.

Thirdly, where practicable, resources should be directed towards informing and supporting Maori in the development of resource management strategies which reflect their cultural and spiritual preferences consistent with the principles embodied in the Resource Management Act.

The Principle of Tribal Self-Regulation

This principle recognises that Maori can retain responsibility and control of the management and allocation of resources that they (Maori) wish to retain control of. This involves the right to develop these resources to meet iwi social and economic needs. Application of this principle involves recognising the right of tribal groups to exercise tino rangatiratanga.

The use of the term "rangatiratanga" in the context of the Treaty denotes an institutional authority to control the exercise of a range of user rights in resources, including conditions of access, use and conservation management. The ability to exercise rangatiratanga over tribal resources goes to the heart of the mana of the iwi. It reflects the relationship between people and resources as sources, not only of physical commodities, but also of personal and tribal identity and community stability. Rangatiratanga is expressed in decisions which reflect Maori priorities and values, and is given practical effect in application of customary regulatory practices and controls.

The Principle of Shared Decision-Making

The aspects of the partnership which imply how decision-making is to be shared between Maori and the Crown arise out of the essential bargain made in the exchange between kawanatanga (sovereignty) and rangatiratanga (full chiefly authority). This requires Council to allow the tangata whenua to participate in the decision-making process.

Kawanatanga as ceded by Maori under Article I of the Treaty, gave the Crown the right to govern and to make laws applying to everyone. The conferral of resource management powers by the Crown to local authorities under the Resource Management Act means that those authorities can make policies, set objectives and make rules affecting the management of natural and physical

resources, subject to the protection and emphasis given to Maori issues in the Resource Management Act.

The Principle of Iwi/Hapu Resource Development

This principle recognises that Maori are not bound in the exercise of rangatiratanga and kaitiakitanga to just the methods and technologies available at the signing of the Treaty of Waitangi, but have the right to take advantage of new technology.

Article III of the Treaty gave to Maori the same rights and duties as other New Zealand citizens. The Treaty guaranteed to Maori retention of their property rights under Article II, and the choice of developing those rights under Article III. In pursuing development, Maori may choose to pursue non-traditional uses of their resources instead of or as complementary to, their traditional practices.

The Principle of Consultation

Effective, early and meaningful consultation is an integral and necessary component and forerunner to greater participation by Maori in resource management decision-making.

In the course of their discussions on good faith and reasonableness, the High Court and Waitangi Tribunal have identified a number of characteristics of good consultation, including:

- (a) the obligation to provide sufficient information so as to allow tangata whenua to make an informed assessment on the proposal and determine their response to it;
- (b) the obligation to be willing to change plans or proposals, if that is the result of consultation;
- (c) the obligation to ensure adequate time frames. This means allowing sufficient time for tangata whenua to absorb what they are being asked to consider, and giving them sufficient time to respond (extensive tribal discussion and hui must be taken into consideration).

B2.2 Recognising the different understandings of resource issues which exist between Ngati Toa and Council

B2.2.1 Ngati Toa Values and Environmental Management - as stated by Te Runanga O Toa Rangatira

By the time of the First European contacts, in 1642 (Abel Tasman) and 1769 (James Cook), Maori had developed a sophisticated set of resource management practices which ensured that both people and natural resources could be sustained over succeeding generations.

Since the signing of the Treaty in 1840 however, Maori systems of resource management have seldom been recognised by European approaches to resource management and planning. It was not until 1975 with the founding of the Waitangi Tribunal, that the relevance of Maori values and approaches to environmental management was established.

In order to fully appreciate the depth of meaning and profound implications of the strong conservation ethic within traditional Maori society, it is necessary to refer back to Maori mythological origins.

The Ngati Toa World View

The overall Maori world view is common to all iwi but there are variations between Iwi. This is the world view of Ngati Toa. Council accepts that, as tangata whenua, the world view of Ngati Toa is the Maori world view for the City.

The Maori creation myth embodies both physical and spiritual concepts of the world's origins. Maori believe that the world was originally divided into three great states of reality. The first being Te Korekore (the void) within which Io-Matua Kore (the Parentless One) dwelt. The second state of reality was the numerous Po (the night), which was created by Io and lasted for eons. Ranginui (the sky father) and Papatuanuku (the earth mother) emerged from these realms and bore many children, all of which were atua (deities). Tane Mahuta, the first son of Rangi and Papa grew tired of living in the dark, cramped space between his parents. So he forced his parents apart, creating space between earth and sky. Thus, the third state of reality came about and became known as Te Ao Marama (the world of light).

Tane was the procreator of mankind. Having no female counterpart he took part of the soil from mother earth to fashion a female form and invoking authority from Io-Matua Kore, Tane was given the mana (authority) to breathe life (mauri) into the nostrils of his female creation so giving rise to the first human being. Thus began an evolutionary process which produced mankind. In order to cover his mother's nakedness, Tane clothed her with forest and plant life and became dominant over the land and all who dwelt upon her.

The creation and the evolutionary processes were continued by the atua through the mana (authority), mauri (life force) and wairua (spirit) granted to them by Io-Matua Kore. These atua were responsible for the creation and evolution of all living things, including human beings, within the physical world. The Maori was born into this physical reality as part of it. He/she belonged to this physical environment, it did not belong to him/her. Although people were seen to test the boundaries of their relationship with the environment, a complex set of concepts and rules, grounded in the spiritual world, ensured that people did not push this relationship too far. These practices, or tikanga, were developed to maintain the mauri of the domains of atua.

Tikanga

Tikanga incorporates concepts such as tapu (sacredness) and rahui (temporary restriction). Tapu implies a prohibition which, if violated would have calamitous consequences; quite possibly, death. A tapu site has been described as being protected by an unseen gate, and has also been likened to an area of harmful radiation. Even though nothing is visible, a person who violates the area knows the awful and inescapable consequences which will certainly follow.

Rahui is a temporary form of prohibition used to preserve birds, fish, or any natural product. In many instances the rahui is indicated by a pou rahui, or post, which warns people against trespassing into the area of the rahui. A person becomes tapu when he or she dies. Rahui is used therefore when a

person is drowned at sea or in a lake or river. Gathering of fish or shellfish is prohibited for a period sufficient for the natural balance and mauri of the environment to be restored.

Kaitiakitanga

Kaitiakitanga is a term that denotes the package of tikanga or practices concerning environmental management. Inherent in the notion of kaitiakitanga is the understanding that members of the present generation have responsibility, passed to them by preceding generations, to care for their natural environment by protecting mauri. Kaitiakitanga carries with it an obligation not only to care for the natural world, but also for each generation, by ensuring that a viable likelihood is passed on. Kaitiakitanga is inextricably linked to tino rangatiratanga as it may only be practised by those iwi, hapu or whanau who possess tino rangatiratanga in their tribal area.

Taonga

Within the domains of atua there are a variety of sites, resources, environmental phenomena and cultural institutions that are of particular significance to tangata whenua. The term taonga is used in s. 6(e) of the Resource Management Act and in Article II of the Treaty. Taonga encompasses all things tangible or intangible and derive their meaning at both the physical and spiritual levels. At a spiritual level, taonga includes the three great states of reality, Te Korekore, Te Po and Te Ao Marama and all that was created out of those states. At a physical level, taonga is manifested in the physical states of moana through to whenua. Examples of taonga include wai (water), moana (sea), maunga (mountains), awa (rivers), kai (traditional food), maataitai (seafood), waahi tapu, tauranga waka, cultural resources such as flora and fauna for rongoa maori (medicine) and weaving, and cultural encystations such as marae, papakainga, mahinga maataitai.

B2.2.2

The City Council Perspective

An understanding of the Council's origins and functions is important to an understanding of the Council's perspective on resource management.

Porirua is a very young City. It became a City in 1968 and the present City boundaries were established as recently as 1989.

The City Council receives its authority from the Crown by way of statute. The Local Government Act, Public Works Act, Rating Powers Act, Resource Management Act etc set out what Council is empowered to do, and in many cases how it should do this.

The function of the Council is to manage the City within the frameworks laid down in the relevant legislation, including the Resource Management Act 1991.

The Purpose of the Resource Management Act 1991.

The purpose of the Resource Management Act is "to promote the sustainable management of natural and physical resources". This is a change from the Town and Country Planning Act which referred to the wise use of resources. This illustrates the way in which the Council's world view is established by statute, and can be changed by statute.

Resource Management Principles

The principles of the RMA are set out in Sections 6 through to 8, namely the matters of national importance, other matters to be had particular regard to, and the Treaty of Waitangi. These are the basis of Council's resource management philosophy, and the District Plan is Council's statement of interpretation of these as they relate to Porirua City.

Boundaries of Resource Management Responsibilities

The City Council does not have an open ended authority to manage the use of resources. The resources which come within the City's resource management responsibilities are clearly delineated in the Act.

Council has responsibility for policy and decision making on activities on the surface of land and fresh water, and for the subdivision of land. The Wellington Regional Council has responsibility for the management of activities in and over the coastal marine area and for the quality of air and water, including discharges to air, land and water. These few examples of the way in which the Act divides the responsibility for various aspects of resource management provide some indication on the limitations within which the Council operates.

Resource Management Processes

The Resource Management Act sets out the processes for decision making on resource management issues. These processes cover the preparation of plans, the timetables for decisions on resources consent applications, the matters to be taken into account in resource consent decisions etc. While some of these processes have some flexibility, for the most part they are firmly fixed by the Act, including the time periods available for submissions of resource consent applications.

Private Property Rights

The subdivision provisions of the Resource Management Act deal directly with the private property right of title to land, the ability of owners to divide and sell parts of the land to which they have title. This process is an essential part of the development of the City in that it is the basis of urban development, the rearrangement of farms into more efficient forms and areas etc. It is also very different from the Maori world view in that it treats land as a tradeable asset.

The Act presumes that the owner of a property has the right to do whatever they wish in terms of land-use unless and until the Council has established good reason to restrict the uses of that land. Under section 32 of the Act Council is required to consider whether it is justified in restricting the use of land and if so to what extent. The policies and rules in the Plan set out the extent to which Council has determined private property rights should be restricted in order to promote the sustainable management of the natural and physical resources for which it has resource management responsibility.

The RMA is based on the consideration of the effects of activities. A resource consent is tied to the land. The RMA does not allow one person to obtain a resource consent for an activity and then sell that consent to the owner, or in any way to stop that owner taking advantage of that consent.

It is important to recognise that, while many express their environmental concerns in terms of an entirely holistic understanding of the environment, Council can only respond on those aspects of environment for which it has resource management responsibility as embodied in the District Plan.

The Act makes particular reference to a number of Maori issues in addition to the Treaty. The wording of section 8 of the Act, which deals with the Treaty of Waitangi, makes it clear that the Treaty is one of the factors which must be taken into account in decision making.

B2.3 Conclusions

The Resource Management Act includes statements on the Treaty of Waitangi, and on a number of resource management issues of particular concern to Maori. While the interpretation of what these sections mean must be left to the courts, this section of the Plan sets out to clarify terms and understandings as the basis for the ongoing operation of the District Plan. This section has been developed co-operatively by Ngati Toa and Council and provides an essential basis for common understandings of issues, concepts and statutory responsibilities. The emphasis placed on the Treaty in any particular circumstance can to some extent be guided by the objectives and policies which are set out in Section C5 of the Plan.

B3 SUBDIVISION ISSUES

The City has the significant advantage of large areas of land available for urban development which are within the existing "urban" environment. This requires the management of the urban areas of the City to ensure that the pattern of subdivision which develops results in a sustainable management of such resources as water, roads, waste disposal etc. It also allows a subdivision policy in the rural area which avoids, remedies or mitigates effects on the natural environment, coast and the future potential of the rural resource. This follows the direction given in the Wellington Regional Policy Statement. Part C6 of the Plan sets out the Objectives and Policies which the Council has adopted in response to this issue.

B4 TRANSPORT ISSUES

The transportation needs and issues vary across the City, but in all parts of the City the transportation network represents a significant resource, and ensuring that it is used efficiently and effectively is a significant resource management issue for the City, and for the Region. The District Plan will seek to ensure that the adverse environmental effects of the transportation network on Porirua City are avoided, remedied or mitigated. Part C7 of the Plan sets out the Objectives and Policies which the Council has adopted in response to this issue.

B5 *Part B5 has been deleted as a result of Plan Change 15. See Part HH for Historic Heritage issues.*

B6 LANDSCAPE AND ECOLOGY ISSUES

The protection of outstanding features, significant indigenous vegetation and public access to the coast, lakes and rivers are all matters of national importance under the RMA. Many of the issues related to the landscape and ecology of the City are also referred to within section 7 of the Act. Part C9 of the Plan sets out the Objectives and Policies which the Council has adopted in

response to this issue. The Landscape and Ecology section of the Plan is a recognition of both the importance of the City's landscape and of the many issues which surround the management of these natural resources.

B7 COASTAL ISSUES

The preservation of the natural character of the coastal environment and the maintenance and enhancement of public access to the coast are matters of national importance. Porirua has an extensive and diverse coastline and many parts of the coast are of national and international significance. Many of the coastal issues facing the City cross the mean high water springs line which separates the City's resource management jurisdiction from that of the Regional Council. One of the major resource management issues facing the City is to ensure the integration of policy and implementation of resource management objectives and policies across this sensitive environmental interface. The objectives and policies which recognise this importance are principally contained in Section C10 of the Plan. Part G, the cross-boundaries issues section of the Plan also deals with these issues.

B8 NOISE ISSUES

Noise can create a very real adverse environmental impact and has an effect well beyond its source. Objectives and policies which manage this effect are set out in Section C11 of the Plan.

B9 NATURAL HAZARD ISSUES

The sustainable management of resources, and the protection of the community requires that the prospect of natural hazards is recognised and taken into account in resource management decision making. Seismic hazard and flood hazard are particularly significant issues for Porirua and the Plan recognises this both through the information provided in the Planning Maps and through the objectives and policies set out in Section C12 of the Plan.

B10 SIGNS

Signs, by their very nature, can have a significant visual impact in any particular locality. They can have a significant effect on the character and amenity of any part of the City, and on traffic safety. For this reason signs are considered a significant issue for the City and specific provisions have been adopted to manage their effect. Section C13 of the Plan deals with signs.

B11 NETWORK UTILITIES

Network utilities include such activities as water, gas, and electricity supply, radiocommunications, telecommunications, roads, rail and sewerage disposal. The City is traversed by two state highways, the North Island main trunk line, and the high pressure natural gas line for the Region. Some of the Region's largest and most powerful communications facilities are also located in the City. In addition to these large utilities, the safe, convenient and efficient operation of the City depends on the network utilities which serve all parts of the City. Chapter NU of the Plan recognises the importance of these resources and the need to provide for them while managing their effect on the environment.

B12 HAZARDOUS SUBSTANCES

The Regional Policy Statement makes it clear that the principal responsibility for controlling the use of land to manage the effects of hazardous substances will be at District and City level. This is a potentially significant issue, with implications for the built environment, and for the many sensitive ecological areas of the City. For this reason the Plan deals with this issue in some detail in section C15 and Part I.

B13 RENEWABLE ENERGY

Section 7(j) of the Resource Management Act requires particular regard to be given to the benefits to be derived from the use and development of renewable energy. These benefits may be of national significance. The rural areas of the City, in particular, have potential for the development of renewable energy, such as wind energy at a commercial scale, while the urban areas of the City offer the opportunity for domestic scale renewable energy use. Government energy policy, expressed in the New Zealand Energy Efficiency and Conservation Strategy (2007) adopts a target of 90% electricity generation from renewable sources by 2025.

Section C4 of the Plan recognises the importance of the development of, and use of, renewable energy resources while at the same time ensuring that adverse effects of such development are appropriately avoided, remedied or mitigated.

The rural land resource in Porirua has multiple values including its potential value for wind energy generation. Primary production and plantation forestry activity are predominant in the Rural Zone. However, the nature of the Rural Zone is changing, with rural lifestyle land use becoming increasingly prevalent

Along with its landscape attributes, the harbour catchment also has significant ecological values, and Pauatahanui Inlet is recognised by Greater Wellington Regional Council as being of regional significance as an estuarine harbour ecosystem. The Wellington Regional Policy Statement (1995) also recognises many of the coastal escarpments as regionally significant for habitat, fauna or landscape and the New Zealand Coastal Policy Statement (1994) contains policies to achieve the sustainable management of the coastal environment.

Both the geographical location of Porirua City and its many hills and ridges within close proximity to the coastal area, lends the City to being a potential wind energy resource. However, the characteristics that make the City a potential wind energy resource are the same that provide the landscape backdrop and natural edge to the harbour catchment and the City's urban areas. The relatively close proximity of the hills and ridges to the lower lying urban areas, the increasing presence of rural lifestyle land use and the harbour ecosystem combine to create potential tensions between the existing values of the Rural Zone and its potential as a wind energy resource. These tensions require careful management in considering the sustainable management of the Rural Zone.

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PART C

OBJECTIVES AND POLICIES

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C1 CITY CENTRE ZONE

Current work on the future of the City Centre began in 1989 with a programme of public consultation. This programme involved assessing methods of resolving a growing traffic problem regarding the use of the previous motorway ramp bridge. The provision of parking, landscaping and general amenity areas were also raised. These studies and discussions were directed at providing Porirua with a City Centre appropriate to business, civic and community requirements over the next twenty years.

Floor space projections, parking assessments and urban design studies led to the identification in 1992 of two options for the future form of the City Centre.

Following a second round of public consultation the favoured option was adopted by Council. This has been referred to as "Option 1A". It is based around a new roading network which extends the area of the core City Centre to Parumoana Street, and provides for significant increases in the overall size of the City Centre in a way which integrates with the existing developed area.

Since the adoption of "Option 1A" as the vision for the future of the City Centre, Council has undertaken considerable work on the public aspects of that vision. The new Te Whakawhitinga-O-Ngatitoa bridge and other intersection improvements have been completed. After further public consultation, the new roading network and traffic calmed pedestrian areas have been established. Council is also actively promoting the development of a significant "Whole Environment Shopping" commercial site in the City Centre, and has stated its commitment to the covering of the pedestrian ways in the older shopping area.

The natural environment of the City Centre has been significantly modified. The Porirua Stream is being modified to provide greater flood protection for the City Centre, and considerable work is being undertaken to enhance the attractiveness and recreational potential of the stream and foreshore areas.

Council's role in encouraging local economic developments is primarily to promote Porirua as a prosperous and successful commercial centre within the region. This has been endorsed by the local business people through the Annual Plan and Council has subsequently carried out an active policy of enhancing the standard of support facilities and services in the City Centre.

The provisions in the District Plan dealing with the City Centre are part of this larger picture and provide significant flexibility within this area. At the same time, the rules for the City Centre recognise the importance of public investment in the roading and pedestrian systems and seek to ensure that the high levels of convenience presently enjoyed are continued as the City develops.

C1.1 Objective

TO MAINTAIN AND ENHANCE THE CITY CENTRE RESOURCE WHICH IS THE PRINCIPAL COMMERCIAL AND SOCIAL FOCUS OF THE CITY.

Explanation

The resources of the City Centre include the buildings, roads, commercial and public services, public open space, and the links between the City Centre and the other parts of the City. Sustaining the City Centre means ensuring that these are efficiently utilised over a long time period.

The City Centre is a strong physical, employment, educational and social activity focus. The City Centre's built resources include significant roading, parking and public open space. The Centre also contains the City's highest density of investment and development.

The diversity of built development and intensity of activity means it also has the greatest potential for change.

Within the City Centre there are strong relationships between the large-scale built form and urban style open space. This produces a vibrant City Centre for its people and visitors. The Council will continue to have an active interest in managing the arrangement of existing and future activities in the City Centre in such a way as to enable its continued development as the principal commercial, civic and cultural centre of Porirua and as a significant regional retail centre.

C1.1.1 Policy

To identify and define the extent of the City Centre and manage it as an integrated resource.

Explanation

The city centre is an area approximately bounded by the Porirua Harbour, Porirua Stream, and Titahi Bay Road. This policy promotes the management of the resources of this area as a whole.

Method of Implementation

The city centre has been defined by the **City Centre Zone and is identified on the Planning Maps**. The majority of the City Centre rules and standards apply across the Zone, however contained within this Zone are 'Areas' where different standards apply, such as varying height standards for buildings, parking and controls on buildings in areas of known seismic hazard. These 'Areas' have been identified on the Planning Maps. The status of shops in the Vehicle Area of the City Centre Zone varies with reference to the size of the shops and may be permitted, restricted discretionary or discretionary.

Principal Reasons

The older core of the City Centre was purpose designed and built in the 1950's and 60's. There has been significant development since that time and a gradual encroachment of commercial activities into the areas which were originally industrial to the north and south of the City Centre.

The Porirua Harbour and Stream and Titahi Bay Road create the natural boundaries for the City Centre. Within these boundaries the nature of the road network, buildings, activities and the natural environment create a resource which is quite distinct from the industrial, suburban and rural zones of the City.

The clearly defined boundaries of the area make the management of this area as an integrated resource both possible and an effective means of promoting the sustainable management of the environment. Land which is located close to the Porirua Harbour and Porirua Stream that was previously zoned industrial has been incorporated into the City Centre Zone in order to promote a greater appreciation of these areas as an attractive natural resource.

Shops in the Vehicle Area of the City Centre Zone have permitted, restricted discretionary or discretionary status. That will allow, where appropriate, consideration of matters which might affect the amenity and integrated management of the city centre when new developments are proposed.

C1.1.2 Policy

To promote a pedestrian focused environment in the City Centre that provides a high level of visual amenity and pedestrian convenience while minimising the adverse environmental effects of vehicle traffic.

Explanation

This policy applies to the inner parts of the City Centre Zone where existing resources e.g. parking, open space and walkways are shared and are geared towards pedestrian convenience.

Method of Implementation

The Council has a strong commitment to the continued development of the City Centre, and the enhancement of pedestrian convenience in the inner parts of the City Centre. Traffic calming, planting, landscaping and the covered walkway projects are all evidence of this commitment, as is the Council's initiative to promote the City Square development to increase the diversity, convenience and viability of the City Centre resource. These initiatives have and are continuing to be pursued through the **annual planning process**, and the Council encourages other private parties to contribute to the development of this policy.

The **rules and standards** for the Pedestrian Areas of the City Centre provide for a wide range of activities to meet the changing public demand for goods and services. An Inner Pedestrian Area and an Outer Pedestrian Area have been defined on the City Centre Zone Planning Maps. The difference between the Inner and Outer Pedestrian Areas is in the calculation of the number of car-parking spaces required on the site. Standards e.g. those dealing with the storage of materials, loading and unloading of goods are also intended to create an attractive and safe environment for pedestrians.

Temporary activities, such as markets, fairs, military training and other promotional activities in the City Centre areas will generally fall into the discretionary activity category. Activities of this nature can contribute significantly to the health and vitality of the City Centre. However, if not managed carefully such activities can cause significant short-term traffic and parking problems etc. The non-notification of such activities has been determined on the basis that any effects would be of a short term nature and therefore would not have wider community effects.

In balancing the need to allow a wide variety of activities against the need to protect community health, and retain the pleasantness of the City Centre as a shopping and business focus, it has been determined that some activities, particularly those that create an objectionable odour, must be specifically identified and required to undergo a rigorous assessment of environmental effects before being allowed to establish in the City Centre Zone. Objectionable trades (refer to the definition for "objectionable trade") have therefore been made non-complying activities.

The second category of activities which present a possible risk to the community are those activities involving the use of hazardous substances. This matter has been dealt with in Section C15 Hazardous Substances. Where relevant industry standards exist these will provide a key method of guidance for Council in the consideration of resource consent applications.

Principal Reasons

The pedestrian areas of the City Centre have a considerable public and private investment in pedestrian convenience. This constitutes a valuable built resource which should be enhanced where possible.

It is Council's aim to create a City Centre which continues to focus on commercial and social activities and, with special regard to built form, a variety of activity areas and visual amenity. The City Centre should continue to be a lively and vibrant central business environment and activity focus for residents, businesses and visitors.

The City Centre functions through the shared use of many resources, and through a collective convenience for pedestrians. The existing resources create a positive cumulative effect and the policy seeks to ensure that this is preserved, and built on in the future.

The continued integration of public developments e.g. covered walkways, limited car parking times, public seating, and private development e.g. new buildings, services and activities is the most appropriate means of ensuring that this resource is sustainability managed.

C1.1.3 Policy

To encourage a wide range of activities which require vehicle access to locate in the peripheral parts of the City Centre.

Explanation

These activities are those which are generally visited by people wanting particular goods or services e.g. hardware. The periphery, or vehicle oriented parts of the City Centre Zone includes land previously zoned for industrial activities.

Method of Implementation

Including this Area in the City Centre Zone will in itself increase the range of activities which are able to locate in the Area. The recently developed roading layout further enhances the opportunities for vehicle oriented activities by providing convenient vehicle access to these Areas from outside the City Centre.

Rules and standards have been developed for the vehicle oriented area to provide for the widest possible range of activities. Standards have been established to protect the convenience of the area by ensuring that increased intensity of activity in existing buildings only occurs where the effects will not result in a loss of environmental quality for neighbouring occupiers, or affect the streets or surrounding locality, e.g. adequate parking etc.

Temporary activities, such as markets, fairs and other promotional activities in the City Centre areas will generally fall into the discretionary activity category. Activities of this nature can contribute significantly to the health and vitality of the City Centre. However, if not managed carefully such activities can cause significant short-term traffic and parking problems etc. The non-notification of such activities has been determined on the basis that any effects would be of a short term nature and therefore would not have wider community effects.

Shops in the Vehicle Area may require resource consents depending on the size of the shops. In considering applications for restricted discretionary and discretionary activity resource consents to establish shops in the Vehicle Area, an assessment will be made of the impact the proposal will have on the transportation network of the City Centre Zone including the public transportation network.

In balancing the need to allow a wide variety of activities against the need to protect community health, and retain the pleasantness of the City Centre as a shopping and business focus, it has been determined that some activities, particularly those that create an objectionable odour, must be identified and required to undergo a rigorous assessment of environmental effects before being allowed to establish in the City Centre Zone. Objectionable trades (refer to the definition for "objectionable trade") have therefore been made non-complying activities.

The second category of activities which present a possible risk to the community are those activities involving the use of hazardous substances. This matter has been dealt with in Section C15 Hazardous Substances. Where relevant industry standards exist these will provide a key method of guidance for Council in the consideration of resource consent applications.

Principal Reasons

There are a wide range of activities which closely complement the pedestrian oriented activities referred to in policy C1.1.2. These range from hardware supplies to gymnasiums. They do not have the same level of shared facilities as the activities in the Pedestrian Areas but they are essential to ensuring that the overall resources of the City Centre are sustainably managed, and promoting these activities is an integral part of the objective for the City's principal commercial and social focus.

The Plan permits a wide range of activities within the vehicle oriented area to ensure that the market is able to respond to changing consumer demand. The effects of these activities on the City Centre and the wider environment are primarily controlled through the use of standards which apply to the Vehicle Area. The standards have been established at levels which ensure that the overall attractiveness of the City Centre is protected, and that the public resources e.g. public parking and traffic convenience are not degraded. Consideration of private and public transportation implications of proposals to establish shops in the Vehicle Area is appropriate given the potential for those

activities to attract significant custom and thus affect the transportation network of the City Centre Zone including public transportation options.

C1.1.4 Policy

To encourage a range of activities in the public pedestrian areas of the City Centre while ensuring they do not have any adverse impacts on pedestrian access, traffic circulation and the amenity and visual character of the area in which they locate.

Explanation

This policy seeks to provide the opportunity for public pedestrian spaces to be used for a range of market stalls and other activities which may use parts of public spaces within the City Centre Zone.

Method of Implementation

Provision for open space, landscaping and pedestrian areas may be provided through the **annual planning process**.

The **Council as the landowner** of public open space is able to manage the uses permitted in these areas.

Furthermore, the Council may enact new and administer existing by-laws to further manage activities.

Principal Reasons

There are a range of activities which are able to use public spaces within the City Centre without having adverse effects on traffic circulation, the more established retail activities, the convenience and access values of such areas or on the amenity values and visual character of the City. Indeed, many such activities provide vibrancy, interest and diversity, generating a positive benefit for all people working or visiting the City Centre.

C1.2 Objective

TO PROVIDE EFFECTIVE AND EFFICIENT VEHICLE, CYCLE AND PEDESTRIAN CIRCULATION NETWORKS WITHIN AND AROUND THE CITY CENTRE.

Explanation

The effectiveness of the circulation networks is related to the ease with which a destination can be reached.

The efficiency of the network is a reflection of the time taken and distances travelled in reaching a destination.

This objective deals with traffic within the City Centre Zone as well as traffic wishing to pass around the Zone to other parts of the City.

Transportation of the majority of goods and people to and from the City Centre is undertaken within the existing road network. This network is a significant resource. It is essential to ensure that the management and development of this resource is integrated with the management of surrounding land uses to ensure a high level of accessibility for people and goods by all modes of transport.

C1.2.1 Policy

To improve traffic flows within and around the City Centre through the design and management of the intersections and roads.

Explanation

This policy deals with the design and location of the roads in order to separate traffic wishing to pass around the City Centre from traffic wishing to enter the City Centre, and also to enable traffic to travel in an orderly and safe manner, by all modes of travel including by car and public transport, to and from sites and parking areas in the City Centre.

Method of Implementation

The development and maintenance of the transportation network may be undertaken by Council through the **annual planning process**. Recent consultation on the overall transportation network and on the traffic calming areas has demonstrated Council's commitment to involving the public and the business community in the ongoing development of the roading network.

Where necessary, parking controls through **Council bylaws** will be used to reduce congestion and ensure that traffic is able to flow freely.

Principal Reasons

The layout of the City means that traffic needs to be able to pass around the City Centre conveniently.

The nature of activity in the City Centre gives rise to a situation where the differing requirements of motor vehicles, cycles and pedestrians lead to a potential for conflict and possible accidents. The provision of safety measures to decrease the congestion, improve access to and from sites, enhance driver visibility at intersections, and ultimately decrease the accident rate in the City has been a priority in the planning of the City Centre.

Recent changes to the transportation network, in association with the new northern access bridge, have provided a clear separation of traffic wishing to pass around the City Centre, traffic wishing to go to a site in the Vehicle Area and traffic wishing to enter the pedestrian oriented areas.

C1.2.2 Policy

To ensure adequate car parking is provided to meet the needs of visitors and workers in the City.

Explanation

This policy deals with both the short term parking needs of shoppers and other visitors, and the long term parking needs of those who work in the City Centre. This policy deals with both the short term parking needs of shoppers and other visitors, and the long term parking needs of those who work in the City Centre. The term "adequate" in the Policy wording recognises that total parking provision will be consistent with the Wellington Regional Land Transport Strategy and in particular those provisions dealing with managing travel demand on the strategic transportation network through management of the relationship between the short term parking needs of shoppers and other visitors, and the long term needs for workers in the City Centre.

Method of Implementation

The Council may continue to provide publicly available short and limited long stay parking spaces within the core of the City Centre through both control of Council owned parking spaces within the core of the City Centre, and their maintenance and extension through the annual planning process. Council, in the management of public parking areas, will ensure a balance between all short and long stay public and private parking, consistent with the provisions of the Wellington Regional Land Transport Strategy.

Rules and standards have been developed to ensure that new developments provide all the parking which those buildings are likely to require over the longer term. This approach recognises that most buildings will be used for a range of activities but have great difficulty "adding in" parking after they are built. Establishing parking standards associated with the building rather than a specific activity is an effective means of promoting sustainable management of the limited city centre resource by:

- (a) Ensuring adequate parking; and
- (b) Maintaining and enhancing the vitality of the City Centre by reducing the risk of buildings being constructed that cannot accommodate a range of uses and which would remain vacant for long periods.

Different car parking standards have been developed for the Inner Pedestrian, Outer Pedestrian, and Vehicle Areas.

Within the Vehicle Area, parking is required to be provided within each site. This reflects the need to protect the convenience and efficiency of the road network by preventing congested road side parking, and it reflects the single-destination style of activities appropriate to this Area. It is accepted that there may be some sites within this Area where a change to a more intensive use will not be possible because it is not possible to accommodate the required number of car parks on the site.

In parking terms the Pedestrian Areas work as a single large system - visitors park in one place and shop throughout the Areas. Because of the balancing out effect of this larger concentration of parking it is possible to set a lower standard of parking for individual developments than is necessary in the Vehicle Area.

The Inner and Outer Pedestrian Areas already have a high level of retail/commercial development. The real effect of the car parking standard is to ensure that adequate car parking provision is made at the time of building e.g. additional floors, or the redevelopment of existing areas.

Principal Reasons

Parking is a vital component of commercial, retail and related activities. Commercial developers are well aware of the importance of adequate car parking, and of the need for convenient car parking.

There is a significant amount of Council provided car parking in the City Centre within the roading network. In addition, many, but not all, buildings have their own visitor and/or worker car parking.

If a parking shortfall is allowed to develop through inadequate parking provisions at the time of development, it is extremely difficult and expensive to solve this problem e.g. to find suitable locations and create further car parks which are conveniently located to the City Centre. There is at present an adequate parking resource and Council wishes to sustainably manage this resource by ensuring that future developments do not create a parking shortfall and lead to a loss of convenience for all concerned.

Council recognises the need to limit long term parking where this contributes to peak demand on the strategic network through journey to work travel. It is recognised in the Wellington Regional Land Transport Strategy that the use of single occupant private vehicle travel to work in peak periods is a very inefficient use of resources producing significant environmental costs. In recent years the most significant area of growth in parking supply in the Central Business District has been in private time-restricted shopper customer parking. Also with the redevelopment of the Housing Corporation carpark on Walton Leigh Avenue long term parking supply in the Central Business District has actually declined. Known future developments and projected growth for the Central Business District indicate that long term parking supply is likely to decline in the future as a proportion of total supply. For travel to work to the Porirua City Centre an important consideration is that as Wellington City is the main place of residence outside Porirua City for City Centre employees the journey to work does not add significantly to peak hour motorway congestion. Limiting long stay car parking is an important measure in helping to reduce peak demand on the strategic transportation network. Public transport access is also encouraged in the Porirua City Centre consistent with the provisions of the Wellington Region Regional Land Transport Strategy.

C1.2.3

Policy

To encourage the use of bicycles by reducing the potential for conflict between vehicles and bicycles.

Explanation

This policy relates to the provision of cycle ways which separate cyclists from vehicular traffic.

Method of Implementation

The Council may continue to take appropriate action and set aside funds for improvements through the **annual planning process**.

Principal Reasons

The purpose of this policy is to encourage the use of bicycles as an alternative means of transport. The bicycle offers an attractive alternative to the private car, thereby reducing congestion and the associated adverse environmental effects.

Cycle ways can be provided through public open space areas to avoid the need to use roads altogether in some cases.

C1.2.4

Policy

To improve pedestrian linkages to, and within the City Centre.Explanation

Pedestrian links include footpaths, pedestrian crossings, connections between buildings, linkages to the railway station and public transport, and to the surrounding suburban areas.

Method of Implementation

As with cycleways and other Council funded works the **annual planning process** may continue to address these issues through traffic calming and similar techniques. The Council initiated project to cover the walkways in Hartham Place, across Cobham Court, and through Serlby Place demonstrates Council's commitment to this policy.

The overall vision for the City Centre which has been developed through research and consultation, and adopted in 1992 (Option 1A) provides a strong basis from which Council, the public and intending developers can identify opportunities for improving pedestrian links.

Principal Reasons

This policy seeks to encourage the creation of spatial and activity relationships which promote a variety of clearly identified social and cultural focal points for special interest groups and all persons using the City Centre. Pedestrian routes and well designed pedestrian areas and linkages will assist in the development of this philosophy. This can be achieved by adding new links and enhancing existing links by covering exposed footpaths and improving lighting and services.

Such amenities are vital for the successful operation of all parts of the City Centre and the activities found there, and to meet the needs of all groups in the community including those with disabilities, the elderly, and care givers with children.

C1.3

Objective**TO PROMOTE A COHESIVE URBAN FORM WHICH ENHANCES THE AMENITY AND CHARACTER OF THE CITY CENTRE.**Explanation

The overall form of the City Centre is determined by the extent of the Zone, the shape of the roading network, and the shape of the buildings within the Centre. This objective deals with the latter of these factors.

A compact City Centre will ensure the retention and enhancement of the surrounding natural green areas which represent a 'soft' edge to the image of the City.

A cohesive form is also important to ensure a logical distribution of activities and associated services, and the ease of movement and orientation within the City Centre.

C1.3.1 Policy

To facilitate the development of a central tall "spine" of buildings and to provide a gateway to the City Centre.

Explanation

The main entrance to the City is over the Mungavin Bridge. This policy enables the development of a tall spine of buildings in this area.

Method of Implementation

The **height standard for Height Area 1** on the City Centre Zone Height Map provides for the creation of a tall spine of buildings up to 30m in height as outlined in the Policy. This provision allows developers a significant range of sites which are potentially suitable for high rise development. The number of buildings of this height which are developed in the long term is likely to be dependent on the economic situation, and on other provisions of the Plan e.g. those dealing with parking and seismic hazard.

Principal Reasons

This policy seeks to build on the existing natural and built form of the City. The natural form of the City includes the scarp to the south west of the City Centre. It is possible to build to quite a high level close to this scarp without the link to the natural landscape being lost. The policy is also based on the recognition that there are several modern tall buildings in this Area, and the gateway effect of these would be enhanced by the addition of further tall buildings in this Area.

C1.3.2 Policy

To allow development over the majority of the City Centre to a level which will complement both the tall building spine and the Porirua Harbour and Stream margins.

Explanation

This policy establishes the height control for much of the City Centre.

Method of Implementation

The **height standards for Height Area 2** on the City Centre Height Map provides for the development, as of right, to a maximum of 15 metres throughout this Area. In this Area, the rule provisions also allow for buildings above 25 metres to be assessed as a Restricted Discretionary Activity. This is to allow the effect of proposed buildings of this height to be considered on a case by case basis. The number of buildings of this height which are developed in the long term is likely to be dependent on the economic situation,

and on other provisions of the Plan e.g. those dealing with parking and seismic hazard.

Principal Reasons

This policy seeks to allow wide scope for development through the City Centre while preserving the overall form of the City Centre and its relationship with the natural environment.

It is the intention that individual buildings in Height Area 2 do not dominate the landscape, or detract from either the gateway effect of the tall spine (Height Area 1, refer to Policy C1.3.1), or the low, open, development pattern near the Porirua Harbour and Stream (Height Area 3, refer to Policy C1.3.3). There is some scope for buildings of different heights within Height Area 2 depending on their location relative to other buildings and the key natural features of Harbour and Stream.

C1.3.3 Policy

To protect the visual relationship of the City Centre to the Porirua harbour and stream by limiting the height of buildings at the edge of the City Centre.

Explanation

This policy applies to an area covering the northern and southern parts of the City Centre and that land fronting the Porirua Harbour and Stream.

Method of Implementation

The **height standards for Height Area 3** on the City Centre Height Map provides for the development, as of right, to a maximum of 10 metres throughout this Area. The effect of development up to 12m in height will be considered on a case by case basis.

Principal Reasons

Low rise development at the edge of the City Centre will allow a wide range of activities and enhance the attractiveness of the City Centre and protect views to the harbour and river from other parts of the City Centre. The green edge along the foreshore will be better defined for recreational purposes.

C1.4 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C1.4.1 The City Centre will continue its development as the principal commercial, civic and cultural centre of Porirua and as a significant regional centre.
- C1.4.2 The City Centre will continue to provide for convenient access for motor vehicles, buses, cyclists and pedestrians. Pedestrian links, cycleways and long and short term parking will be provided along with traffic calming mechanisms in order to create a safe, convenient and aesthetically pleasing shopping environment.
- C1.4.3 The emphasis will be on the creation of a variety of clearly identified social and cultural focal points within the City Centre for all persons using the City Centre.

- C1.4.4 The use of standards will establish and maintain a minimum level of amenity, safety and health for the benefit of Porirua residents, people visiting and working in the City Centre, and protect and enhance the natural environment and the built environment.

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C2 INDUSTRIAL ZONE

The City's industrial resource is comprised of areas adjacent to the City Centre and purpose built for industrial activities; and small, generally older, industrial areas which have become surrounded by suburban development. The smaller Industrial Zones have been absorbed into the Suburban Zone because they generally have suburban neighbours and should meet boundary standards which are the same as a suburban activity. The wide range of activities allowed in the Suburban Zone ensure that industrial activities which have little or no impact on the suburban character or amenity will still be encouraged.

The larger existing purpose built and designed industrial areas have been zoned industrial. These areas represent both a significant investment in infrastructure, and a significant resource where existing and future industrial development can locate.

A balance has been sought between the desire of industrial property owners to obtain a return on their investment in a time of slow industrial growth, and the need to protect the capacity of this resource to meet the demands of the future. This balance has been established by a mix of methods. Policies and rules allow a wide range of activities while setting parking and related standards which will protect the convenience of the road network for industrial traffic etc.

At the same time, Council's policies for the development of the City Centre provide a clear message to developers that the focus for commercial retail and related functions will remain the City Centre. The City Centre Zone has been expanded to absorb what was industrial land to ensure that those activities which are part commercial/retail and part industrial have a suitable and desirable location. In effect, activities are not being restricted from going into the Industrial Zone but the City Centre is being made so attractive that it is envisaged few retail/commercial firms will be willing to establish in the more remote, low traffic and less accessible areas of the City.

C2.1 Objective

TO PROMOTE THE SUSTAINABLE MANAGEMENT OF PORIRUA CITY'S INDUSTRIAL RESOURCE BY ENCOURAGING A WIDE RANGE OF ACTIVITIES TO ESTABLISH PROVIDED ADVERSE EFFECTS ARE AVOIDED, REMEDIED OR MITIGATED.

Explanation

Industrial land, buildings, and industrial activity are a significant resource within the City. The sustainable management of this resource incorporates the need to protect the existing and future development potential of the resource, and to protect the environment from any adverse effects of activities within the Industrial Zone.

Porirua City has well defined industrial areas with significant areas of land presently available for future development purposes.

These areas are well serviced with modern infrastructure and together with the existing building stock represent a valuable industrial resource. Accordingly, in the interests of sustainable management, and managing the effects of activities

on the environment, it is desirable that this area continues to support industry, and growth options are maintained for future years.

C2.1.1 Policy

To define an "Industrial Zone" which provides for the present and likely future industrial development in the City.

Explanation

This policy seeks to define the principal Industrial Zone within Porirua City as being that area which has a high level of convenience for industrial traffic, and contains a wide range of industrial sites that are supported by a modern and well serviced infrastructure.

Method of Implementation

The principal existing Industrial Zones, which were formerly zoned industrial in the previous District Scheme, now comprise the "Industrial Zone" and have been identified on the **Planning Maps**. These areas comprise land in the vicinity of Broken Hill Road, Kenepuru Drive, Ulric Street, and Elsdon.

Principal Reasons

Porirua City has a geographically well defined industrial resource, with clearly delineated precincts that are supported by a modern and comprehensive infrastructure (roading in particular), by their location to markets and major transport routes, and by a wide range of activities already in the area. This zone provides a framework for developing and applying performance standards that seek to maintain and enhance the City's industrial resources.

C2.1.2 Policy

To recognise the importance of the sustainable management of the few remaining large industrial allotments in the City.

Explanation

This policy applies to vacant allotments of 3 hectares or more within the Industrial Zone.

Method of Implementation

District Plan rules require that the subdivision of land requires a resource consent. In assessing an application for the subdivision of a large industrial allotment the Council will ensure that the fragmentation of these large allotments without a particular user or activity being identified is avoided. In this way, these larger allotments may be retained for major new developments.

Principal Reasons

Large vacant allotments are a scarce resource both in the City and the Region. This scarcity makes the future use of such allotments, and their potential to accommodate a large new industry or complex, an important resource management issue. The incremental subdivision of these sites for activities

which could reasonably be located elsewhere in the Industrial Zone is discouraged.

C2.1.3 Policy

To allow a wide range of activities in the Industrial Zone provided any adverse environmental effects on the environment are avoided, remedied or mitigated.

Explanation

Permitting a wide range of activities with suitable activity standards is one means of encouraging the efficient utilisation of industrial sites/buildings while maintaining an acceptable level of environmental quality.

Method of Implementation

District Plan rules allow a wide range of activities to locate in the Industrial Zone, and standards relating to height, setbacks from boundaries, noise, signs, vehicle movements etc. (that is, activity standards), will ensure that these activities meet acceptable environmental standards.

Temporary activities, such as markets, fairs and other promotional activities in the industrial areas will generally fall into the discretionary activity category. Activities of this nature can contribute significantly to the health and vitality of the city as a whole. However, if not managed carefully such activities can cause significant short-term traffic and parking problems.

Temporary military training activities can vary considerably in their scale and intensity. The plan makes provision for certain types of temporary military training as permitted activities provided compliance with the permitted activities standards is achieved. Where the nature, scale or intensity is such that these standards cannot be met, they will be considered as discretionary activities.

In balancing the need to allow a wide variety of activities against the need to protect community health, it has been determined that some activities, particularly those that create an objectionable odour, must be specifically identified and required to undergo an assessment of environmental effects before being allowed to establish in the Industrial Zone. Offensive trades (refer to the definition for "offensive trade") and the slaughtering of animals shall therefore be discretionary activities.

The second category of activities which present a possible risk to the community are those activities involving the use of hazardous substances. This matter has been dealt with in Section C15 Hazardous Substances. Where relevant industry standards exist these will provide a key method of guidance for Council in the consideration of resource consent applications.

Principal Reasons

The emphasis within the Industrial Zone is to allow individual industries to identify sites and buildings which meet their needs without compromising the viability and environmental quality of neighbouring areas.

The function of an industrial zone is to provide a place where a wide range of activities can establish and operate effectively. This can be achieved by having

activity standards that identify and impose levels of off-site impacts which are acceptable to the community. For each environmental effect an activity standard has been set which cannot be exceeded.

These standards serve a number of purposes. Firstly, activity standards seek to protect neighbouring land uses from harmful and nuisance causing emissions. Secondly, they seek to protect the resources and environmental quality of those places outside the industrial zone. Such standards include parking standards and setbacks from the boundaries with other zones etc. Activity standards also serve to establish an acceptable level of environmental quality throughout the industrial zones, so that activities cumulatively do not create an undesirable industrial environment.

C2.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C2.2.1 The Industrial Zone will continue to be an attractive location for industry, providing both employment opportunities for local residents, and enhancing their economic and social wellbeing.
- C2.2.2 The protection of the remaining large industrial allotments from incremental subdivision in order to attract large new industry to the City.
- C2.2.3 The environmental effects of activities will be managed and monitored in order to maintain a satisfactory level of amenity, safety, health and convenience for the benefit of residents, people working in the area, and the natural and physical environment.

C2A

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C3 SUBURBAN ZONE**Resource Management Act 1991**

Section 5 of the Resource Management Act (RMA) is concerned with the promotion of the "sustainable management of the natural and physical resources". In achieving this aim through the District Plan process the Council shall have regard to the "actual or potential effect of activities on the environment."

The community has invested considerable resources into building and developing the Suburban Zone; in terms of the provision of public services (such as roads, sewerage and water reticulation, and street lighting, etc.), the provision and development of public open spaces, and the development of residential and commercial buildings and properties. Accordingly, the Suburban Zone represents an important and valuable physical resource which should be managed as a sustainable resource for present and future generations.

Residential Needs and Standards Report 1991

The report "Residential Needs and Standards" prepared by Council in 1991, formed the basis upon which the key resource management issues concerning the City's residential resource were determined as part of the preparation of this section of the District Plan. The research undertaken at the time showed that the serviced and readily serviced residential land within the City could accommodate at least 5,000 additional dwellings, not including multi-units and infill subdivision. This was an increase of 5,000 over the existing resource of 14,100 (1991). Accordingly, it was identified at that time that there were significant areas of land available for suburban development in many parts of the Suburban Zone.

Traditional views about the role of bulk and location requirements in markedly influencing property values have tended to be challenged by data supplied in this report. Locational factors such as living adjacent to coastal areas, or outstanding views, or site development works, e.g. landscaping and associated residential amenities, have a far greater influence on the value of land than the layout of sections and buildings. Many of the least expensive properties in the City were those developed by the Housing Corporation with large sections and wide separation distances between buildings etc. In contrast, there were many expensive properties with relatively small sections, with limited outdoor living space, poor vehicular access and no provision for off-street parking etc. This reflected both a trend to infill in areas with high land values, and the high values associated with many of the areas of the City which were originally developed as baches with small sections. This information therefore, at that time called into question the merit of having strict controls on the bulk and location of buildings on properties and controls on the subdivision allotment sizes.

Lifestyle changes in the general population also presented a strong case for allowing greater flexibility in the control of allotment sizes and site layout. Family homes were found to have generally increased in size as changes in indoor and outdoor recreational activities have occurred. Increased television, video, and computer usage had meant that families had become more inclined to seek this form of recreation. Accordingly, the need for large areas of outdoor living space was found to have reduced over the years. Increased mobility generated by increases in private motor vehicle ownership had also meant an

increase in formalised sports at sports grounds and indoor facilities. Furthermore, longer working hours reduced the amount of time that people could devote to maintaining large gardens and residential sections.

Non-residential Activities in the Suburban Zone

In 1991, around 700 businesses in Porirua City gave a suburban address for their business. The businesses fell into a very wide range of New Zealand Standard Industrial Classification categories. This is consistent with research undertaken on the City's economy which suggests a growing number of small businesses with limited incomes. These businesses might typically be a semi-employment business where the income would be insufficient to cover the rental of commercial premises. Economic research has also identified that unemployment is not confined to any one occupational group, and is not expected to dramatically decline in the near future. On the basis of this research, and following public consultation, it was decided to broaden the range of activities allowed in the Suburban Zone, and to set the level of discretionary activities at the point where the scale or nature of the activity would be significantly different to that of the Suburban Zone generally.

One area of the Suburban Zone where non-residential activities can be expected to occur is in the Baxter's Knob commercial recreation policy area, on the Aotea Block. This area retains an underlying zoning of Suburban Zone as it is possible that parts of the area could be developed for residential purposes at a later date if commercial recreation activities prove not to be viable. In the meantime, however, it is expected that Baxter's Knob will prove to be an attractive location for commercial recreation activities, just as it is currently for a range of more passive recreation activities. If not appropriately managed, however, non-residential activities could significantly affect the amenity values of the surrounding environment through generation of unreasonable noise levels, low quality of building design, loss of vegetation or other adverse visual effects and effects from increased traffic. Baxters Knob is also the location of an existing broadcasting and telecommunications facility and hence some protection of the coverage area from this existing infrastructure is necessary. The rules and standards of the plan seek to manage these effects and also, via the policy overlay, the reasonable expectations of nearby property owners and occupiers.

Infill Development in Porirua City

To a large extent, the District Plan has achieved its intended purpose set in the 1990's for the Suburban Zone, enabling development to occur with a reasonably high level of flexibility in design options and outcomes. However, there have been numerous changes within Porirua City since the 1991 report and the Plan being made operative in 1999.

Infill housing of established suburbs is provided for in the District Plan as a way to facilitate a compact, sustainable urban form. While this has facilitated some diversification in the range of housing choice within the City and enabled a greater range of housing needs to be met, in some cases the benefits of infill housing have resulted in reduced amenity for adjoining property owners and a reduction in streetscape quality.

In particular, the District Plan's flexible accommodation of infill development has enabled infill development to occur at a scale, rate and in a form that was not anticipated at the time that the Plan was promulgated. In some cases, this

has resulted in development that is incompatible and uncharacteristic with its surrounding neighbourhood and has provided little on-site amenity for residents.

A region wide assessment of similar developments within other city councils in the Wellington region has shown that this is not a unique issue for the City.

A Standards Based Approach

While recognising these changing lifestyles and demands, and the desire of private landowners to have a minimum of control placed on the activities that they wish to conduct on their land, there is a need to ensure that adjoining landowners and the residential resource itself are not adversely affected by such activities.

Accordingly, the approach adopted in this section of the Plan is to place the emphasis on assessing potential environmental impacts through a series of activity standards which must be met in order for an activity or structure to be a permitted activity. Failure to meet one or more of these standards means that a resource consent would be required, at which time a full and comprehensive assessment of the resulting environmental effects would be undertaken prior to a decision on the application.

C3.1

OBJECTIVE

TO ENCOURAGE SUBURBAN ACTIVITIES TO UTILISE LAND MOST SUITABLE FOR THAT PURPOSE.

Explanation

The Council will encourage the suburban use of land within the Suburban Zone, which is suitable for urban development on the basis that the land can be serviced with reticulated water and sewerage systems, is able to be provided with appropriate roading, access and parking, and has no topographical or natural hazard constraints which would preclude development.

In order to accommodate the demand for residential growth, land needs to be made available for suburban growth. Council's research has identified that there was sufficient land zoned under the Transitional District Plan to accommodate the anticipated demand for the next twenty years.

The purpose of ensuring that there is sufficient quantity of suitable land to meet the anticipated growth is to enable people and communities to provide for their social, economic, and cultural wellbeing. The suitability of land, in sustainable management terms, means not only physical suitability but also balancing the other objectives for Rural, Industrial or City Centre Zones. It also seeks to maximise the use of existing resources, including infrastructure.

C3.1.1 Policy

To define a Suburban Zone which provides for the present and future suburban development needs of Porirua City.

Explanation

The Suburban Zone recognises the existing residential resource and suburban shopping centres, and allows for its future expansion into areas suitable for residential development.

Method of Implementation

The six residential zones provided for in the Porirua City Transitional District Plan 1991 have been incorporated into one Suburban Zone. The extent of this zone is shown on the **Planning Maps**.

Principal Reasons

The Suburban Zone boundary incorporates all six residential zones provided for by the Porirua City Transitional District Plan. No new areas of rural land have been included in recognition of the fact that there is sufficient land available within these boundaries for up to 5000 additional dwellings (not including infill subdivision and multi unit development – Source: Porirua City Council Residential Needs and Standards Report, 1991). Based on future growth projections for the City, it is anticipated that there will be sufficient land available for suburban purposes within the 10 year life of this Plan.

Growth trends will however be monitored and reviewed through the use of population statistics released periodically by Statistics New Zealand, and through the monitoring of building and resource consents.

An analysis of the residential zones in the Transitional District Plan showed that the differences in the nature of development between these zones did not warrant different subdivision, and bulk and location standards. On this basis, a single Suburban Zone has been adopted.

In identifying land generally suitable for suburban purposes, it is necessary to balance the competing demands for the use of resources with the suitability of the land for such uses. There will be some land within the Suburban Zone which physically cannot be built on, or at least, is generally unsuitable for building on, while there will be other land which may be more appropriately left as rural farmland, or left undeveloped for conservation purposes, and there will be other land generally suitable for low density residential building forms. Such land uses may be an efficient use of resources, particularly when regard is had to the topography and other characteristics of the land. Furthermore, the zoning of land for suburban purposes does not guarantee that full urban services are available. Where adequate services are not available, the financial contributions part of the Plan provides for these to be provided by the subdivider or developer. Council will ensure that reticulated urban services are provided. Council will retain a discretion over the appropriate level of such services, and of other services and utilities that are required to be constructed at the time of the development.

C3.1.2 Policy

To encourage the maximum utilisation of the existing infrastructure and resources by encouraging suburban activities in areas which are already serviced.

Explanation

There are areas of land which already have services in place and are suitable for suburban activities. These areas shall be specified in the District Plan, and residential development shall be a permitted activity in those areas.

Method of Implementation

District Plan rules require a resource consent for all subdivision in the Suburban Zone. Where subdivision occurs, the Council may impose conditions on a resource consent to ensure the existing infrastructure is used efficiently.

Secondly, where new land is being developed, the Council will ensure the utilities needed to service the development are provided. Reticulated urban services will be required. Council will retain discretion over the appropriate level of such services, and other services and utilities required to be constructed at the time of the development, and the manner of their construction. This is to ensure that while future development potential of the land is not comprised, some services that are required to be constructed at the time of subdivision may be commensurate with the impact of the proposed development.

Principal Reasons

Considerable investment has been put into the establishment of urban infrastructure such as roading, and reticulated water supply and sewerage systems. The efficient utilisation of this existing infrastructure is considered to be a sustainable use of public resources, and development will be channelled in the first instance to these areas.

C3.2 OBJECTIVE

TO ENCOURAGE AN ENVIRONMENT WHICH CONTINUES TO SUSTAIN PORIRUA CITY'S SUBURBAN ZONE AS AN ATTRACTIVE, HEALTHY AND SAFE PLACE IN WHICH TO LIVE.

Explanation

It is important for the wellbeing of the community that the Suburban Zone continues to be an attractive place in which to live.

There has been a considerable amount of investment in Porirua City's suburban resources, both in terms of physical structures (buildings), and the supporting infrastructure (roading, sewerage and water supply). There has also been a considerable amount of investment put into developing natural resources, such as reserves and native vegetation, to provide an appropriate level of residential amenity.

There are some 16,368 dwellings (2006 census data) in Porirua City which provide homes for some 48,500 people (2006 census data). In addition, there are also a number of activities and facilities associated with the Suburban Zone

which service the needs of the City's residents (such as shops and schools). As such, the Suburban Zone is a particularly significant resource, primarily as a place to live. It is therefore necessary to promote and continue to encourage the use of this area as a place for residing.

C3.2.1 Policy

To protect and enhance the amenity and character of the residential resource by defining standards for the bulk and location of buildings, the provision of open space, and the nature and scale of activities.

Explanation

The suburban resource is a combination of buildings, infrastructure, communities and community facilities, and open spaces. These natural and physical resources contribute to the amenity and functioning of the Suburban Zone. Together these factors combine to make up the City's suburban resource.

It is the Suburban Zone's function to provide a good environment for people to live in. Accordingly, activity standards have been used which specify a minimum acceptable level of environmental effect at which an activity can operate if it is to be acceptable within the context of the surrounding environment.

Method of Implementation

District Plan rules and standards will be used to achieve this policy. The standards will ensure that the present levels of amenity are maintained in relation to setbacks from boundaries, noise, access, parking, etc. It is anticipated that the majority of residential dwellings and accessory buildings will be able to meet the activity standards and therefore be permitted activities. The rules and standards more specifically will control the scale and character of non-residential activities, and residential buildings which cannot meet one or more of the bulk and location requirements.

Five groups of activity are identified that require special consideration and these are as follows:

- (a) Temporary activities, such as markets, fairs and other promotional activities in the Suburban Zone will generally fall into the discretionary activity category. Activities of this nature can contribute significantly to the health and vitality of the City as a whole. However if not managed carefully such activities can cause significant short-term traffic and parking problems etc.
- (b) Temporary military training activities can vary considerably in their scale, nature and intensity. The Plan makes provision for certain types of temporary military training as permitted activities provided compliance with the permitted activity standards is achieved. Where the nature, scale or intensity is such that these standards cannot be met, they will be considered as discretionary activities.

- (c) In balancing the need to allow a variety of activities against the need to protect community health, and retain the character and amenity of the suburban neighbourhoods, it has been determined that some activities, particularly those that create an objectionable odour, are generally not acceptable activities in the Suburban Zone. Offensive trades (refer to the definition for "offensive trade") shall therefore be non-complying activities.
- (d) A second category of activity which present a possible risk to the community are those activities involving the use of hazardous substances. This matter has been dealt with in Section C15 Hazardous Substances.
- (e) Vehicle yards have been specifically listed as a discretionary activity as distinct from other activities. The character and nature of a vehicle yard is very different from the character of residential areas. The parking of vehicles on large expanses of hard surfacing, banners and flags, signage, and floodlighting etc. contrast in character to a normal residential street scene. It is appropriate to have a measure of discretion in assessing the merits of individual applications. On this basis vehicle yards will be a discretionary activity and subject to a resource consent application.

Building controls, under the **Building Act 1991**, also ensure minimum standards of building design for the purposes of natural daylight in habitable rooms, accessways, and internal and external structures. These requirements are imposed through the building consent process. Where relevant industry standards exist these will provide a key method of guidance in the consideration of resource consent applications.

Principal Reasons

The purpose of this policy is to protect the suburban resource from activities which result in significant adverse environmental effects. The suburban resource is comprised predominantly of residential properties. The attractiveness of a residential area as a place in which to live can be defined according to the following:

1. Pleasantness - matters which have a significant impact on the desirability of an area as a place to live, as determined by such factors as the level of noise, sunlight, privacy and overshadowing, views, streetscape, open space etc.; and
2. Character - this can be defined with respect to the scale of the activity, the appearance of the buildings or area, and the way the activity relates to the surrounding area. These factors are controlled generally by conventional bulk and location requirements; and
3. Natural/Ecological effects - these matters go beyond the compatibility of one activity with others (as outlined in 1 and 2 above), and relate more to the effect on land, water and air. For example, uncontrolled levels of earthworks may cause environmental degradation of adjacent waterways through increased water and soil run-off, and the destruction of sensitive ecosystems.

The first two categories, 'pleasantness' and 'character,' together constitute amenity. The RMA defines amenity values as:

"... those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."

The "amenity" of the Suburban Zone can therefore be seen as a number of interrelated factors which individually may be relatively unimportant in relation to the overall qualities and conditions constituting the amenities of the area. A proposed change in some of those qualities and conditions may affect only a few neighbouring occupiers. Other qualities and conditions may be important or even fundamental to the amenities of that neighbourhood and a proposed change in them may affect appreciably all the persons who enjoy the amenities of the neighbourhood.

The Council has adopted a standards approach to controlling the scale and other effects of activities in the Suburban Zone. Activity standards specify a maximum permissible level at which an activity may operate, for example, in relation to noise or vehicle movements etc. Activities not able to meet these standards are deemed to have potential adverse environmental effects beyond what is considered acceptable. Such activities or structures would require a resource consent application at which stage a full assessment of the potential effects may be undertaken.

The standards allow flexibility for a range of building types, building locations and activities, while also ensuring that the amenities of neighbouring occupiers are not adversely affected. Limits have also been placed on building bulk, siting, height, site coverage, and providing a minimum outdoor living area. Allowing a wide range of building sites on a section provides a greater opportunity for individuals to obtain the maximum sun, view, privacy and design flexibility, while also ensuring that a certain level of amenity is maintained both on an individual site and within the surrounding neighbourhood.

No specific activity standards have been included on sunlight, daylight, privacy, and loss of views. This is due to a number of reasons. There is no absolute right as an owner of land to the preservation of his or her private view, either in common law or in planning law; and an owner is consequently not entitled to have District Plan provisions made for the absolute protection of that view. There are a vast range of circumstances created by differences in the topography and size of sites, the design and size of buildings, and in particular the variations in the general public's perceptions of what is acceptable and what is not. It is not possible to have definitive standards on subjective issues such as privacy and views. To attempt to have such standards for permitted activities would create more problems than it is likely to solve. On this basis the Council has not attempted to control these amenity issues through the use of specific permitted activity standards. However, the yard requirements, site coverage limits, outdoor living space requirement and height restrictions specified in the Plan, which are both measurable and able to be uniformly applied across the City, together contribute to ensuring an acceptable density and size of development sufficient to maintain minimum levels of sunlight, daylight, retention of significant views, and loss of privacy.

However, where one or more of these minimum standards cannot be met, and is therefore subject to a resource consent, the Council will, on a case by case basis, assess the potential adverse effects on these amenity issues. When assessing non-compliances with the minimum standard, the Council will give particular consideration to any cumulative adverse effects arising from multiple non-compliances with the standards.

Bulk and location standards for buildings have also been directed towards providing neighbours with a reasonable degree of protection rather than seeking to standardise the layout of houses on sections. A minimum area of outdoor living is also required to be provided for each dwelling unit to ensure that a certain level of on-site usable space for both recreational use and internal amenity is provided for residents.

No minimum size standard has been specified for allotments in an attempt to encourage a variety of allotment sizes, with a range of residential buildings designed to reflect the demands of the market. The standards relating to bulk and location will however ensure that allotments are created of sufficient size and configuration to accommodate a habitable dwelling. Where the minimum permitted activity standards are not met, the Council will consider the degree to which non-compliance results in a development density that is not consistent or compatible with the surrounding residential environment.

Other activity standards have been imposed which relate primarily to controlling the scale of activities. In particular controls have been imposed on vehicular movements, water usage from the public mains, and waste water discharges.

Standards have also been imposed on the third category of effect relating to the control of natural or ecological effects. These standards apply to such matters as earthworks, the removal of native vegetation, and hazardous substances.

C3.2.2 Policy

To allow non-residential activities which do not detract from the amenity values of the Suburban Zone.

Explanation

Some non-residential activities e.g. dairies, are a recognised part of the Suburban Zone and serve the needs of the local community. Other activities e.g. small commercial businesses may have little or no effect. This policy recognises and allows for such activities provided they do not cause adverse effects beyond the boundary of the site.

Method of Implementation

District Plan rules will be used to implement this policy by way of activity standards. These standards will set levels at which non-residential uses may operate as permitted activities. Activities unable to comply with these standards will be subject to a resource consent where the activity would be approved subject to conditions; or where the activity is inappropriate, and the adverse environmental effects cannot be adequately mitigated by conditions, the application will be refused.

Principal Reasons

There is a wide range of non-residential activities occurring within the Suburban Zone. Some of these activities serve the residential area by making it a more attractive place to live (such as dairies and childcare centres). The studies also showed that a range of business activities are currently located in the City's Suburban Zone. It is important therefore to recognise that the Suburban Zone provides an important source of employment for local residents and these legitimate activities should be allowed for in the Suburban Zone.

Some activities have the potential to have significant adverse effects beyond the boundaries of the site. The District Plan shall therefore specify a set of minimum standards which any activity must comply with if it is to be permitted. In some suburban areas there are small clusters of industrial activity which will be retained on the basis of existing use rights. New industrial activities which border onto suburban activity will however be required to meet the standards of the Suburban Zone.

C3.2.3 Policy

To provide and maintain reserves and open spaces for the purposes of improving the amenity values of the Suburban Zone.

Explanation

Open space in both public and private ownership, is a major factor contributing to the character and amenity of the Suburban Zone.

Method of Implementation

The **financial contribution provisions in Part E of the Plan** provide for the taking of a recreation and civic development contribution from subdividers and developers. This contribution provides the financial basis for the purchase and development of new reserves and the improvement of existing reserves and other recreational facilities throughout the Suburban Zone.

The Recreation and Civic Development Contribution is intended to provide not only for the recreational needs of the neighbourhoods where development is occurring but also for the recreational needs of the wider community through the provision of reserves for sports fields and other recreation facilities such as tennis courts. In the past, Council took land as well as cash for reserves. This led to situations where Council was given land that was of little recreational value. The taking of cash under the Recreation and Civic Development Contribution will enable Council to acquire reserves that meet the needs of the community more appropriately.

The Recreation and Civic Development Contribution sets the maximum amount of contribution that may be required at time of subdivision or development for reserves, open space and civic development. There is a range of circumstances in which it may be appropriate to take less than the maximum amount of contribution that is specified in E1 Recreation and Civic Development Contribution.

Without precluding other considerations, Council will take into account the following matters when considering whether or not to reduce or waive the Recreation and Civic Development Contribution required from an applicant for a subdivision or land use consent:

- (a) Whether or not the applicant for the resource consent or any predecessor in title of the applicant, has on this or any earlier subdivision or development in the same locality made (prior to or after the commencement of the Resource Management Act 1991), a contribution in excess of the requirements of the provisions of E1 of this Plan relating to Recreation and Civic Development Contributions or the reserve requirements of the Local Government Act 1974 or any equivalent former legislation;
- (b) The nature, purpose and utility of the reserves vested where the excess contribution was in the form of land;
- (c) The adequacy of the reserves in the neighbourhood where the subdivision or development is taking place; and
- (d) Whether or not the purpose of the Recreation and Civic Development Contribution as stated in E1.1 is unduly compromised by any proposed reduction or waiver.
- (e) With regard to proposals associated with the Aotea Block, the high ratio of reserve land provided through the Comprehensive Development Plan Process is appropriate given the landscape values of the block, and of itself this is unlikely to be accepted as a basis for justifying reductions or waivers of Recreation and Civic Development contributions on subsequent subdivision or land use proposals."

The Council may also use the **annual planning process** to identify financial priorities for the provision of further open spaces on a three year programming basis and through the development of reserve management plans for existing reserves. This will be based on an analysis of present provision, and future needs, of the entire Suburban Zone.

Principal Reasons

The site coverage and yard requirements for the Zone ensure that there will be a measure of open space throughout the Zone. In addition, provision must be made for the public open spaces which contribute to the overall character and amenity of the Zone. These include informal areas e.g. bushy gullies, small formal areas e.g. neighbourhood playgrounds, through to major open space resources e.g. playing fields. In many cases the only time at which these resources can be obtained is at the time that a subdivision is laid out.

C3.2.4 Policy

To allow for the ongoing use of existing non-residential buildings and facilities in the Suburban Zone in a manner which does not detract from the long term amenity or character of the Zone.

Explanation

This policy applies particularly to such areas as the Porirua Hospital and the Royal New Zealand Police College where there are substantial non-residential buildings and facilities.

Method of Implementation

While the suburban permitted activity standards include scale of operation limits for non-residential activities, this policy provides the recognition that there is a difference between the creation of a large new non-residential building/activity and the minor alteration of an existing building or activity. This matter will be taken into account in the **consideration of resource consents** for alterations to activities or buildings in the Suburban Zone.

Principal Reasons

There are a significant number of existing large non-residential buildings in the Suburban Zone. Activities of this scale might not be generally acceptable throughout the Zone. It is recognised that in some situations e.g. the Porirua Hospital, where the new zoning is significantly changed from the previous zoning, and where the existing activities are not imposing an unacceptable environmental effect on the existing adjacent activities, there is a need for transition provisions which allow these buildings to be used for as long as they are needed, and to be modified if necessary consistent with that established use.

C3.2.5 Policy

To enable the creation of a range of residential development types and densities to reflect the diversity of needs and housing choices in the community.

Explanation

This policy recognises that conventional types of housing and conventional densities of residential development do not necessarily meet the needs of all sectors in the community. People's housing needs often vary as they progress through different stages of their lives. There are many people, for example, who prefer to live in an apartment rather than a traditional detached dwelling with large yard areas. Increasing residential densities in appropriate locations can also offer benefits in terms of improved efficiency of infrastructure provision and increased catchment areas for public transport and commercial services. The district plan aims to provide opportunities for all kinds of housing, subject to appropriate provisions to ensure that potential adverse effects are avoided or mitigated.

Method of Implementation

The following methods have been adopted to implement this policy:

- (a) District Plan rules, standards and assessment criteria (including a Medium Density Residential Policy Area)
- (b) Non-regulatory methods (e.g. this may include design guidelines, design advisory services and private covenants)

Principal Reasons

The Suburban Zone provisions in the District Plan enable medium density residential developments to be considered throughout the zone. In respect of the Aotea Block, however, the Plan identifies a policy area where medium density residential development is given additional encouragement. The Aotea Block is a new greenfield development area located in close proximity to the Porirua City Centre. Well-designed medium density residential development in those parts of the Policy Area intended for residential development has the potential to maximise the utilisation of these most strategic locations within the Block while contributing to its character and identity. In other words, provision of this type of development maximises the number of future residents able to enjoy the advantage of the most strategic locations and their linkages to the City Centre.

The Medium Density Residential Policy Area overlay covers the western part of the Block which is generally all the area within about 1.5km of the existing Porirua Railway Station (as shown on the Aotea Planning Map). The lower, western part of the Commercial Recreation Policy Area is excluded from the Medium Density Policy Area only because of the anticipated commercial recreation use of Baxters Knob. If, however, the land should revert to residential use at any time, then its proximity to the main Aotea recreation reserve and the Aotea Mixed Use Policy Area (including neighbourhood shops) means that it would be suitable for medium density residential development.

The policy area provides opportunities for medium density residential development within the walkable catchment of Porirua City Centre and Railway Station, in an effort to grow long term sustainability and vitality of the City Centre and provide viable alternatives to private vehicle movements. The purpose of this policy and methods is to cater for different residential market segments and to encourage comprehensively designed medium density residential development in this strategic location while ensuring that it is well designed.

C3.2.6 Policy

To ensure that medium density residential developments are well designed and contribute to the character and identity of the area in which they are located.

Explanation

It is recognised that without appropriate environmental safeguards and standards of design, some medium density residential developments could result in undesirable amenity outcomes, for those living in the developments, for neighbours, and for the general public in the area.

Accordingly, this policy provides a framework for district plan provisions which ensure that medium density residential developments are designed to appropriate standards and are assessed in the context of the area in which they are located.

Method of Implementation

The following methods have been adopted to implement this policy:

- (a) District Plan rules, standards and assessment criteria (including a Medium Density Residential Policy Area)
- (b) Non-regulatory methods (e.g. this may include design guidelines, design advisory services and private covenants)

Principal Reasons

Council recognises that quality, layout and design of an urban area can strongly influence the amenity, attractiveness and functioning of that area and the safety and wellbeing of people living in the area. In respect of the Aotea Block, the Medium Density Residential Policy Area provides an opportunity for a wider variety of market choice in the housing stock, which is of a high quality and contributes to a sense of place. Assessment criteria are included in the district plan to ensure these outcomes.

Medium Density is also considered an efficient use of the land resource because it provides for a higher density of population within a localised area which makes efficient use of existing infrastructure and enables the support of public transport routes and community facilities.

C3.3

OBJECTIVE

TO ENCOURAGE THE SUSTAINABLE MANAGEMENT OF SUBURBAN SHOPPING CENTRES AND THE AOTEA MIXED USE POLICY AREA.

Explanation

The existing suburban shopping centres represent a significant urban resource. The sustainable use of these centres will therefore be encouraged.

Porirua City contains a number of significant and established suburban centres including Plimmerton, Mana, Whitby, Waitangirua, Cannons Creek and Titahi Bay. These centres are significantly different from their residential surroundings. Many of the centres are under utilised and the 'do nothing' option is likely to lead to the continued decline of these areas. This has the effect of creating inefficiencies in the use of an existing resource, with negative spin-off effects on the surrounding areas. The centres are generally solidly constructed with good parking areas, and are well serviced. While the function of providing services to the local community is in the hands of the market, Council can encourage the utilisation of the built resource by permitting a wide range of activities.

In addition to the existing suburban shopping centres, the proposed development of the Aotea Block is to include a small new Suburban Shopping Centre area in the eastern part of the block, and also a new Aotea Mixed Use Policy Area to the east and south of Aotea College. The latter policy area will include an area of neighbourhood shops but may also include a range of other community facilities such as a nursery, cultural centre and a tertiary institution. Both the new Suburban Shopping Centre and the new Aotea Mixed Use Policy Area may be used for social services such as medical clinics and community support services. These areas may also include a mix of non-residential and

residential uses, e.g. dwellings over shops. Mixing residential and non-residential uses in these areas helps improve their vitality, viability and safety.

C3.3.1 Policy

To encourage a wide range of activities in the Suburban Shopping Centre Area while ensuring any adverse effects on the environment are avoided, remedied or mitigated.

Explanation

Providing for a wide range of activities, with suitable performance standards, is one means of encouraging the efficient utilisation of Suburban Shopping Centre Areas which currently have high levels of vacancy.

Some commercial activities however have the potential to adversely impact on the neighbouring occupiers and land uses by causing noise, overshadowing and loss of privacy, parking and traffic safety problems etc. For each environmental effect an activity standard has been set which cannot be exceeded.

Method of Implementation

The Suburban Shopping Centres have been identified on the **Planning Maps** as distinct Areas within the Suburban Zone. The rules and standards for parking, vehicle movements, signs etc in these Areas reflect the existing development and provide for a wide range of activities.

Principal Reasons

Purpose built Suburban Shopping Centres are quite different in character from their residential surroundings. The centres are in locations which are suitable for a high level of activity from a traffic perspective, and where, over the years, there has been community acceptance of non-residential activity. These areas include significant areas of car parking, provision for service vehicles, and built structures.

A wide range of activities is already locating within the general residential area, and the range of such activities is likely to increase. The suburban centres can, due to their comprehensive design, more readily accommodate activities which would not be acceptable in the general Suburban Zone. This policy is intended to allow this trend to occur, and in so doing, promote the efficient use of that resource.

C3.3.2 Policy

To ensure that new suburban shopping centre areas, and new activities within the Aotea Mixed Use Policy Area (and individual activities and buildings within such areas) are designed and constructed to a high quality and standard of appearance.

Explanation

The quality, layout and design of an urban area can strongly influence the amenity and attractiveness and functioning of that area and the safety and wellbeing of people living in the area. This policy is aimed at creating a framework to ensure a high quality of appearance from the development of suburban shopping centres located near residential areas.

Method of Implementation

The following methods have been adopted to implement this policy:

- (a) District Plan rules, standards and assessment criteria (including a Suburban Shopping Centre policy overlay and an Aotea Mixed Use Policy Area overlay)
- (b) Private Covenants

Principal Reasons

Council recognises that urban form can strongly influence the desirability and liveability of an area and ultimately the success of a newly developed urban area. As part of the overall development of the Aotea Block there is a strong focus on sustaining a high quality of design to assist in the development of a positive sense of place. It is also important the establishment of new suburban shopping centres are appropriately managed in relation to their interface with surrounding residential properties."

C3.3.3 Policy

To avoid large-scale or widespread shopping activities in the Aotea Mixed Use Policy Area so as not to undermine the retail role of the Porirua City Centre and consequently its function as the primary commercial and social focus for the City.

C3.3.4 Policy

To avoid the consequential loss of vitality and amenity from the Porirua City Centre due to a significant redistribution of office or entertainment facilities. Activities shall not result in significant adverse consequential effects on the social, economic and cultural well-being of the community served by that centre.

Explanation

The Porirua City Centre is the City's principal commercial, civic and cultural focus. As part of these functions the City Centre is a significant shopping area serving not only the community of Porirua City, but also people from around metropolitan area of greater Wellington. The commercial and entertainment sectors also contribute to the vitality of the centre, particularly during normal working hours (commercial) and at night and during public and school holidays (entertainment). Porirua's City Centre is therefore a valuable resource, which provides significant social and economic benefit, and its function warrants protection.

This policy aims to ensure that activity within the Aotea Mixed Use Policy Area does not compromise the function of the City Centre. The particular focus of the policy, and its related rules and standards is to protect the role of retail within the City Centre. As noted, shopping is a key functional element of the Porirua City Centre. If this element is compromised by the unrestricted establishment of shops elsewhere in the City, then the City Centre's social value and social amenity will be significantly undermined as a consequence. Another, less direct, focus is to ensure that significant redistribution of office activity and entertainment activity does not occur as these functions also play an important part in maintaining a vibrant City Centre in conjunction with shops.

Method of Implementation

- (a) District Plan rules, standards and assessment criteria

Principal Reason

The Council recognises the City Centre as a significant retail centre and wants to ensure that future development of the Aotea Mixed Use Policy Area does not adversely affect its vibrancy and efficiency.

C3.4 OBJECTIVE

TO ENCOURAGE THE USE OF THE BAXTER'S KNOB AREA FOR COMMERCIAL RECREATION AND TOURISM PURPOSES WHILE SAFEGUARDING THE AMENITY VALUES AND THE SIGNIFICANT LANDSCAPE VALUES OF BAXTERS KNOB, AND THE AMENITY VALUES OF THE SURROUNDING AREA, AND THE EFFECTIVE FUNCTIONING OF EXISTING UTILITY INFRASTRUCTURE.

Explanation

The site is prominent from a wide viewing catchment and as such its significant amenity and landscape values need to be protected. Baxters Knob is listed as a Landscape Protection Area under the District Plan. It forms part of the main ridgeline running through the Block, the values of which Policy C9.1.7 identifies and aims to protect. Further any commercial recreation development needs to avoid, remedy or mitigate its potential adverse effects on the amenity of surrounding land and properties and functioning of existing utility infrastructure.

C3.4.1 Policy

To identify a specific area around Baxter's Knob in which commercial recreation activities are encouraged subject to avoiding, remedying or mitigating potential adverse effects on Baxters Knob, its amenity and landscape values, and on the amenity values of the surrounding area.

Explanation

This policy provides the framework for the establishment of rules and performance standards which encourage suitable commercial recreation activities to locate in the Baxter's Knob area while allowing potential adverse effects to be fully addressed. It is intended that these activities will contribute to a sense of place and enhance the identity of Porirua City while enabling the creation of employment and enjoyment opportunities. It is also intended that these activities will be designed to take into account the landscape values of

Baxters Knob as recognised through Policy C9.1.7 and by the status given in the District Plan to parts of Baxters Knob as a “Landscape Protection Area”.

Method of Implementation

The following methods have been adopted to implement this policy:

- (a) District Plan rules, standards and assessment criteria (including a Commercial Recreation Policy Area)
- (b) Private Covenants

Principal Reasons

Specific provision is being made for commercial recreation activities in order to take advantage of the significant natural attributes (elevation and great views) of the Baxters Knob area, and to potentially boost regional visitor numbers with consequent economic and employment benefits. The main purpose is to provide a clear indication to both potential investors and to nearby residents that, subject to meeting all requirements, this is a suitable area to “develop” recreational and tourist activities.

Any residential development (only after 2010, if at all) would only be around the lower margins of the “Baxters Knob Commercial Recreation” area and outside the “Landscape Protection Area”. Without further amendment to the District Plan the standard provisions of the Suburban Zone will apply to any such residential development. However, as noted in the principal reasons to policy C3.2.5 the lower western portion of Baxter’s Knob would be suitable for Medium Density Residential Development and an appropriate change to the District Plan may be pursued in the future.

C3.4.2 Policy

To provide for the protection of the amenity and character of the Baxters Knob landscape protection area by defining permitted activity standards and assessment criteria.

Explanation

Baxters Knob is recognised as containing unique attributes and is a distinctive landmark located in close proximity to the City Centre. The Council is focused on protecting the unique attributes of Baxters Knob while sustaining the ability to develop activities which can complement and enhance the natural characteristics for the enjoyment of the wider community.

Method of Implementation

The following methods have been adopted to implement this policy:

- (a) District Plan rules, standards and assessment criteria (including a Commercial Recreation Policy Area and Landscape Protection Area)
- (b) Private Covenants

Principal Reasons

Protecting the amenity and character of Baxters Knob is part of the overall objective of achieving a high quality design throughout the Aotea Block. For this reason permitted activity standards have been defined which limit site coverage and vegetation clearance in the Landscape Protection Area. Commercial recreation activities are also subject to a range of permitted activity standards intended to limit the scale and impact of activities within the Commercial Recreation Policy Area. Assessment criteria have also been defined for all activities that require consent under D3.1.4 (iv).

Council also recognises the importance of this landmark in context to the surrounding environment and to attracting commercial recreational and tourism activities envisaged for the area.

C3.5 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcomes are anticipated:

- C3.5.1 A high standard of residential amenity which benefits the health and wellbeing of the community.
- C3.5.2 A mix of residential and non-residential activities which creates an attractive and vibrant place in which to live and work.
- C3.5.3 An extensive and well managed system of open spaces and reserves which enhance the amenities of the Suburban Zone and make it an attractive place to live.
- C3.5.4 Suitable urban land available for use by present and future generations of Porirua City's residents.
- C3.5.5 All suburban activities serviced to an urban standard.
- C3.5.6 Suburban Shopping Centres which reflect the needs of the local community by allowing for a range of activities with minimal adverse impacts on neighbouring land uses.
- C3.5.7 Safe suburban streets and adequate pedestrian access and movement.

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C4 RURAL ZONE

Porirua's rural area is a significant resource of outstanding character and beauty. In particular, Pauatahanui Inlet and the surrounding rural land, is of considerable scenic, ecological and recreational value. At the same time it is recognised that some rural land is difficult to farm economically, and the maintenance of the rural area as a scenic resource must be balanced with the landowner's need to provide for their own well-being.

In 1992 the Council with the assistance of consultants carried out a Rural Resources Study. This research identified five significant resource management issues; namely, the land-water interface, protection of the natural environment, rural activities, transportation impacts, and urban expansion.

Rural Activities

The District Plan seeks to allow rural activities while ensuring the rural area remains a sustainable resource for present and future generations. In assessing the most appropriate methods for achieving sustainable management, due regard has been given to the existing pattern of farming, forestry, recreational and residential uses. These issues are identified through the District Plan objectives, policies, rules and activity standards.

Transport Impacts

One of the most significant resource management issues facing the Rural Zone, and the Pauatahanui/Judgeford area in particular, is the proposal to relocate State Highway One along the Transmission Gully Inland Motorway Route, from Linden through to Paekakariki. The impact on the Rural Zone of the proposed Transmission Gully State Highway route in particular, and the transportation network in general, its existing and future population and its environmental values, requires careful consideration.

Transit New Zealand, which is the requiring authority, lodged notices of requirement to designate the Transmission Gully route in April 1996. The decisions of Transit New Zealand on Council's recommendations on the notices of requirement have been appealed to the Environment Court. Therefore the requirements have interim effect only under section 178 of the Resource Management Act until the appeals are resolved. Until such time as these national roading issues have been resolved it would be inappropriate to have policies in this Plan on this matter. However, if during the life of this Plan such a decision is made, the Council will look at the need to implement a plan change.

Protection of the Natural Environment

The purpose of the Resource Management Act 1991 as stated in Section 5, is to promote the sustainable management of natural and physical resources. In seeking to satisfy the principles of the RMA, the District Plan will seek to identify, protect and enhance the cultural, historic, scientific and aesthetic resources and values of the Rural Zone.

Section 6 "Matters of National Importance" relating to the protection and enhancement of the natural landscape and cultural heritage is addressed through the objectives and policies of the plan.

Land-water Interface

Activities on land, particularly those near water bodies and the coastal marine area, may have an impact on water quality and ecological values. The extent of control over activities in or near all water bodies or the coastal marine area is therefore an essential matter to be addressed by the District Plan.

Urban Expansion

Future planning must be done in accordance with the principle of the sustainable management of natural and physical resources. This issue therefore requires the balancing of any "need" for urban expansion into the Rural Zone against the need to maintain and enhance environmental values, and to retain the potential for rural land to be used for a variety of rural purposes.

The extent to which subdivision of rural land is permitted and the extent to which any intensity of residential and/or rural residential activity will be allowed, is dealt with specifically throughout the District Plan. The research indicates that there is sufficient land within the existing urban area to accommodate 60-70,000 people (*Source: Porirua City Council Residential Needs and Standards Report, 1991*). No extensions of the urban area into the Rural Zone are therefore proposed in the 10 year life of this District Plan.

Overview

The principal activity in the Rural Zone is pastoral farming. The Rural Zone of Porirua City ranks significantly in this respect within the four cities of the Wellington Region. Rural land comprises 80% of the land area of the City.

Farming in the Rural Zone of Porirua suffers from a generally steep topography, soils of generally low productive value, relatively small holdings, and the pressures of being close to an urban area. A feature of the Rural Zone is the "small holdings" which exist in various locations including Paekakariki Hill Road, Moonshine Road and Murphy Road.

The objectives and policies of the District Plan recognise the need for the Rural Zone to continue as a working rural landscape, and for a wide variety of farm related activities to be allowed in order to maximise both the present viability and future potential of the area.

The natural environment of the Rural Zone encompasses the natural landforms, native vegetation, streams, wetlands and the coast. Some of these areas, particularly the wetland areas and Pauatahanui Inlet, have been recognised as nationally and internationally significant.

The study concluded that the patterns of ownership and the continued use of rural land for rural purposes can significantly contribute to the sustainable management and protection of the natural environment, as well as providing a livelihood for the rural residents, rural workers, and farmers of both the large and small holdings.

However where specific risks to the natural environment have been identified, policies and rules have been developed. For example, controls will be placed on earthworks to ensure protection of the natural landforms and protection of the coastal waters from siltation. Controls on the removal of native vegetation

are also necessary to ensure that particularly significant areas of native vegetation are protected.

Council may require applicants to supply evidence of consultation with the tangata whenua. Council will notify the tangata whenua of all notified resource consent applications received. The tangata whenua will be consulted at an early stage for all resource consent applications. The local iwi will therefore have an important role to play in the environmental management of the Rural Area. In particular, comment will be actively sought on activities which may impact on Maori spiritual values. Any representations received will form an integral part of any resource management decisions which are made. Section C5 "Responding To The Treaty Of Waitangi" should be referred to for a full explanation of the tangata whenua's role and rights with respect to the RMA and environmental management.

The riparian strip etc. provisions set out later in the Plan (see Sections C9 "Landscape and Ecology" and C10 "Coastal Issues") are designed to further enhance the protection of the streams, rivers and coastal environment and the adjacent rural environment where this is at risk.

The study identified subdivision for residential purposes and urban expansion into the Rural Zone as one of the main threats to the present character and future sustainable management of the rural environment. The Wellington Regional Policy Statement clearly encourages local authorities to contain urban sprawl in order to maximise the efficiency of the urban area and reduce the depletion of the natural and physical resources of the Rural Zone. This section of the Plan has therefore addressed this issue in line with policy. It should be noted that rural smallholdings are not necessarily an example of sprawl and in fact they can, in locations adjacent to the existing urban area, perform a buffering function preventing urban sprawl onto rural zoned land.

Pauatahanui Village is a little rural settlement adjacent to Pauatahanui Inlet and located in the eastern part of the Rural Zone. It comprises a total of 14 dwellings, some of which are of historical and architectural merit (refer to Part J of the Plan which contains a Heritage Register of significant buildings and sites etc.), which are located in the vicinity of a school, shop, service station, church, a cottage craft shop, cafe/restaurant, and a saddlery.

The Village has a unique character and has become over time the social and commercial centre for the residents in the vicinity of the Village. Without strict controls on subdivision of further certificates of title and building development, the character of the village could be significantly altered. Furthermore, the Zone is not served by a stormwater and a reticulated sewerage system. Therefore increased levels of effluent disposal via septic tanks could have a detrimental effect on the coastal marine area at the head of the Pauatahanui Inlet. The Plan does not provide for increased urban development at Pauatahanui in the next ten years.

Over the years considerable fragmentation has taken place around the Pauatahanui Inlet. To the north subdivision has resulted in a number of smallholdings, such as around Motukaraka Point. The resulting pattern is clusters of housing, extensive landscaping about them and remnants of native vegetation. Where closer development occurs, usually close to the lower slopes adjacent to the Inlet, plantings have increased which has enriched the landscape and provided better erosion control than extensive pastoral areas.

Following public consultation, and with considerable community support, it has been decided to contain the urban area within the land previously zoned for urban activities. In addition, subdivision controls have been established which will require an appropriate consent process referring both to the need to prevent urbanisation while recognising that development of smallholdings in appropriate locations can contribute both to the rural sector and district economy, and can contribute to the landscape. Any alteration in policy to allow for urban residential development on rural land would require a plan change to address the needs of any proposed residential areas. The creation of allotments of less than 5 hectares is generally likely to limit the range of primary production activities for which the land could be used, create demands for the Council to provide costly and uneconomic public services, and result in a loss of rural character. Such areas might cover a well defined village location, e.g. Pauatahanui, or an extension of the urban area adjacent to Plimmerton or on the rolling hillsides overlooking the Taupo Swamp. A plan change of this nature could only be justified if it was necessary to accommodate a further 10,000 to 20,000 people in Porirua City over and above an urban population of 70,000 people; a demand not foreseen in the next 20 years.

C4.1 OBJECTIVE

TO IDENTIFY A RURAL ZONE AND CONTINUE ITS MANAGEMENT SO AS TO AVOID, REMEDY OR MITIGATE THE EFFECTS OF THE ACTIVITIES WITHIN IT.

Explanation

The Rural Zone comprises both the natural environment and the rural activities conducted on the land. Accordingly, it is physically and visually distinct from the urban areas of Porirua. This objective allows the continued use and management of the Rural Zone for rural purposes in a sustainable manner.

In order for the Rural Zone to continue to function efficiently, rural activities must not be compromised by other activities, or by controls which preclude reasonable land use. The Council shall therefore ensure any adverse effects on the environment from activities in the Rural Zone are minimised. For a variety of reasons, the Rural Zone is likely to remain non-urban for the foreseeable future. Specifically these relate to the lack of any perceived need for more urban land, protection of the ecological and visual character, and the wish to limit the uneconomic extension of services.

C4.1.1 Policy

To preserve the contrast between the rural and urban areas of Porirua City.

Explanation

This policy defines a distinct Rural Zone within Porirua City to provide a framework in which limits can be placed on the range of activities within that zone, and where such activities are conducted in a manner that is sustainable in resource management terms. The extent of the Rural Zone shown on the Planning Maps, excluding roads and publicly owned reserves is 12,000 hectares.

Method of Implementation

The Rural Zone as shown on the **Planning maps** has been established as the extent to which the majority of the Rural Zone Rules and Standards apply (see Section D4).

Principal Reasons

A large proportion of the land area of Porirua City is rural and, accordingly has been zoned rural. Activity standards apply to all activities in this zone to ensure the protection of the rural character, permit the continuation of rural practices, and encourage a wider range of activities.

C4.1.2 Policy

To encourage primary production activities in the Rural Zone.

Explanation

This policy will facilitate the full and active use of rural land for productive purposes such as agriculture, horticulture and forestry etc., where such activities are conducted in a manner that is consistent with the principle of sustainable management.

Method of Implementation

The Rural Zone as shown on the **Planning maps** has been established as the extent to which the majority of the Rural Zone Rules and Standards apply (see Section D4).

District Plan rules allow for primary production activities as permitted activities provided they do not exceed permitted activity standards in D4.2.1. Activities other than primary production activities (see the definition in Part M) are discretionary activities and will require a resource consent.

The harvesting phase of forestry operations has the potential, if not carefully managed, to cause significant adverse environmental effects. The harvesting of production forestry above 1 hectare in size will therefore be a controlled activity and the Council will reserve its discretion over the extraction method, the time at which harvesting will take place, and the proposed route for accessing and removal of the timber. The developer may also be liable to financial contributions in accordance with Part E of the Plan.

Principal Reasons

It is important to recognise and allow for a variety of rural activities in the Rural Zone as landowners wish to take advantage of changes in local and international markets. However it is also important to ensure that rural activities do not detract from the rural character and ecological values of the Rural Zone, or adversely affect the existing infrastructure. Rules and standards have therefore been set at levels which allow a variety of rural activities to operate provided they do not result in significant adverse environmental effects.

C4.1.3 Policy

To ensure that activities within the Rural Zone do not detract from the character or quality of the rural environment.

Explanation

This policy recognises that there are some activities in the Rural Zone which are complementary to the activities involved in utilising the fertility of the soil for productive purposes.

Method of Implementation

District Plan rules allow for non-primary production activities as discretionary activities and will require a resource consent application. This category of resource consent allows the Council to either refuse the application, or impose conditions in order to avoid, remedy or mitigate any adverse environmental effects.

Temporary military training activities can vary considerably in their scale, nature and intensity. There is also considerable scope for variation in the nature of the effects from different types of temporary military activities. Provision is made in the Plan for certain temporary military training activities as permitted activities where temporary military activities standards can be met; where the standards cannot be met temporary military training activities are provided for as controlled activities, and discretionary activities in landscape protection areas. In considering consent applications the matters over which Council has reserved control are:

- Any restrictions on access to recreational areas.
- Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.
- Impact upon watercourses and riparian margins and wetlands, historic sites, sites of significance to tangata whenua, and native vegetation.
- Number of personnel.
- Duration of consent.
- Impact on rural roads.

This will enable Council to impose conditions to mitigate any actual or potential adverse effects.

Principal Reasons

This policy recognises that the principal activities in the Rural Zone are those involved in the use of the land for productive purposes. There are also activities of a "non-productive" nature that are sometimes a necessary and complementary component of primary production activities. However, in assessing the relative merits of an application, the Council will require proof that a particular activity requires a rural location. The Council will need to be satisfied that an alternative urban site is not available or suitable, and that the activity is more appropriately located in the Rural Zone. This policy is designed to ensure that there are significant restrictions on the type of activities which the

Council will allow in the Rural Zone, and only those that serve a legitimate rural purpose or cannot readily be accommodated in the urban zones will be permitted.

In determining the suitability of an activity regard shall be had to its size and scale. The significant loss of land for productive purposes shall be discouraged, and activities will be directed onto land of low productive value.

Applications for a resource consent will require an assessment of environmental effects to ensure that the proposed activity is able to be accommodated without adversely impacting on the character of the rural environment, and that all adverse environmental effects such as traffic and roading, sewage and stormwater disposal, noise etc. are mitigated.

Proposals involving discharges to land, air and water may require a resource consent from the Wellington Regional Council.

The Rural Zone also comprises a range of recreational resources, such as reserves which are developed for a range of active and passive recreational activities. The coastal margins and Pauatahanui Inlet also form an important recreational resource, with associated amenities for the use of the public.

A wide range of temporary activities e.g. sporting events, fairs, music festivals, also occur on an intermittent basis in the Rural Zone, and due to the nature of the activity will generally fall into the discretionary activity category. These activities can contribute significantly to the health and vitality of the city as a whole. However, if such activities are not managed carefully they can cause significant short-term traffic, parking and noise problems etc. For this reason, each event which requires a resource consent will be carefully considered.

Other temporary activities such as military training exercises vary considerably in their scale, nature and intensity. There are some temporary military training activities which are of a nature and scale that conditions can be imposed on them to avoid, remedy or mitigate any adverse effects that may arise. Such activities are provided for as permitted activities. The Plan also recognises that the nature of temporary military training activities is such that there is potential for a wide range of effects, in particular through noise, the impact of tracked vehicles, impacts on watercourses and wetlands, and impacts on rural roads. Such activities will require an application for a resource consent as a controlled activity, and discretionary activity in the landscape protection area. Council will be able to refuse the application for a discretionary activity, or impose conditions in order to avoid, remedy or mitigate adverse environmental effects. Noise standards that recognise the nature of temporary military training have been imposed.

C4.1.4 Policy

To allow extractive industries where they will not significantly deplete the productive potential of the land or the visual, amenity or ecological, cultural or Maori spiritual values of the land and/or the water.

Explanation

This policy recognises that mining, quarrying and topsoil mining can be accepted as being consistent with sustainable management in parts of the Rural Zone provided the activities can meet minimum environmental standards.

Method of Implementation

Extractive industries are listed as a discretionary activity in the Rural Zone. The only exceptions will be small-scale activities undertaken as part of a primary production activity which meet all permitted activity standards. Earthworks must also meet the requirements of the Council's **earthworks bylaw**.

Principal Reasons

Extractive activities need not greatly reduce the potential of the land, but can, if appropriately managed, enhance the sustainability of rural activity. That is, integrated management plans for the rehabilitation of land which has been worked may, in the medium to long term, enhance the productive use of the land. Extractive industries can also provide employment and business opportunities to the rural community. This is an important resource management issue and one which will be taken into consideration in assessing the relative merits of a resource consent application.

In assessing an application for an extractive industry the Council will consider the effect of such an activity on the City's natural and physical resources, namely, the effects on soil and water, and the road network and other infrastructure.

Porirua City has over recent years become more popular as a location for topsoil mining for the purposes of providing topsoil for a range of domestic and commercial purposes. This is accepted as a legitimate rural activity, but it is important to closely manage and monitor the effects of such activities on the environment, particularly with respect to soil and water run-off. In some locations due to soil types and slope it may not be appropriate to allow such activities. Applicants for a resource consent will be required to submit details of their proposals and a full assessment of the likely effects.

C4.1.5

Policy

To only allow offensive trades where they require a rural location and which cannot be accommodated within the Industrial Zone.

Explanation

The Council will need proof, on a case by case basis, that a particular offensive trade needs to be located in the Rural Zone.

Method of Implementation

District Plan rules require that offensive trades are a non-complying activity in the Rural Zone. This category of resource consent application is designed to discourage such activities in the Rural Zone, but allows the applicant the opportunity to present a case to the Council, and the Council to assess each application on its merits. Where relevant industry standards exist, these will provide a key method of guidance in the consideration of resource consent applications.

In submitting a resource consent application the applicant will be required to undertake a full assessment of environmental effects in accordance with the information requirements of Part F Information to Be Supplied.

The second category of activity which present a possible risk to the community are those activities involving the use of hazardous substances. This matter has been dealt with in Section C15 Hazardous Substances.

Principal Reasons

Offensive trades have the potential to cause significant adverse environmental effects if not appropriately managed. Although it is largely dependent on the scale of the activity, industries of this nature can create significant demands on the infrastructure. Heavy industry usually has high water and electricity usage, and produces significant levels of wastewater and stormwater run-off. The Industrial Zone has been designed to accommodate this level of infrastructural demand. Accordingly, it is recognised that the Industrial Zone is generally the more appropriate location for offensive trades.

However, it is also recognised that in some instances due to the location of particular markets or suppliers, or to particular locational attributes that it may be appropriate that such an industry needs to have a rural location.

The rural area is sensitive to environmental change and the effects of 'urban development'. This is due, in part, to the absence of urban infrastructural systems designed to manage heavy industry. In assessing the relative merits of an application the Council shall have regard to the impact of the development on sensitive ecological areas, such as the coast and aquatic habitats, and on Maori spiritual values associated with certain land and water resources.

The onus will therefore be on the applicant to prove to the Council that a particular rural site is needed for the location of such an industrial activity, and that any adverse environmental effects can be either mitigated, avoided or remedied.

C4.1.6

Policy

To ensure that non-primary production activities do not make it necessary to upgrade rural roads beyond the level needed to service rural and recreational activities.

Explanation

There is a network of rural roads which are suitable for the relatively low levels of traffic associated with rural activities and recreational activities in the rural zone. The Council does not propose to upgrade rural roads beyond what is necessary to ensure the existing standard and carrying capacity of roading is maintained.

Method of Implementation

District Plan rules require that any development resulting in a new access point or an increased level of activity will be considered as a discretionary activity resource consent. Private developers will be required to meet the full cost of road upgrading required as part of a resource consent. Refer to Part E Financial Contributions of this Plan, and specifically Section E2 "Roads and Access".

Other programmes for roading improvement may be addressed through the Council's **annual planning process**.

Principal Reasons

Programmes for roading improvements will be focused on the provision of services to the Rural Zone appropriate to the rural and recreational activities in that area. Roads will not be upgraded to promote a higher intensity of land use. This is to ensure the rural character is retained. Activities adjacent to roads will be managed to protect traffic safety, and avoid unnecessary demands for road upgrading.

Upgrading rural roads to a high standard would be expensive and would place an undue financial imposition on the community. Where private developers seek to locate outside the urban zones, a condition of any consent will be to require that they meet the costs of any road upgrading. Where the proposal would also result in a significant increase in the ongoing cost of maintaining the road, over and above what would be required for rural or recreational activities, this would also be a factor which would be taken into account in the decision on the resource consent application.

C4.1.7 Policy

To allow the minor adjustment of title boundaries in the Rural Zone.

Explanation

This policy facilitates the rationalisation of existing title boundaries for the purposes of creating more practical title boundaries.

Method of Implementation

The **District Plan rules** on subdivision allow boundary adjustments as a controlled activity. This category of resource consent cannot be refused but allows Council the discretion to impose conditions on such matters as access, the location of new boundaries, and the provision of services etc.

Principal Reasons

Boundary adjustments are subdivisions which do not encourage the intensification of the use of land or significantly alter the configuration and the number of titles, and consequently do not lead to a change in the character and use of the land.

The original pattern of subdivision is not always sympathetic to contours, ground conditions and access. In the interests of improved pastoral and forestry production, and better utilisation of productive land and existing dwelling sites, some rearrangement of certificates of title may be desirable and necessary to promote good farm management. In addition, it may be appropriate to rearrange titles to suit the needs of different users and activities in the Rural Zone.

C4.1.8 Policy

To protect the long term potential of the rural land resource by ensuring that the new allotments for which a certificate of title can be issued are capable of accommodating a range of primary production activities.

Explanation

It is important to allow for a variety of allotments to be created provided they do not encourage a pattern of land ownership and subsequent use of the land which would compromise the long term sustainable management of the rural resource. The Council shall therefore not permit the creation of allotments which are not able to accommodate a range of primary production activities.

Method of Implementation

- (a) Under Rule D4.1.5 the creation of new allotments below 5 hectares is a non-complying activity.
- (b) The creation of **new allotments 5 hectares or more but under 40 hectares will be a discretionary activity** and a resource consent will be required. These subdivision applications would be required to meet minimum standards relating to access, servicing, earthworks, etc. As a discretionary activity the full range of issues relating to an application will be considered on a case by case basis before any decision is made on whether to grant or decline the application. The Council may also impose conditions, including conditions relating to financial contributions, to any resource consent which it grants.
- (c) The creation of large **allotments of 40 hectares or more are a controlled activity**. Controlled activities cannot be refused. This will give certainty to rural landowners, whilst ensuring an assessment of environmental effects relating to specified matters is undertaken.

Principal Reasons

District Plan policies play an important role in contributing to the continued productivity of the rural area. Rules allowing for a variety of allotment sizes to be created help promote a variety of land uses and activities. This is a sustainable use of the rural resource. The changing nature of farming is such that the District Plan must allow flexibility for a variety of land holdings and associated primary production activities. To meet this demand the Plan allows for larger holdings to be subdivided where this would result in continued sustainable management of the land.

Allotments of Less than 5 Hectares.

The Council, and its predecessor the Hutt County Council, have long recognised the important relationship between land fragmentation and the potential adverse effects of unsustainable land use.

There are a significant number of small allotments in the rural area. Many of these were created prior to the time when the Territorial Authority was able to exercise effective control over subdivision. Collectively, however, these allotments account for only a small proportion of the total land area of the Rural

Zone. The majority of the Rural Zone is in allotments of a size generally suitable for a range of primary production activities.

The creation of allotments of less than 5 hectares is generally likely to limit the range of primary production activities for which the land could be used, create demands for the Council to provide costly and uneconomic public services, and result in a loss of rural character. There are some places, however, such as locations on the north side of the Pauatahanui Inlet, in the vicinity of areas where closer subdivision has occurred already, where that general limitation may be less applicable.

Allotments between 5 Hectares or more and less than 40 Hectares.

The need to provide a variety of allotment sizes must however be balanced against the possibility of creating allotments which due to location and access etc. may not be able to accommodate a range of rural activities and therefore are likely to lead to a long term loss of sustainability in the rural resource.

Five hectares has been determined as the minimum allotment size able to be created as a discretionary activity in the Rural Zone. It is envisaged that the majority of allotments created in the rural area will need to be considerably greater than five hectares in order to ensure the potential for a range of primary production activities. The creation of allotments near the lower end of the scale will need to be accompanied by evidence that these allotments could accommodate a range of primary production activities in order to comply with this policy.

Allotments of 40 hectares or greater.

Allotments of this size ensure a continued low density of development and facilitates the preservation of the natural character of the Rural Zone. Rules have been included in the Plan relating to controls on earthworks, the protection of native vegetation and subdivision controls relating to access, servicing etc. which ensure the natural character is retained.

Large allotments of this size provide for the management of primary productive activities, and generally do not result in demands for the provision of services and infrastructure, or have significant adverse environmental impacts.

C4.2

OBJECTIVE

TO AVOID OR REDUCE THE ADVERSE EFFECTS OF ACTIVITIES ON ECOSYSTEMS AND THE CHARACTER OF THE RURAL ZONE.

Explanation

The Rural Zone contains many valued natural features and ecosystems in private and public ownership, which contribute significantly to its ecological diversity and visual attraction. It is important therefore to have due regard to any possible adverse effects of activities on the City's rural resources.

Parts of the Rural Zone have been the subject of incremental subdivision into smaller parcels. This has occurred in response to changing methods and forms of primary production, and in response to a demand for a rural residential lifestyle. In some instances, few examples of the particular remnant features remain and they are frequently vulnerable to destruction by land development,

e.g. land drainage, bush clearance. However, the public acquisition of much of this land for future reserves is not generally feasible.

The areas of native vegetation, the streams, and the natural character of the coast all require careful management in order to promote the sustainable management of the resources of Porirua City as a whole. This objective and subsequent policies, rules and standards seek to ensure that the intrinsic values of the rural landscape are protected, and that any development in the Rural Zone does not have an adverse impact on the Landscape Protection Areas, the coastal areas, waterways, or other environmentally sensitive areas.

In recognising the value of significant areas which define the form of the City and its landscape character, the District Plan has mapped a number of Landscape Protection Areas, and policies have been included relating to the protection of the rural landscape as a whole. These Areas are further explained in Section C9 "Landscape and Ecology" of the Plan.

C4.2.1 Policy

To manage the environmental effects of buildings on the rural resource.

Explanation

This policy deals with managing the environmental effects caused by dwellings and other buildings throughout the Rural Zone.

Method of Implementation

District Plan rules specify that the initial dwelling on a certificate of title and accessory buildings, (except in a Landscape Protection Area), are controlled activities. The Plan specifies activity standards for activities in this Area which are to be met for all proposed buildings. All dwellings in a Landscape Protection Area, will be subject to a discretionary activity resource consent application.

This policy seeks to ensure that future houses are sited in locations which have the least effects on the functioning and amenity values of the rural resource, and establishes a control on the establishment of more than one dwelling on a landholding.

This includes consideration of the following aspects:

- (a) An adequate area for drainage purposes;
- (b) A safe and stable building platform;
- (c) The provision of on-site parking of vehicles;
- (d) Safe and suitable vehicle access;
- (e) Earthworks for the provision of building platforms and accessways and the impact of these works on the natural environment;
- (f) The avoidance of the removal of native vegetation
- (g) The effect on landscapes identified in the Plan as Landscape Protection Areas.

- (h) The impact on any heritage feature as listed in the Heritage Register in Part J of the Plan.
- (i) Any adverse effects from natural hazards.

Principal Reasons

The rural resource is to be managed for the promotion of rural activities and the protection of the natural environment. Dwellings and other buildings are important to the continued use and functioning of the Rural Zone. They do however have many potential adverse effects, including reducing the character of the rural landscape, increasing usage and deterioration of public roads, increasing demands for water supply, electricity, sewerage, and urban facilities and services.

C4.2.2 Policy

To protect the natural and physical environment from silt run-off caused by the removal of native vegetation and earthworks and disturbances to the land.

Explanation

This policy seeks to control the adverse environmental effects of silt run-off from development involving earthworks and the removal of native vegetation. While primary responsibility for discharges rests with the Regional Council, the District Plan also serves a purpose in managing those activities likely to cause run-off.

Method of Implementation

This policy will be achieved through **District Plan rules and activity standards** relating to limits on earthworks and the removal of native vegetation. New dwellings and road crossings require a resource consent at which time conditions may be imposed on such matters as, the siting of the building and the creation of an access to it, the amount and timing of earthworks, site development works and the protection of areas susceptible to erosion etc. Rules and Council advocacy policies relating to the provision of riparian strips have also been included in sections C9 and C10.

The **Wellington Regional Council** may from time to time also undertake maintenance, flood and erosion mitigation work or capital works as appropriate.

This Council also has a limited role to play but may undertake some works at a localised level with respect to stormwater piping and drain clearance and recontouring. Funding priorities may be identified in the **annual planning process**.

Earthworks must also meet the requirements of Council's **earthworks bylaw**.

Principal Reasons

Silt run off from earthworks including roading, track cutting and topsoil mining can cause the pollution and cumulative siltation of shallow marine environments such as the Pauatahanui Inlet.

Slope failure and washouts across roads etc., caused by the undermining of hillsides by farm tracks or access strips, can result in significant levels of silt being washed into adjacent waterways, a disruption to rural activities, a detraction from the visual quality of the rural environment, and a loss of productive rural land.

The loss of significant areas of vegetation in areas prone to erosion can substantially increase the levels of silt entering nearby streams and waterways. Controls on the clearance of such land also serve the purpose of maintaining the visual character, and protecting ecologically significant areas from deterioration or destruction.

Riparian strips along the margins of rivers and the coastline, are important mechanisms in helping to protect water bodies from contaminants. This land, which is generally held in public ownership, provides a buffer zone for the protection of the particular water body from urban activity, acts as a filtering system for the overland and underground flow of water and contaminants, and provide an important visual and recreation resource. Objectives and policies for the provision of these protective margins are included in Sections C9 "Landscape and Ecology" and C10 "Coastal Issues".

C4.2.3 Policy

To require a high standard of wastewater disposal at all times.

Explanation

This policy reflects the importance of controlling wastewater run-off from the land into waterways, wetlands and the coast. While the primary responsibility for discharges rests with the Regional Council, the District Plan also serves a purpose in managing those activities likely to cause any degradation of water quality.

Method of Implementation

District Plan rules and activity standards specify that residential dwellings in the Rural Zone require a resource consent. The applicant will therefore be required to provide information on wastewater disposal to the satisfaction of Council.

The Wellington Regional Council also requires compliance with minimum standards of wastewater disposal as set out in the "**Discharges to Land**" Plan.

Principal Reasons

This policy is necessary to avoid the cumulative adverse effects of wastewater and low quality sewage treatment which can occur with an increasing intensity of land use development. Inappropriate methods and levels of wastewater disposal have the potential to adversely affect the natural and physical environment, including waterways and their ecology, groundwater supplies for domestic purposes, and the cultural and spiritual values of the Tangata Whenua.

C4.2.4 Policy

To encourage the maintenance and enhancement of the ecological integrity and natural character of the Rural Zone.

Explanation

Although modified, the Rural Zone has a strong natural character. The natural character of the Rural Zone is derived from a combination of ridgelines, open spaces, rivers and streams, wetlands, coastal landforms, and native and exotic flora and fauna. Ecosystems and ecological processes are an integral part of natural character. Ecological integrity and rural character contributes to the community's sense of identity, health and wellbeing, and should therefore be protected for present and future generations.

Method of Implementation

District Plan policies (see Section C9), **rules and the Planning Maps** identify certain areas of the Rural Zone as being Landscape Protection Areas. The policies recognise the particular landscape merits of these areas so that due regard may be given to them when assessing the merits of a resource consent application.

Other rules and standards which relate to the retention of the rural character include the retention of the existing rural/urban boundary and the containment of urban sprawl. Allied to this, the Plan restricts the creation of certificates of title below 5 hectares. The creation of such a title is a non-complying activity. This will help retain a rural pattern of activities and a rural character. There are also restrictions on the construction of dwellings and farm buildings etc.

The Council will encourage the voluntary protection of significant natural features outside the Landscape Protection Areas, which are not subject to a resource consent application. **Voluntary covenanting and management** is the preferred means of achieving long-term protection of these features.

Principal Reasons

The natural and physical character of the Rural Zone is to be retained to achieve the purposes of the Act and its principles expressed in Sections 7(c) and (f) of the Resource Management Act 1991.

The natural character of the City's Rural Zone has changed considerably over the decades through land clearance, rural activities, roading and built structures etc. Several of these significant landscapes and ecosystems are in public ownership and therefore protected through various statutory mechanisms. Many more however remain in private ownership. Conservation of these features can contribute significantly to the City's ecological, cultural, and landscape resources, and therefore the community's wellbeing. This can be achieved without unduly restricting the owners use of the land.

Council is aware of the positive attitudes of landowners towards the retention of natural features, native vegetation, landscapes and ecosystems, but recognises this should be reinforced by the Plan so as to achieve its conservation objectives.

While there is considerable knowledge of existing stands of native vegetation it is not considered necessary to map these as part of the District Plan. This information will be made available on request.

C4.2A OBJECTIVE

To recognise the potential of the Rural Zone for renewable energy development, in particular wind farming, while ensuring adverse effects on the environment are appropriately avoided, remedied or mitigated.

Explanation

The Rural Zone has been recognised as encompassing environments that are potentially suited to the development of renewable energy resources, particularly commercial scale wind farms, due to the scale and characteristics of the Zone. Government energy policy, expressed in the New Zealand Energy Efficiency and Conservation Strategy (2007) - adopts a target for renewable electricity generation of 90% by 2025. It is a matter of national significance that renewable energy, particularly wind generation, is developed and that the benefits of wind generation are recognised.

While the benefits of renewable energy generation from commercial scale wind farms are recognised, so too are their potential to generate adverse effects on the environment, including, but not limited to, landscape, ecology and amenity values, noise (including any low frequency noise) and traffic. The likely scale and location of wind farms can mean that these adverse effects may not be able to be internalised within the wind farm site.

The broader, and national, regional and local, benefits need to be weighed against the potential adverse, and local, effects of the development of renewable energy resources. This requires careful assessment and the retention of Council's discretion to grant or refuse any application for resource consent ensures that full consideration can be given to this on a case-by-case basis.

C4.2A.1 Policy

To recognise the benefits of the development of renewable energy resources and the natural advantages that the Rural Zone provides for wind energy in particular.

Explanation

This policy recognises the local, regional and national benefits of renewable energy development and regional and central government policies that seek to reduce dependence on non-renewable energy generation in favour of renewable energy generation. The potential benefits of renewable electricity generation activities are of national significance. The City is recognised as having environments with a very good wind resource. The Rural Zone, in particular, contains potentially favourable locations for wind farms based on topography and land contour. The Zone also provides larger undeveloped spaces that potentially offer some degree of isolation from sensitive land uses. However, at the same time, it should be recognised that many of these large spaces are becoming increasingly fragmented.

Method of Implementation

District Plan policies and rules specify that wind farms are a discretionary activity in the Rural Zone, subject to certain criteria about their location. Any applications will be assessed against a range of assessment criteria that includes the recognition of the potential contribution of wind farms to achieving national, regional and local energy policy objectives, amongst other matters.

Principal Reasons

Central and regional government policies, along with an amendment in 2004 to the Resource Management Act, emphasise the importance of the development and use of renewable energy resources. More specifically, this includes:

- Central Government policies in relation to climate change and energy, which seek a reduction of greenhouse gas emissions in accordance with New Zealand's Kyoto Protocol obligations, increased energy efficiency and an increase in the supply of energy from renewable sources. These policies are included in the New Zealand Energy Efficiency and Conservation Strategy (NZECS) (2007). These strategies set a target of New Zealand generating 90% of its electricity from renewable energy sources by 2025.
- Section 7(j) of the Resource Management Act that requires Council to have particular regard to the benefits derived from the use and development of renewable energy.
- Section 7(i) of the Resource Management Act that requires Council to have particular regard to the effects of climate change.
- The Wellington Regional Policy Statement that seeks reduced energy demand, increased energy efficiency, the management of non-renewable sources and the development of renewable energy sources.

The Wellington Region, including Porirua City, is recognised as having a wind resource that is suitable for renewable energy generation. Given its characteristics, the Rural Zone has the most potential of any environment in the City for commercial wind farm development. Other zones in the City do not offer the natural advantages that the Rural Zone does. Other Zones also provide for activities that are sensitive to, and incompatible with, the development of commercial wind farms. Domestic scale turbines will require assessment against the performance standards of these zones."

C4.2A.2 Policy

To manage the adverse environmental effects of wind farms on the Rural Zone and the City as a whole, by recognising that wind farms have the potential to cause significant adverse effects on the environment, particularly in terms of landscape, ecology and amenity values, noise (including any low frequency noise) and traffic and may be inappropriate in some locations. Turbines in Landscape Protection Areas and within 700m of a zone boundary or boundary of a site that is not part of the wind farm will not be appropriate in some locations.

Explanation

This policy recognises the importance of the development of renewable energy resources, while recognising that the development and use of wind farms, as the most likely type of renewable energy generators, have the potential to cause significant adverse effects on the environment, particularly in terms of landscape, ecology and amenity values, noise (including any low frequency noise) and traffic. These potential adverse effects and the inability of some wind farms to be able to internalise or substantially mitigate some of those effects means that a wind farm, or part thereof, may be inappropriate in some locations.

Method of Implementation

District Plan policies and rules provide for wind farms as a discretionary activity in the Rural Zone where criteria relating to separation from other Zones, separation from adjacent properties and exclusion from Landscape Protection Areas are met. This category of resource consent allows the Council to either refuse the application, or grant consent and impose conditions in order to avoid, remedy or mitigate adverse effects on the environment. The rule includes specific assessment criteria to guide Council's consideration of any applications for resource consent.

Wind farms that do not meet the separation and exclusion criteria will be considered as non-complying activities.

Principal Reasons

Given the likely scale and the generally elevated location of wind farm developments, they may be unable to internalise all potential adverse effects that they may generate within the wind farm site. The consequential scale of effects generated on the surrounding environment will vary widely depending on the location of the wind farm and the characteristics of the surrounding area, including such factors as topography, screening and background noise.

The nature of the topography and geographical layout of the City means that any wind farm will potentially be visible throughout the City. Any application for resource consent for a wind farm will need to include an assessment of the visual impact of the wind farm within the landscape and the appropriateness of the location. The discretionary activity criteria specifically excludes wind farms from being located within Landscape Protection Areas to reflect that it would be unlikely that wind farms would not significantly compromise the recognised high landscape and amenity values in these areas.

The adverse effects associated with noise (including any low frequency noise) and shadow flicker may be able to be mitigated at a distance of 700m from the closest wind turbine. The status of wind farms as a discretionary activity rule reflects this by requiring a separation distance of 700m from adjacent Zone boundaries and boundaries with properties that do not form part of the wind farm site. As a discretionary activity, any wind farm will be subject to a full and rigorous assessment. Where the separation distance is not met, it is less likely that significant adverse effects will be able to be appropriately avoided, remedied or mitigated and a non-complying activity status reflects this.

C4.3 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcomes are anticipated:

- C4.3.1 The retention of the existing visual and land-use distinction between the rural and urban areas.
- C4.3.2 The protection of the natural and physical character of the rural environment.
- C4.3.3 To enable landowners to continue the sustainable management of the rural resource whilst encouraging a range of rural activities.
- C4.3.4 The identification and conservation of ecologically sensitive habitats, significant landscape areas and sites of cultural significance to the Tangata Whenua.
- C4.3.5 Opportunities for people to live and work in the Rural Zones without jeopardising existing land use patterns, sensitive ecological and landscape areas, the rural character, and water quality, or services provided by the community.
- C4.3.6 An efficient and effective rural roading network which is environmentally sensitive to the lower intensity of traffic from rural levels of activity envisaged in the Plan.
- C4.3.7 The opportunity to derive national, regional and local benefits from the development of wind farms, as a source of renewable energy can be realised, while adverse effects on the environment are appropriately avoided, remedied or mitigated.

C5**RESPONDING TO THE PRINCIPLES OF THE TREATY OF WAITANGI**

The common understanding of the Treaty of Waitangi is set out in the Significant Resource Management Issues (Part B) of the Plan. The function of this section is to provide a clear statement of how the issues of concern to Ngati Toa are to be addressed through the District Plan. To achieve this, a commentary on relevant sections of the Act has been developed between Council and tangata whenua which is then translated into objectives, policies, and implementation methods.

Section 6(e) of the Act requires decision-makers to recognise and provide for the ancestral relationship of Maori and their culture and traditions with their ancestral lands, water, waahi tapu and other taonga. This was considered to be of such significance as to warrant recognition in the Resource Management Act as a matter of national importance.

Section 6(e) is an extension of section 3(1)(g) of the (repealed) Town and Country Planning Act 1977. Over the years Maori have sought to rely on this section to enable the establishment of marae or papakainga-based settlement or to persuade decision-makers against particular resource uses. The ability of Maori to use resources is as fundamental to the relationship as the obligation to conserve and protect them. Council and Ngati Toa recognise that the relationship between s6(e) and s8 is complex and will need to be resolved by legal interpretation over time.

Kaitiakitanga and the Principles of the Treaty (Section 7(a))

The definition given to kaitiakitanga in the Act is based on concepts of guardianship and stewardship which are familiar to decision-makers.

While rangatiratanga is not specifically mentioned in the Act, to Ngati Toa kaitiakitanga and rangatiratanga are intrinsically linked. Both are concerned with actions which are the right and responsibility of the tangata whenua, but there are differences. Rangatiratanga is primarily exercised between people, and includes for example, the right to control other people's access to a resource.

Kaitiakitanga on the other hand, infers a relationship between people and the environment. This relationship determines the position occupied by people in relation to the natural world in both its physical and metaphysical senses. Kaitiaki have the function of alerting people to the obligations of compliance with the tenets of this relationship. Where kaitiaki are people, the exercise of kaitiakitanga and rangatiratanga both control the actions of other people. Where the kaitiaki are non-human, the obligation on people is to respect and respond to the indications which the kaitiaki give.

Kaitiaki, and the exercise of the responsibilities, kaitiakitanga, are a part of Maori cultural and spiritual belief, rooted in the values of that society. They cannot be fully understood without reference to those values. Therefore the meaning of these concepts to Ngati Toa will be the crucial factor in determining the characteristics of kaitiakitanga to which the Act requires Council to have particular regard.

C5.1**Objective**

TO RESPOND TO THE PRINCIPLES OF THE TREATY OF WAITANGI, AND THE OTHER MATTERS OF SIGNIFICANCE TO MAORI AS REFERRED TO IN THE ACT, IN A MANNER WHICH IS APPROPRIATE AND CLEAR.

Explanation

This objective is based on sections 6(e), 7(a) and 8, with regards to tangata whenua and taurahere.

The previous discussions of worldviews have identified the differences which exist between tangata whenua and Council. It is essential all parties have the same understanding of, and expectations from the District Plan provisions which implement the relevant provisions of the Act.

C5.1.1**Policy**

To recognise Te Runanga O Toa Rangatira as the voice of the tangata whenua.

Explanation

Te Runanga O Toa Rangatira Inc. is an iwi authority as referred to in the Resource Management Act, and represents the Ngati Toa people including those members of the tangata whenua who live outside Porirua City.

Method of Implementation

All notifications and consultation will be undertaken with **Te Runanga O Toa Rangatira** except where that body requests otherwise. A submission from Te Runanga O Toa Rangatira will be treated as a submission from the tangata whenua.

Principal Reasons

This policy provides a clarity to the consideration of issues affecting the tangata whenua by ensuring that Council recognises any submission from Te Runanga O Toa Rangatira as being a submission from the tangata whenua. It also allows Council to distinguish clearly between those matters which are of concern to the tangata whenua from those matters which may be of concern to particular members of the tangata whenua on an individual basis.

C5.1.2**Policy**

To promote the ongoing development of the relationship between the tangata whenua and the Council on resource management matters.

Explanation

There has been ongoing consultation between the Council and the tangata whenua in the preparation of the District Plan and this policy is about ensuring that this continues as the Plan is implemented and monitored in the future.

Method of Implementation

To **promote ongoing education** of resource management decision-makers on Treaty and Maori resource management issues to avoid misunderstandings over terms, concepts and priorities.

To **recognise marae as the preferred venue for consultation** with tangata whenua and to seek guidance from the tangata whenua on how consultation should be conducted on a case by case basis.

To **recognise the tangata whenua's preference for oral submissions and provide for the presentation of submissions in Maori** where requested.

To work to **develop a charter between the Council and the tangata whenua** which would clarify the obligations and responsibilities of each party to the other.

To recognise the **desire of the tangata whenua to have an ongoing input into the management of the resources of the City** and to ensure that any **request from the tangata whenua for a change to the District Plan** is given priority consideration.

Principal Reasons

Many of the issues surrounding the relationship between Council and the tangata whenua are tied up in interpretations of the Treaty of Waitangi, and the ongoing development of decisions regarding the implementation of Treaty obligations. These matters are often resolved through court decisions and through the recommendations of the Waitangi Tribunal. It would be inappropriate to attempt to resolve such matters within the District Plan but it is appropriate to ensure that there is ongoing discussion on tino rangatiratanga, kawanatanga, resource management policy and resource management decision making.

This policy addresses the need for the relationship between the Council and the tangata whenua to be recognised and applied in a practical manner to the management of the resources of the City.

C5.1.3

Policy

To have particular regard to the exercise of kaitiakitanga in the management of the resources of the City.

Explanation

Kaitiakitanga is the traditional resource management system of Maori.

Methods of Implementation

Where the use of a resource may conflict with the principles of kaitiakitanga Council shall have particular regard to these principles as expressed by the tangata whenua.

Principal Reasons

Kaitiakitanga is not necessarily an alternative means of resource management, rather it should be seen as a complementary system of resource management. The infusion of aspects of kaitiakitanga into predominant resource management practice and policy is the ultimate method of promoting sustainable management.

C5.1.4 Policy

To recognise the desire of Ngati Toa to maintain and enhance their traditional relationship with the natural world.

Explanation

This policy refers to the spiritual and physical relationships with the natural world including access to and use of such traditional resources as flax, clays, plant material etc.

Methods of Implementation

While there are no provisions in the District Plan which are explicitly intended to prevent access to traditional resources, it is recognised that the District Plan cannot provide for this access to occur. Where these resources are on reserve land any access agreements would need to be developed through the **reserve management plan and administration processes**. In the case of **private land the agreements for access to traditional resources would need to be with the owner**.

Principal Reasons

Many of these resources are fundamental to the ongoing relationship of the tangata whenua with the natural environment and opportunities for access should be sought and provided wherever this is practicable.

C5.1.5 Policy

To recognise the resources needed by Ngati Toa if the tangata whenua are to have an active role in all aspects of resource management in the City.

Explanation

The Resource Management Act and the Treaty require the Council to consult with Ngati Toa. One of the key components of consultation is that the parties have access to appropriate resources.

Methods of Implementation

Council **notify the Runanga of all notified resource consent applications and plan changes**.

Council provide **access to information** which the Council holds.

Council provide **assistance and advice** to the Runanga.

To consider requests by the Runanga for **extensions to the statutory time period for the lodging of submissions** on notified resource consent applications in accordance with the provisions of Section 37 of the Act.

Council has in the past, provided funds to assist the Runanga in providing resources to enable input to the development of the District Plan. This is a matter which is decided on a year by year basis through the **annual planning process**.

Principal Reasons

Access to appropriate resources is essential to ensuring that Ngati Toa are able to respond to issues which are of concern, and that they are able to have an input based on knowledge of the proposal. The Act encourages consultation however this imposes a considerable cost on the tangata whenua. The term 'resources' as used in this policy can include access to information, financial assistance for research and consultation etc, necessary for the tangata whenua to respond to Council policy initiatives, applications for resource consents, and to prepare Iwi Management Plans, which set out the iwi's aspirations for the management of the resources of the City.

The Maori decision making process is based on consensus politics which often requires more time than other forms of decision making. The Act however provides minimum time periods for submissions. Iwi may in some instances have difficulty meeting these submission timeframes. This needs to be balanced against the desire of the applicant to receive a decision as early as possible.

Section 37 of the Act allows the Council to extend timeframes in particular circumstances. The Council will therefore seek to use this provision of the Act where the Runanga formally request a time extension. This exercise must however be undertaken in strict accordance with Section 37 of the Act.

C5.1.6

Policy

To protect waahi tapu and other taonga from desecration.

Explanation

Waahi tapu are sites deemed sacred and are imbued with a spirituality that distinguishes them from other areas. The activities which constitute desecration vary according to the nature of the site, including physical desecration e.g. earthworks, or cultural desecration e.g. an inappropriate activity on a site.

Methods of Implementation

Where the location of waahi tapu were known at the time of notification of the Plan, these were included in the Plan's Heritage Register and on Planning Maps. Council seeks to update its knowledge of such sites where possible.

Council recognises that the location and nature of some waahi tapu are sensitive and that information on these matters may require **special handling to ensure their confidentiality**.

Council will encourage land owners to recognise and respect waahi tapu sites.

Where a resource consent is required for an activity on waahi tapu sites the applicant will be encouraged to consult on the values associated with that site.

Principal Reasons

The identification and protection of waahi tapu is an essential means of addressing the requirement of Section 6(e) of the Act and an expression of the tino rangatiratanga. There are many waahi tapu sites in the City on both public and private land. Any desecration of waahi tapu is abhorrent to Maori.

C5.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C5.2.1 The Council meets its obligations in terms of Sections 6, 7 and 8 of the Act in relation to Maori.
- C5.2.2 The tangata whenua have greater opportunity for involvement in resource management processes.
- C5.2.3 The interests of the tangata whenua are taken into account in resource management decisions.

C6 SUBDIVISION

Land use zoning identifies areas of compatible land activities. Although subdivisions are not land activities, the use of land and the subdivision of land are inextricably linked and cannot therefore be easily separated. The issue of property rights underpins any future land activity.

The setting of subdivision standards is an effective means of land use control by the community. It attempts to plan for future services and functions. The subdivision of land influences the character and future uses of the land. It will create a legacy of land use patterns which will dictate how people in the area can use and develop their land.

C6.1 Objective

TO PROMOTE A PATTERN OF LAND OWNERSHIP WHICH ENHANCES THE OPPORTUNITIES FOR THE SUSTAINABLE MANAGEMENT OF RESOURCES.

Explanation

The primary purpose of the subdivision criteria is to allow the subdivision of land for any principal land activity which is authorised and meets the objectives of the District Plan.

The land pattern created by subdivision often has a major influence on the future use of the land area. Controlling the pattern ensures that reasonable options are preserved.

C6.1.1 Policy

To ensure that all new allotments in the City Centre Zone are capable of accommodating a complying building, whilst providing flexibility in order that developers can respond to changing circumstances.

Explanation

Previous subdivisions may have resulted in the creation of impractical allotment boundaries. Therefore in order to encourage rationalisation of allotment sizes and creation of more practical boundaries, where the resultant allotments can accommodate a building which complies with all the permitted activity standards, subdivision is a controlled activity.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the City Centre Zone the major subdivision consideration is that each allotment which is created can be used for a range of purposes and which is consistent with the overall objectives and policies for the Zone. This is provided for by linking the **District Plan rules** which allow the subdivision of land, to the other rules and activity standards for the Zone e.g. car parking.

Information on the suitability of the site for development purposes will also be required as part of the information to be supplied with a resource consent application for a subdivision.

Principal Reasons

No allotment should be created in the City Centre Zone which cannot be built on, or on which it is not possible to construct a building which meets all the City Centre Zone activity standards in the Plan.

This policy seeks to allow subdivision which reflects the demand for different properties from small units through to large comprehensive developments, while ensuring that the community interest is protected through containing the effects of development on site.

C6.1.2 Policy

To ensure that all new allotments in the Industrial Zone are capable of accommodating a building which does not contravene the permitted activity standards.

Explanation

This policy encourages the subdivision of land which creates allotments suitable for their intended use.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the Industrial Zone there are two major subdivision considerations. The first of these concerns subdivision and development processes. The financial contribution part of the Plan provides for the development of appropriate services e.g. water supply and roading, to ensure that new allotments are adequately serviced for the likely demand.

The second major consideration is that each allotment which is created can be used for industrial purposes. This is provided for by linking the **District Plan rules** which provide for subdivision to the other rules for the Zone and to the activity standards e.g. car parking, loading and unloading, for the Industrial Zone, and by requiring information on building potential to be included as part of the information to be supplied with a resource consent application for a subdivision.

Principal Reasons

The creation of allotments not suitable for their intended use will result in the fragmentation of land into small areas. As a consequence, the over capitalisation of these multiple allotments will act as an inhibitor to land development. On the other hand, should these allotments be put to use, environmental degradation may result due to the unsuitable nature of the allotments. The Council may therefore encourage the re-constitution of these allotments to create larger allotments through the amalgamation process. This is reflected in Policy C2.1.2 of the District Plan to protect existing large allotments for use by major establishments.

No allotment should be created in the Industrial Zone which cannot be built on, or on which it is not possible to construct a building which meets all the activity standards in the Plan.

This policy seeks to allow subdivision which reflects the demand for different industrial properties from small units through to large factories and warehouses, while ensuring that the community interest is protected through containing the effects of development on site.

C6.1.3 Policy

To promote the creation of new allotments in the Suburban Zone which are capable of accommodating a complying dwelling.

Explanation

This policy seeks to ensure that subdivision creates a practical arrangement of allotments for residential purposes, and that no allotments are created which are not suitable for the placement of a dwelling which could meet all the activity standards.

Method of Implementation

The Act provides that subdivision is only allowed where provided for by a rule. In the Suburban Zone there are two major subdivision considerations. The first of these concerns general subdivision and development processes. The financial contribution Part of the Plan provide for the development of appropriate services e.g. water supply and roading, to ensure that new allotments are adequately serviced for the likely demand.

The second major consideration is that each allotment which is created can be used for residential purposes. This is provided for by linking the **District Plan rules** which provide for subdivision to the other rules for the Zone and to the activity standards e.g. yards, height recession planes, car parking, for the Suburban Zone, and by requiring information on building potential to be included as part of the information to be supplied with a resource consent application for a subdivision.

Principal Reasons

The configuration of residential allotments dictates the amount of usable area. Inappropriate subdivision design can affect future uses on the land. In locating new boundaries, it is appropriate to consider existing topographical features, and existing land activities. In short, the practicality of new boundaries shall be considered.

Regulatory control manages and makes best use of the land resource by recognising the varied land needs of different types of land activities and developments. The flexibility in the activity standards is provided through the general requirements for subdivisions and the use of subdivision standards for separate zones.

This policy seeks to allow subdivision which reflects the demand for different residential properties while ensuring that the community interest is protected through containing the effects of development.

C6.1.4 Policy

To ensure continuity of transport, road links, open space, walkways, cycle routes, sewer lines, watermains and other infrastructure services through proposed new areas of development and subdivisions.

Explanation

This policy seeks to ensure that all known information about the needs for continuity in open space, transport and infrastructure are considered when applications for resource consents for subdivisions are made. It also enables negotiation on the best alignments and funding by the Council, contributions by the subdivider towards these major facilities prior to the proposed schemes of subdivision being finalised.

Methods of Implementation

In the **preliminary consideration of any major scheme for subdivision/development** the Council will identify the need for continuity of any road, open space or other infrastructure services and answer any requests for such information.

The **financial contributions part to the Plan** provides for the development of appropriate services, eg water supply, roading and other infrastructure, to ensure that the internal needs of any subdivision are adequately provided. The second consideration in these respects is to ensure that within the total network for the City any services or infrastructure passing through the subdivision and development have been adequately provided for.

The Council in assessing subdivision will promote the following:

- i) Reduction in demand for travel particularly by private vehicles.
- ii) A distribution of land uses that facilitates efficient transport.
- iii) Provision of road, pedestrian and cycling networks and bus routes that promote walking, cycling and public transport as convenient alternatives to the private car; and
- iv) Management of the movement of vehicles through the introduction of traffic calming measures.

Principal Reasons

The topography, location and services required both for the subdivision and to pass through the subdivision dictate, in some measure, the layout for future subdivision. It is necessary to consider all these aspects including the provision for continuity of road links, open space and other infrastructure prior to the approval of any scheme plan of subdivision.

To allow subdivision which while meeting the needs for residential and other development facilitates and does not prejudice the continuity of city services.

C6.1.5 Policy

To protect the long-term potential of the rural land resource by controlling subdivision which does not directly contribute to the long-term sustainable management of the rural resource. The Judgeford Hills Zone makes specific provision for the sustainable management of the rural land resource within that zone.

Explanation

Subdivision which provides for the more efficient and effective management of the rural resource is very different to subdivision which creates a higher level of built development, greater demands for services, and a reduced range of feasible rural activities.

Method of Implementation

- (a) The **District Plan** rules on subdivision allow boundary adjustments as a controlled activity.
- (b) **District Plan rule D4.1.5** provides that the creation of **new allotments below 5 hectares** is a non-complying activity.
- (c) The creation of **new allotments of 5 hectares or more but under 40 hectares** is a discretionary activity.
- (d) The creation of large **allotments of 40 hectares or more** is a controlled activity.
- (e) The creation of a separate zone for the Judgeford Hills area.

Principal Reasons

The changing nature of farming is such that the District Plan must allow flexibility for a variety of land holdings and associated rural activities. At the same time, the sustainable management of the City's infrastructural resources e.g. roads, water supply, sewerage and stormwater disposal, rubbish disposal, service resources e.g. schools, reserves, pools, public transport etc strongly supports the overall direction of this plan, to focus the further urban and residential development of the City within the existing urban areas of the City. These areas represent an existing resource with additional capacity which can efficiently accommodate significant growth while minimising the risk of damage to the natural environment, coast and to the future potential of the rural resource.

C6.1.6 Policy

To allow minor boundary adjustments to existing certificates of title and allotments for the purposes of rationalising existing boundaries.

Explanation

Some existing allotment or title boundaries are not practical for farming purposes, or in the urban areas, the boundaries do not relate well to the existing use of the land. This policy allows for the minor adjustment of these boundaries.

Method of Implementation

In order to encourage the rationalisation of certificate of title sizes and the creation of more practical boundaries the **District Plan rules** require that boundary adjustments are controlled activities in the Rural Zone. In the remaining three zones, boundary adjustments are treated no differently than other forms of subdivision and have been classified as controlled activities.

Principal Reasons

Previous subdivisions may have resulted in the creation of impractical allotments or certificate of title boundaries. Farm boundaries may therefore need to be re-arranged on the basis of changes in ownership and shareholding, through the need to improve access, or for other similar reasons. It is important therefore to recognise this as a legitimate issue in the Rural Area, and to facilitate the rationalisation of impractical certificate of title boundaries through the subdivision consent process.

Similarly, allotments in the urban zones often do not adequately recognise existing activities, or structures on a property. The Council will therefore allow for the rationalisation of these boundaries as a controlled activity.

C6.1.7 Policy

To ensure that opportunity is provided in the Suburban Zone for a wide range of residential allotment sizes without compromising the future development potential of the land.

Explanation

The Suburban Zone applies to a diverse and varied landscape, which may be suitable for a variety of subdivision types. Consequently there will be some areas of land within the Suburban Zone which are suitable for farmland, low or high density residential development, or left undeveloped for conservation purposes. These may all be an efficient use of resources, particularly when regard is had to the topography and other characteristics of the site.

Where subdivision occurs, the Council will require that reticulated urban services are provided, and will retain a discretion over the appropriate level of such services, and other services and utilities required to be constructed at the time of the development, and the manner of their construction. This is to ensure that while the future development potential of the land is compromised, some services may be commensurate with the impact of the proposed development.

Method of Implementation

The District plan identifies one suburban zone with a degree of flexibility in terms of chosen forms of development. Council will ensure that, at the time of resource consent application for subdivision, consideration was given to the extent the proposal allows the future use and development of the site.

Principal Reasons

It is not Council's intention to require that all subdivisions of land yield the maximum number of lots practicable. Council accepts that development of a

low intensity will occur within the Suburban Zone, and that this may be an efficient use of resources. If however, consideration is not given at the time of subdivision to the future development potential of the land, this would significantly reduce the opportunity for the sustainable management of the suburban land resource.

C6.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C6.2.1 That allotments created are suitable for their intended use.
- C6.2.2 That allotments created are of a size and shape that do not preclude alternative future land use options and do not result in the unsustainable management of resources.
- C6.2.3 That the proposed subdivision will not result in a pattern of land development which could cause uneconomic demands on infrastructural and/or community services.
- C6.2.4 That small and inappropriate agricultural certificates of title are permitted to be re-constituted to reflect appropriate and actual topographical and land use boundaries.

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C7 TRANSPORT

The transportation network is a significant resource in its own right. The function of the transportation network varies considerably throughout the City. The State Highway is predominantly a through route with transport efficiency as the main measure of its sustainable management. The measure of sustainable use of industrial roads is more one of convenience for heavy traffic than the actual volume of traffic. For many suburban and rural roads the efficiency and convenience of the road must be balanced against the effects of road use e.g. noise and traffic, on the amenity of the suburban and rural areas. Considerable research has been undertaken on the effect of the transportation network on suburban amenity in those areas where there are high levels of through traffic. The effect of activities on efficient traffic flows and the effect of traffic on amenity are major aspects of the consideration of effects of activities throughout the City. This section sets an overall framework for the management of transportation issues and is complemented by transportation, traffic and parking provisions in the sections of the Plan dealing with each of the seven zones of the City.

Roads and rail are also network utilities as defined under the Resource Management Act. The State Highway Network and the North Island Main Trunk Line are both identified as being regionally significant infrastructure in the Regional Policy Statement and the Council is required to recognise its benefits and protect them from incompatible activities and reverse sensitivity effects. Chapter NU of the Plan addresses how effects from the construction, operation and maintenance of roads and how activities on roads are managed and how the state highway network and North Island Main Trunk Line are recognised and protected from reverse sensitivity effects.

Note: All formed and unformed roads are zoned in the District Plan Maps.

C7.1 OBJECTIVE

TO ACHIEVE A SAFE AND EFFICIENT TRANSPORTATION NETWORK THAT ENABLES THE PEOPLE OF THE CITY AND THE WIDER COMMUNITY TO PROVIDE FOR THEIR SOCIAL AND ECONOMIC WELL-BEING WITHOUT CREATING SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS.

Explanation

The roads, footpaths, cycle ways, bridges etc which make up the transportation network are one of the City's key built resources. Maintaining and upgrading this resource is an expensive undertaking. The sustainable management of this resource means ensuring that the cost which a development would impose on this network, either in terms of damage to roads, or effects on public convenience are taken into account in the overall management of the resources of the City. This means ensuring that wherever practical, roads are used in a way and at a level consistent with their design and construction. It is also recognised that the transportation network can have a significant effect on the natural environment, and on amenity values. Managing the location of activities and development relative to the transportation network is one way of avoiding the effects of transportation being spread over a wide area, where mitigation measures are much more difficult to implement.

Section 74 of the Resource Management Act 1991 **Matters to be considered by territorial authority** provides that in addition to the requirements of section (2) of the Act that when preparing or changing a district plan a territorial authority shall have regard to

(b) Any-

(i) Management plans and strategies prepared under other Acts.

The Wellington Regional Land Transport Strategy is included under this section. The Porirua City Council supports the objectives and principles of the Wellington Regional Land Transport Strategy. The strategy acknowledges the current capacity of the strategic transportation network and seeks to manage travel demand within that network capacity through striking a balance between all modes of travel and managing parking provision.

C7.1.1

Policy

To use a roading hierarchy as the basis for the management of the effects of traffic on adjacent activities, and the effects of activities on the transportation network.

Explanation

A roading hierarchy sets out the factors e.g. length, width, traffic volume, which define a road as being in a certain category. The management policies which follow are then based on these categories.

Method of Implementation

A Roding Hierarchy has been included in Part H of the Plan. **District Plan rules** provide direction on how the future development of the transportation network will be managed, with new roads that are created as part of a subdivision being a controlled activity and any other new roads, including diversions of or alterations to existing roads, being a discretionary activity. Rules have also been used to control access to roads where there is a significant prospect of the cumulative effect of new activities resulting in a demand for the upgrading of the road, beyond what is necessary. This applies particularly in the Rural Zone. The general provisions of the Hierarchy e.g. widths and design speeds, will also be used in conjunction with the financial contribution part of the Plan in determining the extent of roading needed in conjunction with a development or subdivision.

Principal Reasons

A roading hierarchy indicates the relative importance of roads within the City according to their function in terms of access and distribution at a city, and regional level. The network comprises strategic, arterial and local roads designed and managed to meet their particular function and needs.

The provision of a hierarchy will assist the process of promoting an efficient road transportation network, by providing an indication of the relative importance of each road, against which the effects of land use and development can be ascertained. The function of a road is one of the key factors to be considered when deciding on the acceptability of the effects of an activity for which a resource consent has been sought.

C7.1.2 Policy

To ensure that the adverse effects of land use and development on the efficiency and safety of the transportation network are taken into account, and any intersection or frontage conflicts are avoided or minimised or remedied as appropriate.

Explanation

This policy relates to situations at important intersections and where vehicle crossings, manoeuvring etc could interrupt traffic flows and thereby reduce the efficiency of the transportation network.

Method of Implementation

The Rooding Hierarchy is divided into primary roads and secondary roads. The primary roads are fundamental to the efficient operation of the transportation network. When considering an application for a resource consent one of the factors to be taken into account is the category of the affected road and the likely impact of the activity on the efficient operation of that road and adjacent intersections.

Principal Reasons

The use and development of land within the City can have significant effects on the efficiency of the transportation network. Some developments and uses may have beneficial effects on existing roads or public transport services.

Some may have adverse effects, such as increasing traffic on roads with no additional capacity or increasing conflicts that reduce safety and the level of traffic service. Such adverse effects will need to be avoided, if this is a reasonable and practical option, or minimised or remedied where it is not.

An efficient transportation network is essential to the health, safety and wellbeing of the City. Protecting the efficiency of this network from the adverse effects of land use and development must be a principal consideration. The transportation network also represents a major component of the City's physical resources, and as such, the sustainability of its potential to meet the needs of future generations should be promoted. The avoidance of any adverse effects on the transportation network should be a primary concern, or alternatively such effects should be minimised or remedied as appropriate to the circumstances and options.

C7.1.3 Policy

To avoid, remedy or mitigate the adverse environmental effects of the transportation network on the environment.

Explanation

The use and location of roads can significantly impact on the natural and physical environment and on communities. This policy is to ensure that due regard is given to ensuring a high standard of amenity through good design, landscaping and that the siting and classification of roads (in accordance with the Rooding Hierarchy) takes into account the surrounding land uses, including the ecological values of environmentally sensitive areas.

Method of Implementation

The "Landscape and Ecology" section (C9) of the Plan identifies areas of particular visual and ecological significance. These are shown on the Planning Maps as Landscape Protection Areas. In assessing the merits of an application for new roads or the realignment of an existing road the Council shall have regard to the provisions of this section of the Plan.

Many Council programmes undertaken through the **annual planning process** seek to enhance the amenity of the transportation network. Consideration of opportunities to enhance amenity and community recreational opportunities is also a valid factor in the consideration of resource consents for activities on roads.

Principal Reasons

The Roothing Hierarchy is divided into primary roads and secondary roads. The primary roads are fundamental to the efficient operation of the transportation network. The Council may ensure that in creating a more efficient transportation network that environmental considerations will be taken into account. A full assessment of environmental effects shall be undertaken with respect to the impact of proposed roads on neighbouring urban land uses; the loss or destruction of sensitive ecosystems, e.g. roads adjacent to the coast or wetlands, increases in silt run-off and non-point discharges from roads into waterways; and the loss of productive farmland and the visual impact of roading development etc.

The secondary roads serve an important function within the City but also offer greater opportunities for amenity enhancement. These roads carry relatively light traffic and efficiency should be balanced against amenity issues. Wherever these are compatible with the transportation network, additional activities which enhance environmental quality should be encouraged. This ensures that the resources of the community are managed in a sustainable way. Examples include using road berms for amenity planting thereby enhancing the attractiveness of the area, using traffic calming techniques to reduce the noise and risk to safety from traffic in residential area, or the temporary use of excess capacity in roading areas e.g. suburban car parks used for recreational purposes.

C7.1.4

Policy

To protect the corridors of existing and proposed major transport routes in the City.

Explanation

Protecting existing and proposed traffic corridors means ensuring that both the corridor, and nearby land is not developed in a way which would prevent the establishment and operation of an efficient transportation network.

Method of Implementation

The existing transport corridors will be managed and maintained so as to protect both their traffic and amenity functions. The principal method for protecting future road routes is through the **designation of land for that purpose through the District Plan**. This ensures that the land cannot be

used for a purpose which is contrary to its intended use as a road. Before the road can be built the land must be purchased, either through the willing sale of the land by the owner or under the provisions of the Public Works Act 1981. To ensure the effectiveness of this process, ongoing consultation is required between Transit New Zealand, Porirua City Council and the adjacent local authorities.

Principal Reasons

This policy seeks to ensure that the efficiency of both the existing main transport routes and future corridors or proposed routes within the district are protected.

The principal transport routes within the City are vital parts of the overall transportation network, as they connect not only one part of the City with another, but also the City with the remainder of the region, nation and the rest of the world. It is important, therefore, to maintain their efficiency and amenity, as well as the safety for those using these routes. This must also include those corridors of proposed transport routes, once it is demonstrated that such routes are necessary.

The major transport routes are a significant built resource which could be adversely affected by inappropriate development. The District Plan provides the means of ensuring that the importance of these routes is taken into account with development decisions in adjacent locations.

C7.1.5 Policy

To encourage the undertaking of major road improvements in a timely manner and in a sequence, location and form that reflects comprehensive economic, social and environmental assessments.

Explanation

This policy promotes a strategic approach to major road improvements so that these improvements are located and constructed in due time. Improvements that will be encouraged are those which aid off peak efficiency, address particular local, environmental and safety problems, and do not rely on additional capacity being provided on other sections of road.

Method of Implementation

The principal method of implementation is to continue to refine the overall strategy for the roads within and through the City, and for Transit New Zealand and Council to ensure that their programmes of road development work, are integrated, and anticipate the long term needs of the City.

Principal Reasons

This policy seeks to ensure that the transportation network is developed in conformity with the Regional Land Transport Strategy, as referenced in the operative Regional Policy Statement.

The most significant roading issue for the City is the Transmission Gully highway scheme, which would comprise 21km of new construction in the Porirua City district (9km from Ranui Heights to Pauatahanui and 12km from

Pauatahanui to the northern city boundary). Alternatives to this scheme include improvements such as incremental widening of the existing State Highway through Mana, Plimmerton and Pukerua Bay and also the east/west cross links such as Grays Road and State Highway 58 alongside the Pauatahanui Inlet.

Council has a strong preference for the Transmission Gully route as a high priority. It is seen as having long term strategic benefit for the City and Region. However, it is acknowledged that the enhancement of the capacity of State Highway One is also necessary.

The policy seeks to encourage the agencies concerned to avoid incremental development work which might prejudice the best long term solution to the roading needs of the City and Region.

C7.1.6 Policy

To encourage major new developments and activities in a manner that makes best use of the City's existing and proposed transportation network.

Explanation

The efficiency of the City's transportation network can be improved by ensuring that new developments are located where they will use excess capacity in the transportation network, or where they will not result in a loss of convenience or efficiency for existing users of the network.

In addition, new development should take account of the need to use public transport networks efficiently, and to promote ease of use by transport modes such as walking and cycling.

Method of Implementation

The Zones in the Plan reflect the need to manage the transportation network in each zone in accordance with the purpose for which it was designed and is suited. This is achieved through standards for vehicle movements and crossings.

The need to make adequate provision for public transport, walking, and cycling will be taken into account in decisions made on resource consents. Policy C6.1.4 outlines matters which will be taken into account by the Council when assessing proposed subdivisions.

Principal Reasons

Major new developments or land uses refer to those activities which either require resource consents as a notified application (because the scale of the activity has more than minor effects), or that they will require a change to the District Plan. Such major developments can have significant effects, either exclusively or cumulatively, on the efficiency of the transportation network. Where appropriate, improvements to the efficiency of the transportation network should be promoted. This can be achieved by providing opportunities for denser development in existing urban areas, and by reviewing any proposed expansion of the urban area (including non-rural development) in terms of its effects on the transportation network.

The transportation network represents a major investment of resources, many of which are non-renewable, such as the land taken up in roading and rail routes. New development can lead to improved efficiencies, such as increasing the potential market for public passenger services by encouraging denser residential development along public passenger routes. Expansions to the City's urban area can also have significant implications for the transportation network, which should be carefully considered at the time any changes are made to the District Plan.

The Zones in the Plan have been developed in the recognition that each has quite distinct transportation needs and transportation network. Each has some distinctive features e.g. the need for convenience for visitors in the City Centre, the importance of convenience for heavy traffic in the Industrial Zones, the importance of amenity in the Suburban Zone and the need to avoid upgrades of the rural roading network which are not cost-effective or necessary for the sustainable management of the rural resource.

C7.1.7 Policy

To encourage the use of bicycles for commuting, recreation, and general access around the City.

Explanation

Encouraging the use of bicycles means making the use of bicycles more convenient and safer.

Method of Implementation

The Council has demonstrated a commitment to encouraging the use of bicycles through the development of a cycle network in conjunction with the construction of the new bridge over the Porirua Stream. The most effective means of continuing this process is for Council to continue to fund the development of cycle ways through the **annual planning process**, and to encourage and require their development as appropriate as either a **condition of a resource consent** for a new road, or as a condition of subdivisional consent under the **financial contribution provisions of the Plan**.

Principal Reasons

There are strong environmental reasons for encouraging the use of bicycles as a major mode of travel throughout Porirua City. This is not the case at present and it requires a deliberate policy of introduction of cycle routes and safe roads for the use of bicycles.

It is necessary to have a publicly accepted programme which identifies a cycle network throughout the City providing safe, convenient routes for school children, and using the secondary road network and cycleways to provide a safe and convenient network for this mode of travel.

C7.1.8 Policy

To actively encourage the provision of public transport and its use throughout the City, and between the City and adjacent locations.

Explanation

This policy seeks to support the continued operation and use of buses and trains.

Method of Implementation

Public transport will be encouraged by **supporting appropriate designations by requiring authorities**, ensuring that the design, construction and management of the transportation network **takes account of the needs of public transport operators**, and through the **active promotion** of the continued provision of public transport to the Wellington Regional Council in its role as the urban public transport management authority.

Principal Reasons

Increasingly the development of the City is bringing greater numbers of visitors to the City. Porirua City is also a satellite city in a large urban region which results in a greater number of residents commuting to neighbouring authorities on a daily basis.

Public transport is essential to the daily activities of the City. It is a necessary safeguard against future changes in transport brought about through altered circumstances in economic, energy and urban activities, and can contribute to environmental savings. Public transport at present includes a range of rail, bus, and taxi services. It is important that roads are designed to take into account the need for public transport operation by allowing freedom of movement on bus routes and where appropriate encouraging a more efficient operation of public transport through bus preferences, taxi stands, clearways and exclusive use areas. Another aspect of transport is the encouragement of higher car occupancy. Ride share and joint use of vehicles should be encouraged as much as possible.

Without a deliberate policy of support to public transport in all its forms the current preference for private car use and the economic circumstances may tend to a continual rundown in public transport resulting in less flexibility and a reduced basic service within the community. It is therefore necessary to continuously take public transport factors into account when considering alterations to the transportation network and the future development of the City.

C7.1.9 Policy

To ensure that all activities provide adequate on-site visitor parking.

Explanation

This policy is aimed at ensuring that little or no reliance is placed on the roadside as a parking area.

Method of Implementation

District Plan parking standards have been developed for all zones based on the range of activities, pattern of development, and the availability of public parking. The standards have been set at a level which ensures that developments are able to provide adequate off-street parking for a range of activities or intensities of activity, over the life of the development. This has been done to avoid the incremental degradation of the transportation resource.

In the City Centre inner and outer pedestrian areas, the total reservoir of parking that is owned and administered by the Council is to be managed as a whole resource on the basis that each parking site serves many destinations. Council is constantly adjusting the balance between short and long term carparking that is owned and administered by Council, with due consideration to the total parking resource. Elsewhere both within and outside the City Centre inner and outer pedestrian areas, where land is in private ownership, individual sites must provide for the full extent of the parking demand associated with that site.

Principal Reasons

On many of the primary roads, roadside parking can reduce traffic safety and convenience. It is important that opportunities are taken to maximise the use of the primary road network, and ensure that the safety and efficiency of the network is not undermined by a pattern of development which relies on roadside parking for customer, resident and employee parking.

In the Suburban Zone, private kerb crossings severely limit the roadside parking areas available for visitor parking. Strict parking requirements for non-residential activities seek to avoid this resource being depleted.

In the Rural Zone, the majority of roads have little potential for safe roadside parking and it is a key transport management issue to avoid the development of a dependence on this, as has happened in other areas with roadside stalls and similar businesses.

C7.2 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcome is anticipated:

- C7.2.1 An efficient and effective transportation network.
- C7.2.2 Through good design and adequate landscaping to secure an attractive transportation network with high amenity standards.
- C7.2.3 Avoid needless conflict between traffic and traffic effects on residential areas and community activities.
- C7.2.4 The needs of local communities have a priority in the future development of the transportation network.

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C8 ***PART C8 WAS DELETED BY PLAN CHANGE 15. IT HAS BEEN
REPLACED BY PART HH – HISTORIC HERITAGE.***

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C9 LANDSCAPE AND ECOLOGY

Natural Environment

Porirua City has a distinctive landscape and a wealth of significant ecological resources. Porirua City's identity owes much to its landforms, harbour and coastline. Together these elements give the City a recognisable character. They also make a significant contribution to the identity and diversity of the Wellington Region.

Recent changes to the Porirua landscape from natural processes (such as erosion) have been minor compared to the effects of human activities. Much of the Porirua landscape has been altered significantly by human activities such that there are now built up urban areas as well as more open pastoral lands. Waterways and wetlands have been altered, vegetation lost, cuts made into hillsides and buildings constructed on ridgelines. In some places the landscape shows little relationship to the underlying landform.

Development in Porirua City is concentrated on the southern side of the harbour and a rural landscape predominates on the northern side. Only small nodes of residential development occur in this northern sector and two of these, Plimmerton and Pukerua Bay, are long established and have managed to retain very distinctive identities; that is, a small scale intimate character and a comprehensive pattern of open space. Mana and Camborne however are in direct contrast and do not have these intrinsic qualities.

The predominant land cover in the Rural Zone is pastoral grassland and scrubweeds. Native vegetation occurs as remnant or marginal strips, and in many cases is secondary following European clearance. There are no extensive areas (more than 500 hectares) of native forest, although the Mt Wainui catchment protection forest spreads into the eastern edge of the City. Native vegetation habitats are confined to pockets along the sides of streams, in steep gullies or along the coast. Even there they are frequently heavily grazed and browsed by stock, goats and possums. Native conifers, such as rimu or miro, once would have been widespread, but now occur typically as isolated canopy or emergent trees. Coastal grasslands and salt marsh communities are found locally.

Animal species and distributions in the Wellington Ecological District reflect the modified nature of the area. Those birds which need large areas of forest habitat are absent or confined to the very eastern margins (for example pied tit, whitehead, kaka) (Parrish 1984), although the wider ranging native species such as fantails and grey warblers are common. The Wellington Ecological District is coastal only at Porirua and Wellington Harbours and both these areas support populations of waders, gulls, and shags etc.

No native mammals have been recorded in the City, but possum and the common, smaller introduced mammals are found. Most of the common New Zealand lizards can be found in the City including three rare species. Among the freshwater native fish species, the rarer giant and short-jawed kokopu are known. Pauatahanui Inlet is the spawning and juvenile growth area for a number of important marine fishery species, while the adjacent coastal areas are significant shellfish-gathering sites.

Land-water Interface

Activities on land, particularly those near water bodies and the coastal marine area, may have an impact on water quality and ecological values. The extent of control over activities in or near all water bodies or the coastal marine area is therefore an essential matter to be addressed by the District Plan.

Porirua City Landscape Study

Consultants were employed to undertake a landscape study as background information for the preparation of the District Plan. The Study is comprised of three documents. The first report is an assessment of the existing landscape features and character of Porirua City, which was then followed by an implementation strategy for the protection of these landscape features. The information and findings of this study have been used to form the basis of this section of the District Plan and further work programmes as funded through the Annual Plan, as set out below. The landscape study identified landscape character as being determined by three main factors:

Landform	landform reflects the underlying geology, topography and attendant processes such as erosion, etc.
Land Cover	land cover, which includes vegetation, water bodies etc and which reflects soil condition, plant succession, etc.
Land Uses	Land uses reflect cultural and social processes which significantly modify the landform and land cover.

The relationship and arrangement of these three components is constantly changing and give each area its own particular landscape character.

District Plan Implementation

The Landscape Study identified landscape units within the City on the basis of landform, land cover and land use.

Some of these "units" have been identified on the Planning Maps as "Landscape Protection Areas" for which specific policies and rules have been formulated to ensure the particular landscape merits of these areas are recognised, and due regard given in the assessment of particular development proposals. Not all of the 13 recommended landscape units have however been adopted as landscape protection areas. This is on the basis that because of land ownership reasons or topographical constraints e.g. the coastal scarp north of Pukerua Bay, the land is unlikely to be developed for urban purposes and therefore the landscape character altered or destroyed. Many of the areas are also located in the Rural Zone for which standards already apply to the protection of native vegetation and to the disturbance of land.

Some of these landscape units cover considerable areas of the Rural Zone. A balance has therefore been sought between preserving the landscape characteristics of a particular area and encouraging a wide range of rural activities to continue throughout the Rural Zone.

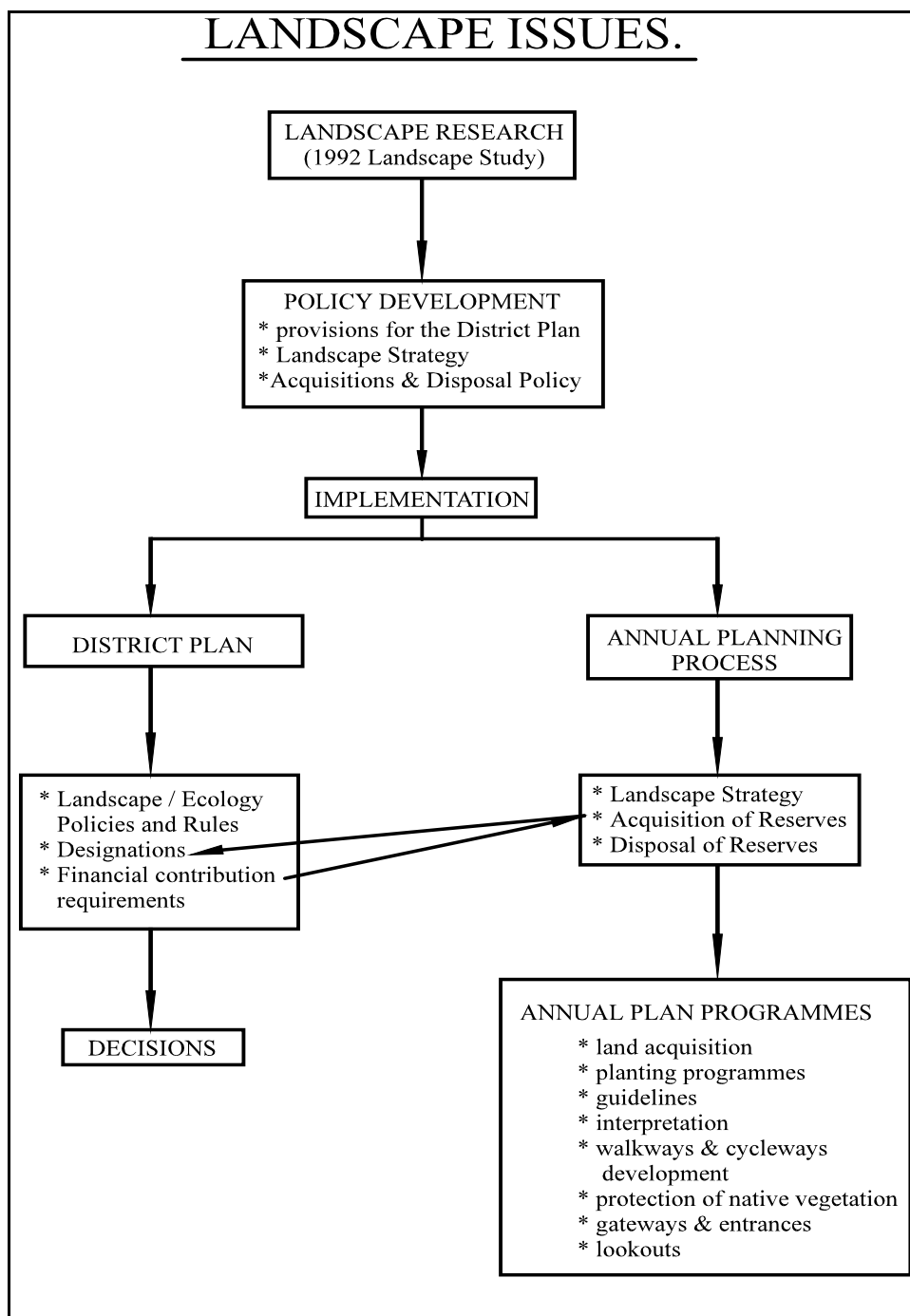


FIGURE 2: LANDSCAPE STRATEGY FRAMEWORK

C9.1 OBJECTIVE**TO MANAGE IN A SUSTAINABLE MANNER THE LANDSCAPE AND ECOLOGICAL SYSTEMS WITHIN PORIRUA CITY.**Explanation

Landscapes are a combination of landform, land cover and land uses. The relationships between these components is constantly changing due to both natural and human influences. Ecology is the inner workings of these processes and comprises complex structured inter-relationships between the natural and physical environment.

It is important to manage these landscapes and ecological systems in a sustainable manner which ensures their continued survival and diversity for the health, wellbeing and enjoyment of present and future generations.

Policies for landscapes and ecological systems should be directed towards the management of the processes that shape them rather than attempting to "preserve" their appearance at a particular point in time. This approach recognises the dynamism of the landscape and that it will change over time.

C9.1.1 Policy

To prevent urban encroachment into sensitive ecological and landscape areas.Explanation

The Council may not permit subdivision and development of areas such as wetlands, areas of significant native vegetation, significant geological features and significant habitats of flora and fauna.

Method of Implementation

Assessments of land use applications for earthworks in Landscape Protection Areas will have regard to the particular characteristics of the area and any impact such a development will have on the amenity and intrinsic values of that particular landscape/ecological area. Areas not identified as "Landscape Protection Areas" will be subject to general rules relating to the protection of native vegetation and the species of flora and fauna contained therein, earthworks, limits on the subdivision of land, and the number and size of buildings in the Rural Zone.

The **annual planning process** may allocate resources to the production of guideline information and pamphlets to inform the public of the purposes of identifying these landscape protection areas and the implications of the District Plan's rules for private property owners.

Reserve Management Plans may impose additional controls on the use and management of publicly owned reserve land to ensure that particular public resource continues to be used in a sustainable manner.

A key element of this policy, and all policies associated with the implementation of this District Plan, is an **on-going programme of monitoring** through the enforcement of the provisions of the Plan, the enforcement of conditions of

resource consents, and the monitoring of the effectiveness of the Plan's policies. This function has particular relevance where activities adjacent to sensitive ecological areas, such as Taupo Swamp, have the potential to cause environmental damage. Accordingly, the monitoring of activities and the state of the environment adjacent to, and within sensitive ecological areas will be given high priority. Part L "Monitoring" should be referred to for more information on the Council's obligations and strategy for ensuring effective monitoring of the environment.

Principal Reasons

Part II of the RMA places particular emphasis on safeguarding against the loss or destruction of ecosystems and the protection and enhancement of landscapes.

The Planning Maps identify an urban/rural divide based on the present extent of the urban area, and on the recognition of areas where the urban limit can be extended. The Landscape Protection Areas also significantly limit the scale of development as a permitted activity. A full assessment of environmental effects will be required for those developments requiring a resource consent.

C9.1.2 Policy

To protect Colonial Knob from urban encroachment in order to preserve the open space and rural edge of the City.

Explanation

Colonial Knob is relatively untouched by urban development, and controls will ensure this rural edge is protected.

Method of Implementation

The Porirua Scenic Reserve which forms part of this Landscape Protection Area is subject to a **reserve management plan** and any development within the reserve must be in accordance with this plan.

The remainder of the land identified on the Planning Maps is in private ownership and will be subject to **District Plan rules** relating to earthworks, removal of native vegetation, subdivision etc. The land is zoned Rural and will be subject to the rules and policies of the Zone.

The **annual planning process** may also be used to encourage landowners to protect specified areas at risk.

Principal Reasons

Colonial Knob is an important feature in defining the form of the City and giving it a distinctive landscape character. On this basis it is important to retain the existing extensive areas of native vegetation and protect the ridgeline from insensitive development.

The important features in this landscape are the open space, the strong ridgeline landforms and the extensive tracts of secondary native vegetation.

Much of the eastern scarp of Colonial Knob is within the Porirua Scenic Reserve. Key parts of the scarp and ridge are also in private ownership. The application of rules will prevent developments which impact on the landscape or remove native vegetation, while allowing rural activities to continue on the rural land. District Plan rules will also ensure that development does not detract from the landscape character and ecological values of Colonial Knob.

C9.1.3 Policy

To recognise the Whitireia landscape area as a significant area of rural open space.

Explanation

The Whitireia Landscape Area is mainly reserve land, with a small area of private land. The landscape area is currently rural in character although the transmission masts are a highly visible non-rural element.

Method of Implementation

The policy will be achieved through **District Plan rules** by zoning the land rural for which the policies and rules are designed to maintain an open landscape character. Standards will ensure sensitive design and construction where any development is undertaken.

The **Whitireia Park Reserve Management Plan** imposes controls over that part of the peninsula gazetted as reserve land (refer to the Planning Maps) which relate to its use and management.

The **annual planning process** may also be used to encourage landowners to protect specified areas at risk.

Principal Reasons

The Whitireia Landscape Area occupies a prominent position at the entrance to the Porirua Harbour and is a distinctive feature of the City. Its retention as a large area of open space is essential to the identity and character of the City.

C9.1.4 Policy

To protect the Belmont Scarp and Eastern Porirua Ridge from urban encroachment in order to preserve the open space and rural edge of Porirua City.

Explanation

The Belmont Scarp and Eastern Porirua Ridge is an important element in defining the form of the City and its landscape character.

Method of Implementation

The **Reserve Management Plan, District Plan Rules** and **annual planning process** may be used to implement this policy as set out in the "Method of Implementation" section under Policy 9.1.2.

Principal Reasons

The steep Belmont hill country envelopes the City's south eastern boundary and provides the City with an outer green belt of farmland and an unbuilt ridgeline. The contribution that the rural backdrop makes to the identity and character of the City is significant. However, most of the key outer ridgelines that are visually significant lie outside the City boundary.

That land which is contained within the boundaries of the Landscape Protection Area as shown on the Planning Maps is used for farming purposes. The continued use of the land for farming purposes is considered to be the most practicable means of ensuring the present landscape character is retained. In the event that a private landowner wishes to develop the land, the rules and standards for the Rural Zone ensure that activities involving significant environmental effects will require a resource consent. A full assessment of effects can be undertaken at that stage.

C9.1.5 Policy

To protect the visual and ecological character of the Rural Zone.

Explanation

Much of the Rural Zone is highly visible and the landscape vulnerable to development changes. Controls will therefore be placed on the location of development.

Method of Implementation

The **Rural Zone rules** provide that the initial dwelling on land comprised in one Certificate of Title, and accessory buildings are a controlled activity, and standards and terms are specified which are to be met for all proposed buildings. A second or any subsequent dwelling on land comprised in one certificate of title is a discretionary activity. A full assessment of environmental effects will be undertaken for all development of this nature in the Rural Zone, however, where development occurs within the Landscape Protection Area particular regard shall be had to the direction offered by this policy.

Mechanisms to protect coastal and river margins, for example, a rule which restricts earthworks within 20 metres of a waterway (refer to the activity standard 'Riparian Setback' under D4.2.1), and esplanade reserves/strips, also serve an important role in achieving this policy. Refer to policies C9.1.12 and C9.1.13 relating to the protection and enhancement of river and coastal margins.

Principal Reasons

The visual integrity of the rural landscape can be significantly impacted upon by the number and location of buildings and roads. Areas which are susceptible to visual degradation and which require particular care include, secondary ridges and knolls, and the land around the edges of the Pauatahanui Inlet, and the coastal scarps to the west and north of the City.

Ecological integrity is dependent on ensuring adequate corridors and buffers are developed or maintained between and around areas of ecological value. This may be achieved by the provision of reserves and riparian strips.

C9.1.6 Policy

To encourage the protection and preservation of areas of significant native vegetation.

Explanation

In this policy, "protection" means the avoidance of damage, and "preservation" means ensuring the future health and wellbeing (e.g. regrowth) of the native vegetation.

Method of Implementation

District Plan rules provide that, in certain areas and circumstances, the removal of native vegetation is a discretionary activity. If such an application is approved, conditions may be imposed to reduce adverse effects through controlling the location of activities on site, and providing buffers where necessary.

The **annual planning process** may identify funding priorities for the protection (if necessary) of significant stands of native vegetation in the form of rates relief, fencing grants or professional advice etc. This may also apply to any stand of native vegetation not meeting the District Plan definition of native vegetation.

Principal Reasons

Individual stands of native vegetation can contain a range of flora and fauna which form part of an ecosystem dependent on its continued survival through the complex interrelationships between each plant and animal.

The City however only contains small areas of native vegetation. Protection of these from destruction, through felling, or from degradation, through the grazing of the undergrowth is therefore seen as an important issue, and their retention for present and future generations should be actively pursued.

Protecting remnant or regenerating native vegetation in all zones will maintain and enhance amenity values, environmental quality and the intrinsic values of ecosystems.

C9.1.7 Policy

To protect the landscape character of the Aotea Block and the main ridge line running through the Block by placing controls on earthworks and the location of buildings.

Explanation

The Aotea Block is a large open space area of 250 hectares adjacent to the City Centre and bounded on the western side by State Highway No 1. The dominant ridgeline is highly visible from the City Centre.

Method of Implementation

The **Planning Maps** show the ridgelines running through this block as a Landscape Protection Area. Significant earthworks and the removal of native vegetation within this area will require a resource consent where appropriate conditions may be imposed to ensure development is sensitively designed to protect the underlying landforms, and retain the intrinsic character of the area.

A **Council earthworks bylaw** also places controls on the removal and distribution of earth.

Principal Reasons

The Aotea Block is a block of land that is currently being gradually developed for a range of residential, business, community and recreation activities. Its topography varies from ridge crests to steep narrow gullies. A main ridgeline running northwest-southeast divides the block into two distinctive areas; warmer northern and western faces with panoramic seaviews, and the cooler southern and eastern faces facing inland. This ridgeline with its semi-mature coniferous woodlot is visually important to the City overall, particularly because of its location above State Highway One.

The Baxter's Knob area forms the high point of the Aotea Block. A "Commercial Recreation Policy Area" and a "Landscape Protection Area" both apply to this area. The District Plan provisions have been designed to retain an appropriate level of discretion in respect of that development in order to protect the essential elements of the existing landscape character and form. The opportunity therefore exists to protect the landscape character and form of the block, and the dominant ridgelines, while not precluding the future development potential of much of this area.

C9.1.8 Policy

To protect the vegetated gullies which provide the link between the Takapuwahia/Titahi Bay Landscape Area and the Colonial Knob Landscape Area.

Explanation

These vegetated gullies form important visual and ecological links and should therefore be protected from inappropriate development.

Method of Implementation

The **planning maps** identify this area as a Landscape Protection Area where the removal of native vegetation and significant earthworks (refer to the appropriate Rules Section) are discretionary activities.

Principal Reasons

The vegetated gullies provide visual continuity from the City to the rural face of Colonial Knob. They also provide valuable opportunities for public access, and act as a means of preserving streams in their natural state. Protection of these gullies can be achieved without unduly limiting the development potential of the urban areas adjacent to the Colonial Knob area.

C9.1.9 Policy

To protect the ecological and visual values of the vegetated gullies and higher ridges in the Plimmerton area.

Explanation

These gullies and ridges are important ecological and landscape features and are worthy of protection from inappropriate development.

Method of Implementation

The **planning maps** identify this area as a Landscape Protection Area where the removal of native vegetation and significant earthworks (refer to the appropriate Rules Section) are discretionary activities.

A full assessment of environmental effects will be required, and the onus will be on the applicant to prove that the proposed development is able to be designed and managed in such a manner that the environmental integrity of this landscape is not compromised.

Principal Reasons

The vegetated gullies provide a visual continuity from the coast to the rural land behind Plimmerton, and their protection is also a means of preserving streams in a natural state. This can be achieved without unduly limiting the development potential of the urban areas.

C9.1.10 Policy

To protect the ecological and visual values of the vegetated gullies in the Pukerua Bay area.

Explanation

These gullies and ridges are important ecological and landscape features and are worthy of protection from inappropriate development.

Method of Implementation

The **planning maps** identify this area as a Landscape Protection Area where the removal of native vegetation and significant earthworks (refer to the appropriate Rules Section) are discretionary activities.

A full assessment of environmental effects will be required, and the onus will be on the applicant to prove that the proposed development is able to be designed and managed in such a manner that the environmental integrity of this landscape is not compromised.

Principal Reasons

The vegetated gullies provide visual continuity from the coast to the rural land behind Pukerua Bay, and their protection is also a means of preserving streams in a natural state. This can be achieved without unduly limiting the development potential of the urban areas.

C9.1.11 Policy**To protect the natural character of the Coastal Scarp north of the Pukerua Bay settlement.**Explanation

The area of land between the coast and ridge is an ecologically sensitive area, bisected by the State Highway and the Main Trunk Line.

Method of Implementation

The **planning maps** identify this area as a Landscape Protection Area where the removal of native vegetation and significant earthworks (refer to the appropriate Rules Section) are discretionary activities.

A full assessment of environmental effects will be required, and the onus will be on the applicant to prove that the proposed development is able to be designed and managed in such a manner that the environmental integrity of this landscape is not compromised.

Principal Reasons

The coastal scarp is important both in visual terms, and as a part of the coastal ecology of the area. It has very limited productive potential and would be severely damaged if any excavation or development were permitted.

C9.1.12 Policy

To protect and enhance the spiritual, cultural, ecological and amenity values of rivers and the coast.Explanation

Esplanade reserves, esplanade strips and protective covenants etc. play an important role in the protection of the life supporting capacity of water and ecosystems, and their intrinsic values, by enhancing water quality and protecting aquatic habitats. Furthermore, these mechanisms provide buffer areas to heritage sites from development, and the protection of Maori spiritual values.

Method of Implementation

The RMA contains detailed statutory provisions on the circumstances in which esplanade reserves and strips are to be set aside. Statutory requirements can, however, be waived or reduced by rules in a District Plan or by resource consent.

Rules in the Plan provide that a 20m riparian setback shall apply to any allotment, other than a reserve, which is adjacent to the coastal marine area (CMA) and either side of any stream exceeding 3 metres in width. This rule will require a resource consent before any building or significant earthworks can occur in that area.

Where activities are the subject of a resource consent application which have some relationship with, or impact on, the coastal margin or a river, the Council

may require the creation of an esplanade reserve as a condition of that consent. This is provided for in the financial contributions provisions in Part E of this plan.

Principal Reasons

The Council has an important role to play in the creation of riparian strips as provided for through the subdivision process, reserve acquisition and other non-statutory measures. These mechanisms play an important role in protecting and enhancing the quality of the coast and rivers.

The RMA includes general provisions relating to the values associated with the coast and rivers, as well as specific provisions relating to esplanade reserves and other means of protecting the margins of water areas.

These provisions help integrate the dual function that the Council has in land-use and subdivision management.

C9.1.13 Policy

To encourage the voluntary creation of esplanade strips and access strips to and along river and coastal margins.

Explanation

In addition to the requirements to create esplanade reserves and strips outlined in policy C9.1.12, it is also possible for these areas to be created voluntarily at the owners initiative and without any subdivision or development taking place.

Method of Implementation

Where there is no obligation for the compulsory creation of an esplanade reserve/strip, that is, the subsequent allotment/s exceed 4 hectares in size, the Council may in appropriate cases **negotiate with the landowner** to have land vested as an esplanade reserve or an esplanade strip, or negotiate an access strip.

The circumstances in which the voluntary creation of esplanade reserves/strips or access strips could be considered include cases where land is located between two existing esplanade reserves/strips or access strips, and land with conservation or cultural values. Maintaining and enhancing the character and visual quality of the area will also be considered as well as the compatibility of the proposed reserve/strip or access strip with the physical characteristics of the land.

Another option is the creation of **Queen Elizabeth II Open Space Covenants**, which are registered against the certificate of title as an area of protected land, or a covenant created in terms of the Reserves Act 1977, where the Council would be required to compensate the landowner for the loss of the land. Where appropriate, the Council may offer financial incentives in the form of land acquisition, rates relief, fencing grants and professional advice.

Principal Reasons

Existing land ownership patterns and urban development have limited the opportunities for the creation of esplanade reserves/strips (that is, riparian strips) through the subdivision process. This Council may therefore encourage the voluntary creation of riparian strips so that the coastal or river margins can be protected in a manner which best meets the needs of the landowner, while improving access and preserving the quality of the coastline or river.

C9.1.14 Policy

To encourage the protection and enhancement of ecological integrity throughout Porirua City.

Explanation

Council will take into account the need to maintain the integrity of ecological systems for their intrinsic values, and for their contribution to the natural character of all zones. Maintaining the life-supporting capacity of ecosystems extends beyond protecting special ecosystems and is important in the promotion of the sustainable management of the environment. A variety of activities, substances, and organisms can have adverse effects on the integrity of ecosystems.

Method of Implementation

A number of objectives and policies in other parts of the Plan, e.g. C3.2.4, C4.2, C4.2.1, C4.2.2, C4.2.3, C4.2.4, C7.1.3, C10.1, C10.1.5, C14.1.3, and C15.1 address the need to provide protections for ecosystems and the methods of implementation have been stated for each of these. The principle method of implementation for this policy will be through providing the link between individual provisions throughout the Plan.

Principal Reasons

Safeguarding the life-supporting capacity of ecosystems is one of the purposes of the Act. As such, it is integral to the Plan and provided for in objectives and policies throughout the Plan. This policy seeks to draw these provisions together in order to provide a more direct reference to this key aspect of resource management.

C9.1.15 Policy

To recognise, protect and enhance the existing ecological and landscape features in the Whitby Landscape Protection Area, including Duck Creek and the Resolution Ridge, through subdivision design, location, roads, low residential densities, allotment size and the management of earthworks and vegetation clearance.

Explanation

The Whitby Landscape Protection Area is an area of land that has been identified as having significant landscape qualities, which are important elements in defining the landscape character of Whitby and Porirua City. Duck Creek is an important feature in terms of ecology and landscape values, and contributes significantly to Whitby's open space network. Resolution Ridge at

the eastern end of Whitby is a major ridgeline feature with a central summit. This ridge provides a landscape connection between the Belmont area and the Pauatahanui Inlet and provides a logical landscape delineation of the eastern extent of urban Whitby.

It is important to avoid remedy or mitigate any adverse visual effects on the Whitby Landscape Protection Area. This will be achieved through the encouragement of low density residential development, the management of the adverse effects associated with subdivision design, earthworks and vegetation removal to ensure the existing landscape is maintained or enhanced.

Method of Implementation

The planning maps identify the Whitby Landscape Protection Area within the Suburban Zone, for which the Plan specifies rules and standards that apply to subdivision, earthworks, clearance of native vegetation, dwelling density and location in the Whitby Landscape Protection Area.

Application for resource consents will be assessed against the policies and objectives contained in this Plan relating to the Whitby Landscape Protection Area.

Principal Reasons

All parts of the land within the Whitby Landscape Protection Area are considered suitable for residential development associated with the completion of the development of Whitby and as such have been zoned Suburban.

However, the landscape and ecological values associated with this land, and the role the land plays in the overall landscape character of Porirua City are such that special rules are required to ensure that any residential development is carried out in such a way that protects the existing landscape features, landforms, and Resolution Ridge.

Duck Creek and the surrounding catchment within the Whitby Landscape Protection Area is considered to have high landscape and ecological values, and plays an important role in the overall landscape character and open space network of Whitby and Porirua City.

C9.2 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcomes are anticipated:

- 9.2.1 A landscape which is managed in an ecologically sustainable manner.
- 9.2.2 A landscape in which the character and intrinsic qualities are protected and enhanced.
- 9.2.3 A landscape which reflects and reinforces both local cultural and community values.
- 9.2.4 Ecosystems and ecological processes are recognised and protected.

C10**COASTAL****Coastal Resources**

Coastal landforms and the effects of coastal processes give the City its distinctive form. To the west, the City is bounded by the Tasman Sea extending from the steep coastal scarps north of Pukerua Bay to the remote steep sided cliff areas just south of Rock Point. Along this coast are popular recreational beaches such as Plimmerton and Titahi Bay with long established beach-front residential properties and structures, such as boatsheds. This coastline comprises a range of outstanding coastal landscapes from steep scarps, shallow harbours and inlets and sandy beaches with associated foredune complexes (Mana Esplanade area). Many of the more valued areas of the coast have been protected by reserves such as Whitireia Park Reserve.

The City also has an important harbour divided in two by the Mana Esplanade reclamation which supports State Highway No. 1 and the North Island Main Trunk Railway line. The southern arm of the harbour bounds the City Centre. Most of the original harbour edge has been modified by reclamations to allow for the construction of road and rail lines on the eastern side, and to the south and west by commercial and residential development. In the northern part of this arm of the harbour, and adjacent to Whitireia Park, are the Onepoto boat sheds.

Pauatahanui Inlet forms the eastern part of the Porirua Harbour and is the larger of the harbour's two inlets. It is rated as a site of national significance in the Minister of Conservation's "Sites of Special Wildlife Interest" (SSWI) database. The Inlet contains the only large area of saltmarshes and seagrasses in the Wellington Region and is also nationally significant for the high densities of a shrimplike species of meiofauna called *Copepod Parastenhelia* sp. The Inlet is bounded by Grays Road along the northern edge and State Highway 58 along the southern edge, and as a consequence, there are limited opportunities to obtain riparian strips. The Inlet is enclosed by steep hill country and areas of intensive urban development, namely Camborne, Whitby and Pauatahanui Village, along the southern and eastern edges, and Mana and Paremata to the western and northern edges of the Inlet. The area is of outstanding visual and ecological value, and forms an important natural catchment area for the surrounding rural and urban land uses.

There is a strong community interest in the coastal areas which is reflected in the number of voluntary groups concerned with its use and protection.

Coastal Resource Management

The Resource Management Act places special importance on the sustainable management of the coast. The preservation of the natural character of the coastal environment, and its protection from inappropriate subdivision and development is a matter of national importance. The maintenance and enhancement of public access to and along the coastal marine area (CMA) is also a matter of national importance.

THE "COASTAL ENVIRONMENT"

(supplied by the Wellington Regional Council)

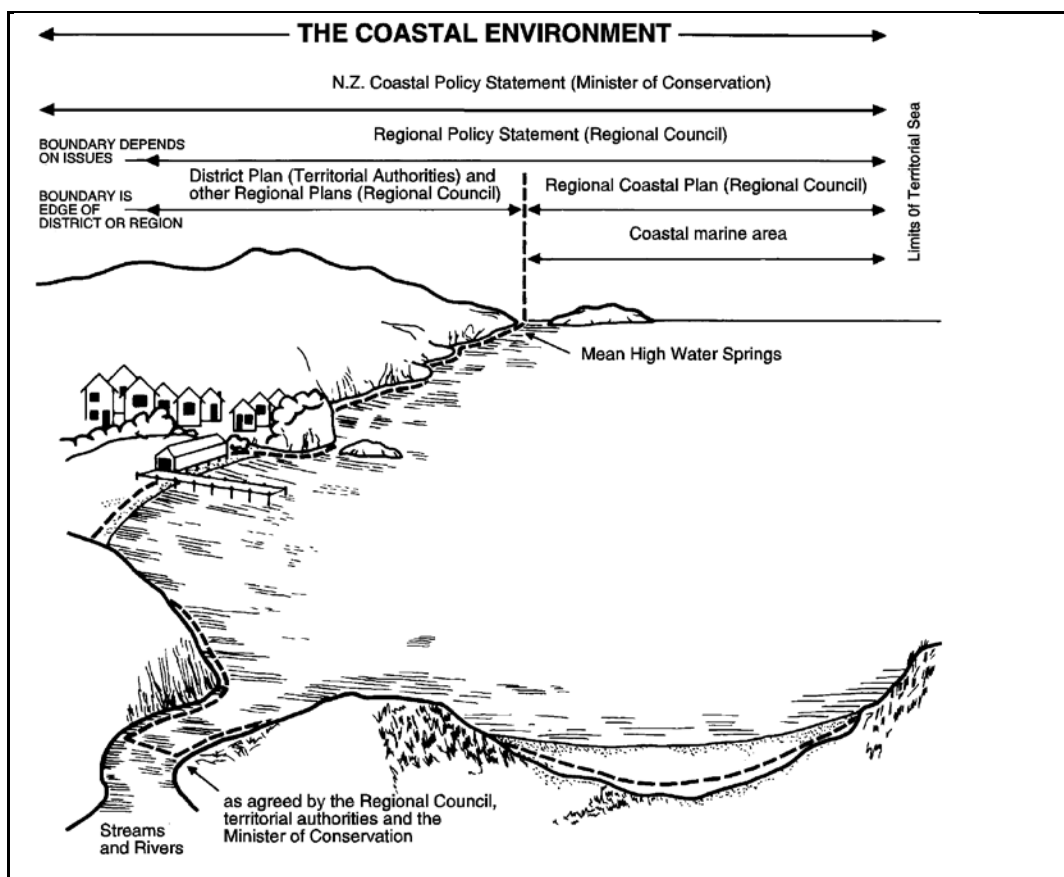


FIGURE THREE

(a) The New Zealand Coastal Policy Statement (NZCPS)

To help achieve integrated resource management on a national basis, the RMA requires that the Minister of Conservation prepare a NZCPS for the whole of New Zealand, and regional and local authorities must prepare Regional Policy Statements, Regional Coastal Plans and District Plans which are not inconsistent with this coastal policy statement.

(b) Regional Coastal Plan (RCP)

The Wellington Regional Council (WRC) has prepared a Regional Coastal Plan (RCP) in accordance with the requirements of the Resource Management Act 1991. The Regional Coastal Plan is restricted to controlling activities in the Coastal Marine Area (CMA). The CMA includes the foreshore, seabed, and coastal water, and the air space above the water, between the outer limit of the territorial sea, and the line of mean high water springs (MHWS). Areas landward of MHWS would be subject to the land use controls specified in the Porirua City District Plan, and the various other Regional Plans prepared and administered by the WRC relating to discharges to land, air, and water.

Clause 2, Part I of the Second Schedule of the Act sets out the matters that may be provided for in Regional Coastal Plans. These matters relate to the use of the CMA and managing any actual or potential effects, the occupation of land owned by the Crown or land vested in the Regional Council, use of the surface of the water, the discharges of contaminants, the taking or use of water, and the emission of noise from any activity.

The WRC is given consent granting powers for all non-complying, discretionary, or controlled activities except restricted coastal activities. Consents for restricted coastal activities are administered by the WRC but are granted by the Minister of Conservation.

(c) The District Plan

The District Plan is one method of managing land-use activities adjacent to the CMA. Other land use controls include management plans established under the provisions of the Conservation Act 1987, the Reserves Act 1977, and the Wildlife Act 1953, Iwi Management Plans, archaeological sites protected under the provisions of the Historic Places Act 1993, Council bylaws, etc. In formulating objectives, policies and rules for the integrated management of the coastal area regard has been had to these alternative methods.

The Coastal Environment of Porirua City

The whole of Porirua City is influenced in some form or other by the coast and coastal processes. The coast's influence is most readily experienced at the land/water interface at which point the jurisdictional boundaries of the Regional and City Councils meet for resource management purposes. This boundary does however create some administrative difficulties where structures or activities either straddle or are adjacent to this boundary, and the effects of such activities and buildings are felt across this boundary. Furthermore, structures such as boatsheds and clubhouses located within the CMA invariably require associated land based structures such as car parking and services etc. Accordingly, policy is necessary to address this particular issue.

Most coastal structures and activities relating to the coast are located on the foreshore areas and public and private land immediately abutting the foreshore. It is this land which is most readily affected by and associated with the coast.

C10.1

Objective

TO PROTECT AND ENHANCE THE SPIRITUAL, CULTURAL, ECOLOGICAL AND AMENITY VALUES OF THE COAST.

Explanation

Porirua City possesses coastline of outstanding conservation, cultural and amenity value and the coast plays an important role in determining the City's landscape character and form. Accordingly the Plan will seek to protect and enhance this natural resource.

The RMA recognises the importance of the coast to the social and economic wellbeing of the population. The Act also emphasises the importance of the

coast to Maori culture and traditions. Accordingly, a high priority should be accorded to the sustainable management of the coast's resources and to its protection from inappropriate use and development.

The creation of riparian strips along the coastal margins are mechanisms available to the Council in seeking to achieve this objective. They have an important role to play in protecting the life supporting capacity of water and ecosystems and their intrinsic values, by the enhancement of water quality and the protection of aquatic habitats; and secondly, by facilitating access to, and enhancing the recreational qualities of the coast.

Furthermore, the Council has an important role to play in mitigating the effects of natural hazards and the effects of development on the coast, through the control of earthworks and silt run-off, the retention of native vegetation, and the protection of significant landscapes and ecological habitats.

C10.1.1 Policy

To promote the long-term legal protection of, and access to, the coast through the use of riparian strips.

Explanation

Riparian strips in the form of esplanade reserves, esplanade strips, access strips, covenants or other mechanisms ensure public use, and/or access to the coast, and the protection and enhancement of Maori spiritual values, and the ecological and amenity values of the coast.

Method of Implementation

The Council, through the **annual planning process**, may instigate a research project, if necessary, to establish what riparian strips presently exist, including other existing reserves which may provide a level of coastal margin protection. A strategy could then be developed for the future acquisition of land through **land purchases, reserve contributions through the resource consent procedures, and voluntary access agreements**. A plan change to the Planning Maps will then enable formal identification of these areas.

Principal Reasons

The preparation of a plan or plans showing the location of existing and proposed coastal protection areas within the City will provide the basis for the long term development and protection of the coastline. This strategy will guide both the City Council and the general community on the use, development and protection of the City's coastline.

C10.1.2 Policy

To allow in appropriate circumstances esplanade strips instead of esplanade reserves for the creation of allotments of less than 4 hectares.

Explanation

In this policy "appropriate circumstances" means the Council may consider creating an esplanade strip instead of an esplanade reserve where the reserve

boundary is constantly changing or likely to change due to the coastal margin either accreting or eroding, there is limited public access or use, or there are difficulties with the use and maintenance of the land etc.

Method of Implementation

At the time of lodging a **subdivision application** for the creation of an allotment of less than 4 hectares Council will determine the appropriate means by which either an esplanade reserve or esplanade strip will be taken.

This shall be determined by having regard to the following:

- (a) The impact on Maori spiritual values and taonga as determined in consultation with the local tangata whenua; and/or,
- (b) The extent to which the natural functioning of coastal waters, and land and water based habitats would be affected; and/or,
- (c) The ease with which public access can be gained to and along the margin of the water body; and/or,
- (d) The extent to which any recreational activity may be hindered.

Principal Reasons

Where land is being subdivided to create an allotment/s of less than 4 hectares the Resource Management Act authorises Local Authorities to secure esplanade reserves along the coast. Such reserves are vested in Council. The Council will require these reserves to be set aside as public reserves so as to ensure conservation, public access and recreational values are preserved.

Reserves also serve an important role in the protection and enhancement of Maori spiritual and cultural values. Many waters contain kaimoana and their protection is better able to be facilitated through the protection afforded to them by the creation and management of riparian strips. Furthermore, the coast may contain natural resources and waahi tapu which are taonga to the Tangata Whenua.

Esplanade strips serve a similar function to esplanade reserves but with a few significant differences. Land ownership stays with the landowner but restrictions through an instrument are noted on the certificate of title. Esplanade strips would be promoted over esplanade reserves where the coastal margin is mobile (eg is an eroding coastline), as the esplanade strip is able to move with the water body. Maintenance considerations may also lead Council to opt for a strip as responsibility for the strip rests primarily with the landowner.

C10.1.3 Policy

To recognise the need for some flexibility in the establishment of esplanade reserves during the subdivision of land.

Explanation

The Plan does not contain rules which allow for the waiver or reduction in width of esplanade reserves or strips. However, section 230 of the RMA provides that a resource consent may waive or reduce the width of esplanade reserves or strips.

Method of Implementation

Where Council receives an application to waive or reduce the width of an esplanade reserve or strip, regard shall be had to the following:

- (a) The extent to which the natural functioning of the coastal environment, water quality and land and water based habitats will be affected by any waiver or reduction in the width or size of the reserve or strip; and/or,
- (b) The ease with which public access can be gained to and along the margin of the water body; and/or,
- (c) The extent to which any recreational use may be hindered; and/or,
- (d) The compatibility of the proposed reserve or strip with the physical characteristics of the land; and/or,
- (e) The extent to which the character and visual quality of the area will be maintained or enhanced; and/or,
- (f) The extent to which natural hazards will be mitigated; and/or,
- (g) The future purpose and use of any existing building that would otherwise encroach on, or be within a reserve or strip; and/or,
- (h) The extent to which the purpose of the reserve or strip can be achieved through some other means such as conservation covenants or consent notices.

Principal Reasons

Council has decided not to include rules in the Plan but to establish relevant factors for assessing applications for resource consents which involve a reduction or waiver of the esplanade reserve requirements. This approach reflects the particular circumstances of the Porirua District which has a very diverse coastline, small streams, and an established pattern of land holdings.

C10.1.4 Policy

To encourage the voluntary formation of esplanade reserves and esplanade strips and other coastal protection mechanisms along the coastal margin.

Explanation

The voluntary formation of esplanade reserves and esplanade strips and other protection mechanisms is to be promoted as a priority over the public purchase of land for such purposes.

Method of Implementation

The subdivision rules in the Rural Zone do not allow the creation of allotments below 5 hectares except as a non-complying activity. In the absence of District Plan rules to the contrary, the Council may only take esplanade reserves at the time of subdivision and where the allotment/s being created are under 4 hectares. There would, accordingly, be little opportunity through this process to obtain further esplanade reserves. The Council may therefore, and where appropriate, offer incentives mainly in the form of professional advice, and assistance with fencing to encourage the formation of these reserves. However, in circumstances deemed to be of high priority, for instance, where land is located between two existing riparian strips which significantly impairs public access, or other conservation or cultural values, the Council may look at other protection incentives such as rates relief, or land purchase, a waiver of administrative charges on resource consents etc.

Funding levels for this policy may be addressed on an annual basis through Council's **annual planning process**.

Principal Reasons

Existing land ownership patterns and urban development have limited the opportunities for the creation of riparian strips through the subdivision process. This Council may therefore promote and encourage the voluntary creation of esplanade reserves and esplanade strips so that the coast can be protected in a manner which best meets the needs of the landowner, while improving access and preserving the quality of the coast. The ability to negotiate with landowners is an important element of this policy.

C10.1.5 Policy

To manage the effects of activities likely to result in increased levels of contaminants and silt run-off so as to avoid and/or mitigate these effects on the coastal environment and coastal marine area.

Explanation

This policy seeks to manage the effects of activities such as earthworks which can result in significant levels of silt run-off and contaminants either directly or indirectly entering the coastal marine area via the public sewerage and stormwater systems.

Method of Implementation

District Plan rules impose minimum standards for earthworks and the removal of vegetation. These activities all have an effect on the water quality of streams and rivers flowing into the CMA.

All earthworks also require an earthworks permit under a City Council **Earthworks bylaw**. This requires adequate safeguards to be in place to control silt run-off.

Activity standards will be used in association with a **Hazardous Facilities Screening Procedure** for the assessment of facilities using and storing hazardous substances. This screening procedure will be used in association with other legislative mechanisms governing the use, transportation, handling and storage of hazardous substances to reduce the likelihood of accidental discharges to land, and discharges via the public sewerage and stormwater systems to the coastal marine area.

Other **policies and rules** in the Plan relating to the retention and protection of native vegetation, the requirement for a high standard of waste water disposal, and the identification and protection of significant landscapes (see Section C9 "Landscape and Ecology"), all contribute to the management and protection of natural and physical systems, and the use and protection of the coast.

Through the resource consent process the Council may impose conditions in accordance with Part E Financial Contributions Part of the District Plan. In circumstances where, as a result of a resource consent being approved an esplanade reserve or strip is able to be created, the Council will assess the necessity to require planting. Buffer vegetation can trap silt or contaminants and therefore directly influence the quality of coastal waters.

Through the annual plan process incentives to fence off riparian margins from grazing livestock are also to be instigated through fencing grants and rates relief etc.

Principal Reasons

Silt run off from earthworks including roading, track cutting, topsoil mining, and extractive industries can result in the displacement of significant levels of earth and bedrock. If controls are not in place to ensure that this exposed earth is not deposited via streams and rivers into the CMA, significant natural habitats such as Pauatahanui Inlet can become polluted with sediment, with a resultant loss of flora and fauna. Furthermore, high levels of sediments can destroy the recreational values of the coast, and ultimately could result in the necessity to dredge parts of the harbour.

Secondly, the control of discharges from private properties into the reticulated sewerage and stormwater systems is also important. In particular the discharge of hazardous substances into the CMA can cause irreparable damage to sensitive ecosystems.

C10.2 Objective**TO MINIMISE ANY ADVERSE EFFECTS OF BUILDINGS AND ACTIVITIES ON THE COASTAL MARGIN.**Explanation

Activities and buildings including slipways, ramps, and wharves etc., have the potential to adversely impact on the coastal margin if not appropriately managed.

Coastal buildings such as boatsheds, boat launching ramps, toilet and ablution blocks, navigation aids, wharves etc., have a legitimate and important role to play in the use and enjoyment of the coast. It is equally important however to ensure that these structures do not detract from the quality of the coastal resource. Many of these structures may extend into the CMA and will in many instances require resource consents from the WRC.

Many of these structures play an important role in providing recreational opportunities for the general public, or ensuring the protection of ecological systems, and can therefore be seen as essential to the continued use, protection and enjoyment of the coast.

However, a balance needs to be maintained in meeting the needs of the often competing interests of the various sectors of the population. The Council will therefore seek to manage the effects of activities on the natural and physical environment. Significant adverse effects which the Council would seek to control would be those limiting public access, resulting in the loss or destruction of sensitive ecosystems, activities which impact adversely on Maori spiritual values, and/or result in a loss of natural character.

C10.2.1 Policy**To only allow buildings in the coastal margin which require a coastal location.**Explanation

This policy allows for the provision of buildings such as boatsheds, seawalls, ramps, navigation aids, and toilet blocks, etc. which require a coastal location, while managing the effect of buildings and their associated activities on the public use and enjoyment of the coast.

Method of Implementation

The **District Plan** requires a resource consent application for all new structures and buildings or extensions to existing structures/buildings within a "riparian setback", that is, within 20 metres of mean high water springs or a stream. Where an esplanade reserve or strip is already in existence, a riparian setback shall not apply and the normal yard requirements will apply. A discretionary activity resource consent will be required for all new buildings or extensions to existing buildings which encroach upon this riparian setback. A full assessment of effects would be undertaken in accordance with the policy guidance given by this policy.

In assessing the suitability of a resource consent application the Council may have regard to, but not be limited by, the following matters:

- (a) Maori Spiritual Values: Regard shall be had to any development which may impact on Maori spiritual values associated with the coast in a particular location. These values may relate to waahi tapu (sacred sites), tauranga waka (canoe landing sites), mahinga maataitai (seafood), and taonga (resources both tangible and intangible).
- (b) Landscape and Ecological Values: A significant portion of the City's coastline is of outstanding visual and ecological value. Much of the open coastline is steep coastal scarp and inaccessible, or in Crown Reserves, and therefore unlikely to come under development pressure. Areas such as Plimmerton, Mana and Pauatahanui etc. are however particularly sensitive to these development pressures. Regard shall therefore be had to ensuring development is sensitive to the particular landscape and ecological characteristics of the locality and any adverse effects such an activity or building may have on the environment.
- (c) Public Access and Recreation: Buildings on public land for use by the public are generally constructed for the public good and therefore have an important, and often essential role to play in facilitating the use, enjoyment and conservation of the coast. These activities must however be carefully managed to ensure that the qualities of the coast are not adversely affected.

Buildings located on private land, and within the coastal margin (see definition for "coastal margin") are generally built for the sole use of the individual. The potential therefore exists for conflict between the private individual's wish to have sole use of their land, with the public's right to use and enjoy the coast, and the protection of the natural and physical environment. In some cases the building and activity may be inappropriate in a particular locality. It is important therefore that the Council is able to reserve the right to either impose appropriate conditions on the issue of a resource consent, or where the adverse effects cannot be avoided, remedied or mitigated to refuse such an application.

The Council will therefore discourage buildings or works to buildings which encourage the private use of publicly owned foreshore areas. Further, the Council will look favourably upon applications which enhance environmental quality, improve public access and add to the recreational values of the coastal area.

- (d) Design: The Council shall have regard to the scale and character of existing buildings in the vicinity with respect to:
 - the types of materials to be used including their colour and reflectivity;
 - the building form, including its height, size, profile and roof pitch, its siting and orientation to the sea, and its relationship to and compatibility with other structures in the vicinity;

- the siting and design of ancillary structures such as ramps, railings, car parking, hard surfacing, landscaping etc.

Alterations, extensions or the construction of new structures will also be subject to strict environmental standards and compliance with **Council bylaws**, and the **Building Code**.

Principal Reasons

Buildings in the coastal environment compete with the public's rights to access, and to enjoy an attractive natural coastline. However, buildings such as boatsheds and boating clubs etc., which require a coastal location, continue to serve an important role in providing facilities for the use and enjoyment of the coast. These legitimate activities should therefore continue to be permitted.

Activities in the CMA (as specified in S.12 of the RMA) are not permitted unless expressly permitted by the Regional Coastal Plan, accordingly existing activities do not have existing use rights. The Regional Coastal Plan for the Region allows for the continued use of structures for legitimate purposes, that is, activities which require a coastal location, such as boatsheds for the repair and storage of boats.

Activities outside the CMA do have existing use rights. The existing boatsheds above MHWS will therefore be retained in their present form. The Council will however require a resource consent for substantial works to boatsheds, or the demolition and/or rebuild, and for the construction of a new boatshed.

C10.2.2 Policy

To avoid, remedy or mitigate any adverse environmental effects of buildings and structures on the coastal margin.

Explanation

This policy deals with the onshore effects of buildings and activities which are partly or wholly located in the coastal margin.

Method of Implementation

District Plan rules require that all buildings in the coastal margin be subject to a resource consent at which point appropriate conditions may be imposed to mitigate any adverse effects.

Administrative arrangements between the Porirua City Council (PCC) and the Wellington Regional Council (WRC) will therefore need to be in place to ensure that where a resource consent is required by a rule in the RCP that decisions made by both authorities are co-ordinated and consistent. In some instances joint hearings may be an appropriate mechanism to achieve this aim. In assessing such applications, the Council shall have regard to, but not be limited by, the matters specified in (a) - (d) of Policy C10.2.1

The **annual planning process** may allocate resources to the administrative arrangements required to co-ordinate the actions of both the WRC and the PCC in the hearing of resource consent applications likely to affect both authorities.

Principal Reasons

Activities and buildings are located in the coastal margin irrespective of where mean high water springs is located, that is, the jurisdictional boundary between the WRC and the PCC. Accordingly, many buildings either straddle this jurisdictional boundary or are located either side of it. The effects of such activities will often impact across this boundary, and will often have land based buildings and activities which are required in association with a coastal marine activity. This, from an administrative and effects based point of view can create difficulties for the purposes of regulating coastal activities.

C10.2.3 Policy

To enhance the visual amenity of the Titahi Bay Central and Southern boatsheds.

Explanation

The Titahi Bay boatsheds have high amenity values due to their scale and uniform building profiles. They form an important visual element in the Titahi Bay coastline, and any alterations to their exterior should be carefully managed.

Method of Implementation

District Plan rules will be one method of achieving this policy. Any significant alterations to these structures will require a resource consent.

The Council through the **annual planning process** identifies funding priorities for the next financial year. Resources may be allocated to the production of design guidelines on-going maintenance works or specific projects, for example, beautification works, beach grooming, beach nourishment, foredune protection works, litter control measures, or the construction of ramps and jetties.

Principal Reasons

The Titahi Bay boatsheds are all above mean high water springs (MHWS), and therefore are under the control of this Council. All the boatsheds are of similar size, age and design, and are grouped together into three distinctive groupings. Much of this character is as a result of relatively unmodified external profiles.

Secondly, Titahi Bay beach is a large, open, sandy beach. Accordingly, the boatsheds do not dominate the natural landscape, and because of their uniformity and low scale actually complement the landscape qualities of Titahi Bay.

Thirdly, on-going maintenance and continued use of the boatsheds, and their colourful exteriors also contribute to giving Titahi Bay a distinctive character.

A special policy has not been proposed for the remaining boatsheds at Onepoto, Paremata and Mana as they are located either in the CMA or straddle this administrative boundary (and therefore are under the control of the Wellington Regional Council). Policy C10.2.1 above however, deals with structures (and boatsheds) on a more general basis and will ensure matters such as design and appearance can be considered on a case by case basis.

C10.3 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C10.3.1 The continued use of the coastal margin for a range of activities and a variety of buildings which contribute positively to the overall use and enjoyment of the coast.
- C10.3.2 The retention of the natural character of the coast.
- C10.3.3 The protection and enhancement of historical and cultural values, including Maori spiritual values associated with the coast.
- C10.3.4 The imposition of appropriate and effective environmental standards to avoid, remedy or mitigate any adverse effects of development on the coastal environment.
- C10.3.5 A co-ordinated and comprehensive approach to the management of the coast in association with the tangata whenua, the Wellington Regional Council, the Department of Conservation and other administrative authorities and interests groups.

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C11 NOISE

Environmental noise is a recognised health and environmental issue. Effective control of noise emissions is necessary in order to protect people and the environment from unreasonable noise levels which have the ability to produce health-related problems such as annoyance induced stress. It is also necessary to provide for an adequate standard of amenity throughout the City. The emission of noise is an intrinsic part of most activities. The effect of noise can vary considerably depending on the type of noise, whether it is a hum, an intermittent noise etc. The provisions in the Plan seek to control the adverse effects of noise without unduly constraining commercial and industrial activities. The noise provisions in the Plan are in addition to general statutory requirements in the RMA relating to noise.

C11.1 Objective**TO MINIMISE THE ADVERSE EFFECT OF NOISE ON THE ENVIRONMENT.**Explanation

There is a community interest in noise and its effects on the environment. This objective seeks to promote the minimising of nuisance, health and amenity effects of noise.

C11.1.1 Policy**To protect the natural and physical environment from unreasonable noise in order to maintain and enhance the amenity values of the environment.**Explanation

This policy seeks to avoid the loss of amenity through the cumulative increase in noise levels over time.

Method of Implementation

Noise standards have been established for each of the seven zones. These standards seek to minimise the level of control on activities within those zones while ensuring that the overall quality of the environment is protected. To achieve this the standards have been set at the point where the noise impacts on the environment e.g. the boundary of an Industrial Zone with a Suburban Zone. In the Rural Zone the standards have been established to protect the amenity of the rural environment, and the amenity of residences within the Rural Zone, while not constraining rural activities e.g. ploughing, which can generate quite high noise levels but are an essential part of the sustainable management of the area. This has been achieved through setting the point at which noise is measured at a nominal distance of 20m from a residential building in the Rural Zone.

Principal reasons

Noise is generally cumulative. A new noise source adds to the existing noise level and over time the background noise level in an area can gradually rise, bringing with it a decrease in amenity. Noise which is out of character with the surrounding environment can also have a profound effect on amenity. Because of the many sources which contribute to ambient noise, measures to reduce noise levels are less likely to be effective than measures to prevent increased noise levels in the first place.

C11.1.2 Policy

To promote health by ensuring environmental noise does not exceed a reasonable level.

Explanation

This policy deals with the risk to public health in terms of annoyance, sleep interference, and disruption of conversation as a result of noise levels which are unacceptably high.

Method of Implementation

The methods of implementation vary according to the nature of the noise source. Where the noise source is traffic the design of buildings should recognise this and the most appropriate method of implementation is to ensure that intending developers are aware of the noise environment and are able to take this into account in the design of sites and buildings. This information can be provided through the **Project Information Memoranda (PIM) and Land Information Memoranda (LIM)** processes under the Building Act 1991 and Local Government, Official Information and Meetings Act 1987 respectively. **Noise standards** have been established based on the expected traffic noise in any part of the City. These standards seek to ensure that the noise from activities does not increase the level of disturbance from traffic noise. These standards work in parallel to the general zoning provisions to ensure that the need to protect living environments from noise does not unduly constrain commercial and industrial activities elsewhere in the City.

The **RMA also provides for the control of excessive noise**, which is generally of an occasional nature, e.g. parties, through provisions which allow a very quick response to such situations.

Principal Reasons

Annoyance levels increase with activity interference from noise intrusion, requiring that noise which interferes with peace and comfort of any person is prevented before existing situations worsen. Noise effects can be cumulative if exposures are repeated daily, resulting in annoyance related problems if the person cannot recover over a quiet night's sleep. The immediate problem of sleep disturbance often results from traffic noise and high background noise levels. Single event noise emissions are also frequent causes of interference. Eradicating noise levels completely is impossible due to existing land uses. Realistic levels of noise emissions must be applied while not adversely affecting the health of residents.

C11.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C11.2.1 A wide range of activities is able to operate with a minimum of control in appropriate parts of the City.
- C11.2.2 Residents in the Suburban and Rural Zones receive a high level of protection from intrusive noise, and from the gradual degradation of the environment from increased background noise levels.

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C12 NATURAL HAZARDS

Management options

There is a range of means available for the management of the risk of adverse effect from a natural hazard. Broadly these are as follows:

- Mitigation works e.g. the Porirua Stream Flood Improvement Programme.
- Control of the development of at risk areas e.g. rules in the District Plan.
- Control of the development of specific sites e.g. Building Act controls, resource consent processes.
- Planning for the management of the effect of a natural hazard event e.g. Emergency Management.

The most appropriate management methods have been identified for each category of hazard, as follows:

Seismic

The management of the risks associated with seismic hazard is set out in the report "Seismic Hazard Study Contract No 639 May 1993" prepared for Council by Works Consultancy Services. This report follows work undertaken for the Wellington Regional Council. The report includes an assessment of implementation options for the various hazards associated with seismic activity. These include fault rupture, liquefaction, and slope failure hazards.

The District Plan planning maps identify parts of the City as "Seismic Hazard Areas". The Notes to Planning Map 1 explain the nature of the information used to define the Seismic Hazard Areas. In general, the Porirua area is subject to similar seismic hazards as other parts of the Region. That is, ground shaking, active faulting, liquefaction, and slope failure. The Seismic Hazard Areas depicted on the planning maps represent places where one or more of these hazards may be present. Objectives and policies have been formulated to deal with the general risk of seismic hazard.

Tsunami

Tsunami, or tidal wave, is a potential hazard to the inhabited lowland coastal parts of the City. Tsunamis are generated by distant earthquakes. The Regional Council has undertaken some research on tsunami in the Wellington Harbour and south-west to Owhiro Bay. The Regional Council has stated that the chances of a tsunami occurring in the Porirua area are much smaller than for Wellington Harbour or the Wairarapa Coast. There is a risk factor however in that there would be little or no warning of a tsunami from a local earthquake.

Wind

Wind as a hazard primarily effects buildings and trees. The effect of wind on comfort e.g. shelter in pedestrian areas, is a design issue rather than a hazard issue. The safety of buildings in wind is covered by the Building Act 1991. The management of trees as a potential source of danger in strong winds is likely to be a sporadic issue, and one which is not readily dealt with through regulation.

Flooding

Flooding is the most frequent hazard affecting the City. It comes in the form of land inundation from the Porirua Stream, local flooding from other streams, and coastal inundation in storm conditions. The Porirua Stream Flood Mitigation Scheme is being undertaken by the Wellington Regional Council. This programme goes a long way towards preventing and mitigating the hazard to the developed areas of the City Centre.

The residual flood hazard to the City Centre, can best dealt with through Council activity in the form of road design, location of stormwater drains etc, and through the administration of the Building Act 1991 in relation to specific buildings within the City Centre.

The hazard in relation to the suburban zoned land to the east of the Porirua Stream as shown on planning maps, can best be dealt with through the subdivision provisions of this plan, through Council activity in the form of road design, the location of stormwater drains etc, and through the administration of the Building Act 1991 in relation to specific buildings.

Detailed information of flood hazards is available from Council and from the Wellington Regional Council. The Wellington Regional Council has produced diagrams illustrating the parts of the City Centre likely to be affected under different sized flood events. This information is available from Council. The District Plan refers to other areas where flooding has not been mitigated through physical works, and identifies flood hazard areas on the planning maps.

Rain Induced Slope Failure

Parts of the Porirua area have significant potential for rainfall induced slope instability. Small shallow debris flows and landslips are the most common types of failures to occur.

Coastal inundation is an issue of particular relevance to existing buildings. The esplanade reserve requirements in the Act, coupled with the Act's presumption in favour of protecting the natural character of the coast mean that future development with a risk of coastal inundation is unlikely to be allowed. The risk of inundation can best be dealt with by requiring applicants wishing to develop near the coast to provide information on the risk associated with that particular site as part of their application for a resource consent.

The majority of natural hazards are better managed through means other than the District Plan and particularly through the Building Act and Emergency Management measures. Seismic hazard is an exception to this, and a complementary approach using the District Plan to assess the suitability of activities in an area, and the Building Act for issues relating to building structures, will provide the best means of minimising the potential effects from this hazard.

The approach adopted in this Plan follows that of the Regional Policy Statement by referring to the reduction of risks to an acceptable level. An acceptable level of risk is one that balances the benefits and costs of risk reduction measures, taking into account non-monetary costs, community aspirations and the statutory responsibilities of relevant authorities.

C12.1 OBJECTIVE

TO MINIMISE THE RISK FROM EARTHQUAKES TO THE WELLBEING AND SAFETY OF THE COMMUNITY

Explanation

This objective seeks to minimise the loss of life and property, and the disruption of the City in the event of an earthquake.

The Porirua District is traversed by Ohariu and Pukerua Faults and parts of the City would also be affected by earthquakes elsewhere in the Region. It is not possible to prevent earthquakes, or to entirely locate development outside the at risk areas. This objective seeks to ensure that the risk from earthquakes is minimised.

In this context, minimising the risk means taking account of the risk in the administration of the Building Act, in the management of the infrastructure, and in the administration of this Plan.

C12.1.1 Policy

To minimise the effect of earthquake ground shaking and amplified effects on soft ground through controls on the location and materials of pipelines and services.

Explanation

Buildings and facilities on areas of soft ground are subject to more frequent and stronger ground shaking from earthquakes, and hence higher levels of damage can occur.

Method of Implementation

Where Council determines to replace or upgrade pipes and services, through the **annual planning process**, the location of these pipes and services will take into account the risk of earthquake damage.

The risk from earthquakes will be taken into account in determining the location and type of new pipes and services to be provided as a **condition of a resource consent** (particularly for subdivision).

Wherever possible Council will endeavour to resolve issues of the location of facilities and services through consultation and negotiation.

Principal Reasons

The management of the effects of earthquake ground shaking on buildings is generally covered by the Building Act. The damage to roads is generally light but there is a need to manage the location and nature of new pipes and services that can assist in minimising the effect of earthquake ground shaking on the functioning of the City, including fire fighting ability.

C12.1.2 Policy

To minimise the effects of ground damage from Ohariu fault movement in rock or very stiff soil types.

Explanation

This policy seeks to avoid structural damage to buildings and utility services which straddle a fault.

Method of Implementation

The exact location of faults is rarely known. **District Plan rules** provide the means of ensuring that intending developers are aware of the current state of knowledge on the location of the fault, and that Council can take this into account in determining whether a site within the seismic hazard area is appropriate for a particular activity. In the urban zones, the rules apply to an area which extends either side of the likely location of the fault. The width of this band reflects the accuracy of the known location of the fault. In the Rural Zone the rules apply only to an area defined by the current state of knowledge on the location of the hazard. No wider assessment area has been identified.

Essential activities (as defined in Part M) are a restricted discretionary activity in seismic hazard areas. For other activities, any seismic hazard will be a factor in the consideration of a resource consent application.

The control of the layout of subdivisions through **conditions of consent**, and **building controls** will also be used as means of minimising the risk to the community from earthquakes.

Principal Reasons

The effect of fault movement where a fault passes through rock or very stiff soils is generally very localised. Buildings and facilities located within 20 metres of the fault trace are likely to be affected by movement on the fault.

The ability of the City to recover from an earthquake will depend in part on what essential services are still able to operate effectively after the event. Locating these services away from the areas of highest risk is one means of minimising the effect of an earthquake on the City.

C12.1.3 Policy

To minimise the effects of ground damage from Ohariu fault movement in intermediate and flexible, or deep soil.

Explanation

Where a fault passes through deeper alluviums, the fault movement in an earthquake is likely to be distributed over a wide area. Any building or facility sited within a 100 metres wide band of a fault trace or between fault trace branches may have its foundation subjected to ground distortion as a result of fault movement.

Method of Implementation

Locating activities which are considered to have community significance within a fault zone is controlled through **District Plan rules** to enable the appropriateness of the site for the activity to be assessed.

The control of the layout of subdivisions through **conditions of consent**, and **building controls** will also be used as means of minimising the risk to the community from earthquakes. In the Urban Zones the rules apply to an area which extends either side of the likely location of the fault. The width of this area varies, being narrower where the location of the fault is known most accurately. In the Rural Zone the rules apply only to an area defined by the current state of knowledge on the location of the hazard. No wider assessment area has been identified.

Principal Reasons

All services and facilities located on or in the intermediate, flexible, or deep soil types can expect to have high levels of earthquake damage unless special provisions are made.

Pipes are particularly vulnerable to breakage and, while not directly life threatening, there is a high risk that fire-fighting capacity would be lost.

Management of the effects of earthquakes in these areas seeks to minimise the initial effect of an earthquake, and also to reduce the recovery time and cost.

C12.1.4 Policy

To manage the effects of ground damage from earthquake induced liquefaction of soils.

Explanation

Liquefaction is where the ground behaves like a liquid. This most commonly occurs in loose sands and silty sands, and can result in extensive damage to any development on that area. Managing the effect of this may include controls on the location of activities and/or the design of structures.

Method of Implementation

The implementation methods differ across the City. In the City Centre, much of which is within the liquefaction zones, it would be inconsistent with the overall

City Centre policy to prevent development but some activities, and the design of structures will be controlled through **District Plan rules** and **building controls** to minimise the effect of this hazard. In other parts of the City, where there is a choice of location, important activities will be discouraged from at risk areas.

In the urban zones the rules apply to an area determined from the current state of knowledge of the location of the hazard plus a safety margin where the nature of likely development merits closer investigation of the actual hazard. In the Rural Zone the rules apply only to an area defined by the current state of knowledge on the location of the hazard. No wider assessment area has been identified.

Principal Reasons

Ground damage from liquefaction commonly occurs in the form of lateral spreading and large subsidence, often over large areas, and could result in extensive damage to buildings and infrastructure.

C12.1.5 Policy

To minimise the effects of ground damage created by slope failures, earthquake induced slope instability and landslides.

Explanation

There is well documented evidence that earthquakes can cause or trigger large slope failures, particularly in areas of inherent slope instability.

Slope failures which remove support from a structure, facility or buried services have a high potential for damage, eg building distortion or collapse, road drop-outs, and fractured underground services.

Method of Implementation

This hazard exists in a relatively few areas of the City. **District Plan rules** allow the nature of the site and the activity to be considered, including whether a more appropriate site exists.

In the urban Zones the rules apply to an area determined from the current state of knowledge of the location of the hazard plus a safety margin where the nature of likely development merits closer investigation of the actual hazard. In the Rural Zone the rules apply only to an area defined by the current state of knowledge on the location of the hazard. No wider assessment area has been identified.

Principal Reasons

The risk from slope failure can be minimised by controlling the location of those activities which are important to the community and/or the functioning of the City.

C12.2 OBJECTIVE**TO AVOID OR MITIGATE THE ADVERSE EFFECTS ASSOCIATED WITH FLOOD HAZARD ON THE WELL-BEING AND SAFETY OF THE COMMUNITY**Explanation

Porirua Stream and other streams cause flooding and inundation in parts of the City, and land use activities within the environment can accentuate the flood hazard. While it is not entirely possible to prevent a flood event, this objective seeks to ensure that where possible, the adverse effects associated with the flood hazard on the well being and safety of the community are avoided or mitigated. The Porirua Stream Flood Improvement Programme undertaken by the Wellington Regional Council for example, goes a long way towards avoiding and mitigating the hazard to the developed areas of Porirua City Centre, and further measures can also be taken to manage the residual flood hazard in the remainder of the City.

C12.2.1 Policy**To ensure the flood hazard is considered in the subdivision, use, development and protection of the land.**Explanation

This policy seeks to ensure that the flood hazard is considered in the subdivision, use, development and protection of land to avoid or mitigate adverse effects that the land use activities may have on the flood hazard, and to ensure that the effects of flooding on the environment are avoided or mitigated.

Method of Implementation

Consideration of the flood hazard can be achieved through the Council's role in the administration of the Building Act 1991 with respect to specific building considerations, and provision of information on sites susceptible to flooding through PIMs and LIMs, and in the form of road design, and location of stormwater drains.

The flood hazard will also be considered through the assessment of subdivision proposals. Council has the ability under section 106 of the Resource Management Act 1991, to refuse consent to a subdivision if it considers the land is, or is likely to be, subject to inundation from any source, and where the adverse effects are not avoided or mitigated.

District Plan rules provide for the management of earthworks (removal and fill) and vegetation removal on a site in order to avoid or mitigate adverse effects such activities may have on the flood hazard.

Principal Reasons

Land use activities can have an adverse effect on flood hazards. Activities within floodable areas can alter flood flow paths and cause flooding to areas previously not flooded. Subdivision of land and associated earthworks have the potential to increase the risk of flooding through alterations to natural drainage

patterns. The flood hazard itself can also affect land use activities and should be a consideration in the use and development of land. It is necessary to ensure that flooding is considered in the management of land use activities within the City, to avoid or mitigate adverse effects which may arise from the flood hazard.

C12.3 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcome is anticipated:

C12.3.1 The risk to the community from earthquakes is reduced.

C13**SIGNS**

Signs play an important role in modern communications. In addition to advertising goods and services they also identify places, provide information about essential services and community facilities and control and direct traffic. The importance of this communications role needs to be balanced against the impact that excessive poorly designed or inappropriately located signs can have, particularly on the safety of traffic and the amenity values of an area.

Given the emphasis of Sections 6 and 7 of the Resource Management Act 1991, matters such as the protection and enhancement of the quality of the environment and amenity values are important considerations in the control of signs.

Council considers that signage is an important means of communication. It is therefore appropriate that some signs be allowed as permitted activities subject to specific conditions. These conditions would ensure that amenity values are maintained and driver distraction minimised for traffic safety reasons.

C13.1**Objective**

TO ALLOW SIGNS WHICH ARE CONSISTENT WITH THE FUNCTIONS, CHARACTER AND AMENITIES OF EACH AREA OF THE CITY.

Explanation

Signs in the City Centre and Industrial Zones exist and are an important part of the success of those zones. Signs can contribute to the character of these zones and are often part of the design of a building or can be a statement of a business. The need to advertise is more associated with the City Centre and Industrial zones and there is general public acceptance to advertising in these zones.

C13.1.1**Policy**

To allow signs in those areas where they will contribute to the commercial or industrial character and where the site activities benefit from advertising, and restrict the number and size of signs where they will detract from the character and amenity of the area.

Explanation

This policy recognises that signs are an essential part of City Centre and industrial zones but can have a negative effect on suburban and rural zones.

The purpose of this policy is therefore to provide for appropriate signage indicating the location and nature of businesses operating from that site. Signs that do not directly relate to the site are a discretionary activity.

Method of Implementation

The objectives and policies are to be achieved firstly, by way of the **District Plan rules and standards**, which govern the bulk and location of buildings. Where a sign fails to meet the relevant rules and standards for a permitted

activity it will be dealt with as a discretionary activity and a resource consent required.

In the City Centre and Industrial Zone of the City the only controls on signs will be rules requiring that they relate to activities on the site, and the permitted activity performance standards for the bulk and location of buildings. A sign which cannot meet these requirements will be a discretionary activity.

In the Rural and Suburban Zones there are standards specifying the number and size of signs in order to protect the amenity of these areas. Flashing signs have the potential to create a significant impact on residential neighbours and on the overall character and amenity of a road and are a discretionary activity. Signs in the Rural Zone and visible to drivers on a State Highway are a discretionary activity.

The second method is by way of **Council's Engineering Code of Practice**. In the context of signs, this code relates to the roads within the City and to the safety and convenience of the use thereof.

The third method is by way of the **Transit New Zealand Bylaw 1987/3**. The effect of this bylaw is that no person may erect a sign on any part of a State Highway subject to the bylaw unless the Transit New Zealand consents in writing to such. This bylaw does not apply within 50 kph speed restriction areas.

Council's signs bylaw will continue to be used to manage the effects of signs within the City's roads.

Principal Reasons

The point at which the painting of a building becomes a sign is often unclear. It is therefore almost impossible to control the design of signs and the responsibility for their design should remain with the landowner as it is with any other form of development. Signs should be placed within the site to which they relate. They are usually an addition to an existing building or are sometimes a separate structure. Signs should therefore conform with the same site rules relating to control of development as any other structure. In rural and suburban zones where activities are not reliant on advertising and where signs can more noticeably impact on visual amenities, additional development controls will be necessary. Third party signs should not be permitted.

While signs can add to the vitality of a commercial area in a visual sense, they can also detract from the visual amenities in other areas. The amenities of the Rural and Suburban zones relate to natural open space and residential housing. In these areas advertising signs are not consistent with the general character and amenities and the areas do not generally contain activities that can justify large-scale commercial advertising. Outside the main City Centre and Industrial zones, signs should be restricted to informing people of a location rather than attracting attention.

C13.1.2 Policy

To ensure that signs do not interfere with the safe and efficient use of roads and pedestrian ways.

Explanation

This policy seeks to ensure that signs do not create traffic hazards nor impair the efficient function of State Highway and district roads. Signs which could in the opinion of Council obstruct vision, cause confusion, distract drivers or create a hazardous situation are likely to be declined.

Secondly, in pedestrian areas signs should be of a high standard and well maintained. Where possible visual clutter can be avoided by encouraging amalgamation of a number of signs into one structure.

Method of Implementation

The objectives and policies are to be achieved firstly, by way of the **District Plan rules and standards**, which govern the bulk and location of buildings. Where a sign fails to meet the relevant rules and standards for a permitted activity it will be dealt with as a discretionary activity and a resource consent required.

In the City Centre and Industrial Zones the only controls on signs will be rules requiring that they relate to activities on the site, and the permitted activity performance standards for the bulk and location of buildings. A sign which cannot meet these requirements will be a discretionary activity.

In the Rural and Suburban Zones there are standards specifying the number and size of signs in order to protect the amenity of these areas. Flashing signs have the potential to create a significant impact on residential neighbours and on the overall character and amenity of a road and are a discretionary activity. Signs in the Rural Zone and visible to drivers on a State Highway are a discretionary activity.

Signs must also meet the requirements of the Building Act 1991. This is to ensure that they are soundly constructed, and do not endanger the public.

The third method is by way of the **Transit New Zealand Bylaw 1987/3**. The effect of this bylaw is that no person may erect a sign on any part of a State Highway subject to the bylaw unless the Transit New Zealand consents in writing to such. This bylaw does not apply within 50 kph speed restriction areas.

Council's signs bylaw will continue to be used to manage the effects of signs within the City's roads.

Principal Reasons

Many signs which contribute to the effective functioning of an area or which form an important part of a business or occupation are sited on legal road. In some localities these signs are sited on the berm, in other areas signs are attached to buildings and verandas which are directly above legal road. A consent is required for any sign located on or above public land.

The public has the right to expect the freedom and safe use of roads and footpaths. Any sign that overhangs or occupies legal road should be subject to controls that ensure that the structure does not interfere with the public's right of use, and ensure that the construction and location of the sign is safe to vehicular and pedestrian traffic.

C13.2 Environmental Outcomes Anticipated

The following environmental outcomes are anticipated:

- C13.2.1 Adequate and reasonable provision is available for the advertising of goods, services and facilities.
- C13.2.2 The special qualities of the physical, cultural and recreational features of the City which make it a pleasant place to live will be retained.
- C13.2.3 Accepted standards relating to the amenity values of neighbouring properties will be retained.
- C13.2.4 Expected standards of traffic safety will be retained.

C14 Network Utilities:

This chapter has been deleted by Plan Change 16. It has been replaced by Part NU - Network Utilities.

See Table of Contents for its location.

C15 HAZARDOUS SUBSTANCES

Many activities, including residential activities, can involve the use of hazardous substances. Certain substances in small quantities may be particularly hazardous to the environment and to human health, while seemingly harmless substances such as milk, can, if discharged into waterways in sufficient quantities, cause significant environmental damage. The degree of hazard associated with a particular substance or substances is influenced by many factors, ranging from the particular characteristics of the substance (that is, whether it is toxic, explosive or flammable etc.), the volumes and the method of storage and use etc, or the site lay-out and environmental sensitivity of the location.

The Plan sets the levels at which an activity which uses hazardous or environmentally damaging substances can operate without requiring a resource consent. The method used to assess this level or threshold is based on a screening procedure called the **Hazardous Facility Screening Procedure**, the details of which are set out in Part I of the Plan.

This section of the Plan also deals with the siting of facilities for the disposal of hazardous waste. Controls will be placed on the siting and management of hazardous waste facilities in association with the Wellington Regional Council (WRC).

Statutory Context

The management of the risk posed by hazardous facilities and hazardous substances is subject to a number of pieces of legislation involving different agencies. This includes the Hazardous Substances and New Organisms Act 1997 which establishes an Environmental Risk Management Authority (ERMA) to assess, among other things, hazardous substances and regulate their use. The controls under this legislation are intended to be complemented by existing legislative measures, such as land use controls under the RMA.

Historically, land use planning has been a function of territorial local authorities, but under the provisions of Section 30 of the RMA regional councils may also control the use of land for the use, storage, transport and disposal of hazardous substances. However the Regional Policy Statement for the Wellington Region specifies that the primary responsibility for writing rules for the control of the use of land relating to the control of hazardous substances will rest with the Territorial Authorities. Accordingly, this part of the Plan is primarily concerned with **the location of hazardous facilities and their potential off-site effects**.

Issues

1. The storage, use, and transport of hazardous and environmentally damaging substances are normal parts of many industrial activities. However, if these activities, and the facilities in which they take place, are not managed properly, the accidental or unintentional release of these substances can result in significant environmental damage, as well as adverse effects on human health and property. The potential for environmental damage from spillages is of particular concern where hazardous facilities are located next to waterways, above aquifers or close to environmentally sensitive areas such as wetlands.

2. The safety and health of the people working in hazardous facilities and in the wider community may also be at risk if these facilities are not adequately controlled, especially if they are located in the vicinity of residential areas. While the safety and health of workers is subject to regulations under the Health and Safety in Employment Act 1992 which controls conditions on the site, any off-site effects that may impact on the wider community are dealt with under the RMA.
3. There is a need for a greater public awareness of environmental issues and a realisation that many of the methods used for the disposal of hazardous waste in the past have been inadequate. Many facilities are either inappropriately sited or unable to cope with the increased levels of waste being deposited. Accordingly, the Wellington Region has few suitable facilities available for the disposal of hazardous waste and the Region lacks a dedicated hazardous waste treatment facility. The WRC recognises this as a regional waste management issue, and one which territorial local authorities such as PCC should have regard to in the formulation and implementation of policy.
4. Contaminated sites are sites where hazardous substances occur at concentrations which are likely to pose, an immediate or long-term hazard to human health or the environment. Sites of this nature may have been used in the past, or are being used, for industrial processing, storage of hazardous substances, or dumping of hazardous wastes. Sites of this nature may continue to discharge pollutants into neighbouring land, water and the air. This has implications for the WRC, the PCC, the landowner and the neighbouring owners/occupiers of land. In an effort to co-ordinate information and action on the identification and remedial works necessary to reduce the adverse environmental effects of these sites, the WRC is in the process of preparing a regional inventory of contaminated sites in the Wellington region. Once comprehensive information is available, and if sites in the City are identified as being contaminated, the Council may instigate a Plan Change if appropriate, or initiate some other action to address the issue.

In summary, the issues related to the use of land for hazardous facilities are:

- The potential for damage to the environment, including ecosystems, caused by the accidental or unintentional release of hazardous and environmentally damaging substances.
- The potential for damage to human health and property caused by the accidental or unintentional release of hazardous substances.
- The safe and efficient disposal and treatment of hazardous wastes.
- The need to identify and locate any contaminated sites within the City. There will not be any policies in the plan until comprehensive information is available.

C15.1 OBJECTIVE

TO PREVENT OR MITIGATE ANY ADVERSE ENVIRONMENTAL EFFECTS OF ACCIDENTAL DISCHARGES TO THE ENVIRONMENT CAUSED BY THE USE AND STORAGE OF HAZARDOUS SUBSTANCES AND ENVIRONMENTALLY DAMAGING SUBSTANCES.

Explanation

The Wellington Regional Council is responsible for the control of deliberate discharges (of hazardous substances). The WRC also controls other forms of discharges) to land, water and air through Regional Plans. That is, discharges which are part of the operation of a particular industry or farming activity etc. will be controlled through discharge permits. The accidental discharge of hazardous substances into the environment cannot be controlled through this consent process. Accordingly, this objective seeks to manage hazardous facilities through land-use controls in order to reduce the likelihood of accidental discharges into the environment.

Facilities or activities involving hazardous and environmentally damaging substances may cause adverse environmental effects when the substances are not adequately controlled and escape into the environment. Such releases, whether accidental or brought about by poor management practices, may cause environmental contamination. To prevent or mitigate potential adverse effects, these facilities and activities need to be managed correctly and appropriately located.

C15.1.1 Policy

To control the location of facilities which use and store hazardous substances and environmentally damaging substances, and which pose a risk to the environment and/or to human health.

Explanation

Under the RMA, Porirua City Council has the power through the District Plan to control and manage land use activities. Hazardous facilities which use and store substances which are hazardous to the environment if an accidental discharge occurs, will be assessed in terms of the risk posed by the location of the facility to sensitive environmental areas, and to residential areas.

Method of Implementation

District Plan rules require that each facility using or storing hazardous and environmentally damaging substances will be subject to a screening procedure referred to in this Plan as the Hazardous Facilities Screening Procedure (HFSP). This procedure will determine whether the risk associated with the use and storage of particular substances is such that a resource consent is required. The HFSP is presented in full in Part I.

The Council will have particular regard to the following site-specific matters when assessing consent applications for hazardous facilities:

- a) the location of any special natural features to be protected, or other environmentally sensitive areas;
- b) any risk arising from natural hazards such as earthquakes or floods;

- c) the availability of and access to suitable transport routes;
- d) the density of surrounding development;
- e) the structures, procedures and contingency plans that may be required to prevent or minimise any adverse effects beyond the boundary of the site, and in particular, the accidental discharge of any hazardous substance into water, whether directly and/or through a drainage system.

Exemptions from the Hazardous Facility Screening Procedure and exceptions to the definition of Hazardous Facility recognise that there are certain circumstances where it is inappropriate to submit some activities to the HSFP either due to insignificant quantities, or where there are some recognised Codes of Practice or Standards which provide management of some of the environmental risks associated with the facility.

Various other statutes governing the handling, storage, transportation and the hazardous substances also assist in ensuring high quality management of a facility resulting in reduced production, cost savings, and other benefits to the operator.

Compliance with rules and regulations requires that resource users are aware of these provisions and fully understand their implications. Relevant **guideline documents** to disseminate such information and explanations will be an important component of implementing policies and enforcing rules.

Principal Reasons

When developing the hazardous facility threshold standards for assessing whether a hazardous facility requires a resource consent a number of matters were considered. These same matters will also form the guide upon which the Council will have regard to in assessing resource consent applications for hazardous facilities.

The overall zoning strategy.

There are only five, very distinct zones where it is recognised that owners of commercial enterprises by the very nature of the activities they are engaged in would wish to locate. For instance, heavy industrial activities such as smelting or galvanising plants etc. would wish to locate in the Industrial Zone on large sites and where the sites are serviced to cater for heavy industry. Consequently the threshold trigger levels for hazardous facilities in the Industrial Zone are less restrictive than in the Rural, City Centre and Suburban Zones.

The location of any special natural features to be protected, or other environmentally sensitive areas.

The *Adjustment Factors* in the HFSP take into account the environmental sensitivity of an area. The hazardous facility threshold standards have not been based on particular areas of environmental sensitivity but on zones. This is due to the fact that the threshold levels in the Residential and Rural Zones have been set at a level to ensure that most activities using significant quantities of hazardous substances would require a resource consent. At this point a full assessment of the environmental sensitivity of an area can be fully assessed.

The possibility of exposure to natural hazards such as earthquakes.

Site specific assessments may be required where a particular site is known to be affected by a natural hazard. Section C12 "Natural Hazards" also deals with natural hazards throughout the City.

The availability and access to suitable transportation routes.

Although the HFSP is not designed to address the transportation of hazardous and environmentally damaging substances, the general absence of suitable transport routes in an area may increase the risk associated with a hazardous facility and therefore the degree of control necessary to reduce or mitigate the risk posed by the transportation of such hazardous substances.

The density of development.

Separation distances between properties have the potential to affect risk, ie. the greater the distance between properties within and between zones, the lesser the risk from the fire/explosion hazard, and to a lesser degree, from environmental and human health effects.

The integration of the HFSP with other provisions of the Plan.

Hazardous facilities will be assessed not only according to the potential effects on the environment and human health, but also with respect to other planning requirements, such as traffic, noise, building requirements, servicing etc.

An important aspect of land use management for hazardous facilities is the avoidance of adverse effects, which are often caused by accidental spillages and other accidents. Where such accidents have occurred, effects can be remedied or mitigated by fast and effective emergency response measures. The Council will therefore promote the adoption of **on-site management plans and emergency contingency procedures** to facilitate efficient and well co-ordinated responses to emergencies.

C15.1.2 Policy

To promote increased awareness and knowledge among developers and operators on the environmental risks associated with hazardous and environmentally damaging substances.

Explanation

Many accidental discharges of hazardous substances into the environment are based on a lack of knowledge and information about the nature and type of hazardous substances being used. Promoting increased awareness of hazardous substances and the environmental risks associated with their use, storage, disposal and transportation is an important issue in reducing the number of accidental discharges into the environment.

Method of Implementation

The Council is required to administer many statutes governing the use, storage, disposal, and transportation of hazardous substances. Other agencies are also required to administer specific Acts governing the use etc. of hazardous substances. The Council is required to work closely with other Authorities concerning, the construction and design of buildings (Building Act 1991), the

packing, marking, handling, storage and use of dangerous goods (Dangerous Goods Act 1974), the handling of explosives (Explosives Act 1957), the control of land uses (Resource Management Act 1991), and the transport of hazardous substances over land (Transport Act 1962).

Through enforcing the provisions of these Acts, the various agencies concerned have an important role to play in providing information on the methods available to reduce the likelihood of accidental discharges. **Information pamphlets and advice to industry users** are the key to ensuring the effectiveness of this policy.

Cleaner production methods for local industry will also continue to be promoted in the interests of cleaner, safer and more efficient environmental management practices

Principal Reasons

Awareness and knowledge is the first step towards changing attitudes and behaviour. In many cases, spillages or other accidents causing adverse effects can be traced back to a lack of knowledge of proper operating procedures. By providing hazardous facility operators with information about improvements and cost savings, especially those associated with Cleaner Production, the risk associated with hazardous facilities can be reduced and adverse effects avoided.

C15.1.3 Policy

To ensure the environmentally safe disposal and treatment of hazardous substances at suitable facilities.

Explanation

Hazardous substances which are no longer required by industry users or other users need to be disposed of, or rendered harmless, in a safe and efficient manner.

Method of Implementation

District Plan standards have been set at levels which will ensure that facilities for the disposal and treatment of hazardous substances will require a resource consent. Appropriate conditions can be imposed at that stage to minimise or mitigate against adverse environmental effects.

All such facilities would require consents from the **WRC for discharges to land, air and/or water**. Accordingly, joint hearings may be required in the determination of the various resource consents.

Principal Reasons

By their very nature, hazardous substance disposal and treatment facilities have the potential if not correctly managed or located to cause significant adverse environmental effects. Disposal facilities such as landfills need to be constructed and managed in a way which prevents the discharge of pollutants into the water, land or air.

n the interests of improving environmental quality, greater emphasis is now being placed on the treatment of hazardous substances to render the substances less hazardous prior to their disposal. Co-disposal of hazardous wastes with other forms of waste in landfills is a less favoured option, particularly as the two landfills in the Region are likely to accept less hazardous liquid than in the past. The Council will encourage alternative means of treatment and disposal in consultation with the WRC such as treatment of hazardous waste in a dedicated facility, incineration, and purpose built co-disposal landfills.

Waste minimisation is an important part of the whole process of hazardous waste treatment and disposal. The Council will work with the WRC, government agencies, other local authorities and industry user groups to help implement cleaner production methods into workplaces in the City.

C15.1.4 Policy

To control activities where they could be adversely affected by contaminated sites.

Explanation

If a site is confirmed as contaminated with hazardous substances, some restrictions on activities on that site (or adjacent sites) may be necessary, in order to manage the risks posed by the site. The Council may promote site management options such as remediation, as a necessary prerequisite to undertaking some activities.

Method of Implementation

Information on site contamination will be included on Land Information Memoranda and Project Information Memoranda, as this information becomes available. The Council will have regard to this policy when assessing activities, such as new subdivisions, which require resource consents. For activities which do not require resource consents, and existing activities on contaminated sites, the Council will work with the WRC to inform landowners and occupiers of the risks of the site, and appropriate measures to manage those risks. If it becomes apparent, as more information becomes available, that rules to control activities on confirmed contaminated sites are required, this will be initiated through a plan change.

Principal Reasons

Contaminated sites can have adverse effects on human health and the environment. Land uses on confirmed contaminated sites therefore need to be appropriate to the degree of contamination on the site.

C15.2 ENVIRONMENTAL OUTCOMES ANTICIPATED

The following environmental outcomes are anticipated:

- C15.2.1 A reduction in the number of accidents and the extent of adverse environmental effects due to the release of substances stored and used at hazardous facilities.
- C15.2.2 Adoption of better operational practices on sites and within facilities using and/or storing hazardous and environmentally damaging substances.
- C15.2.3 An increase in the level of awareness and knowledge of hazardous and environmentally damaging substances among users of such substances.
- C15.2.4 A reduction in the amount of waste generated through actively promoting a cleaner production methods for local industry.
- C15.2.5 To work with the Regional Council, government agencies and industry user groups to ensure that the disposal and treatment of hazardous wastes is done so in a manner which is safe and efficient, and which is part of an integrated region wide strategy relating to the provision of hazardous waste disposal facilities which are more environmentally secure.

C16 JUDGEFORD HILLS ZONE**C16.1 Introduction**

The Judgeford Hills Zone is intended to provide the opportunity for development of the property whilst maintaining and enhancing its natural and physical characteristics.

The Judgeford Hills Zone and Structure Plan provides for the clustering, or concentration of development in appropriate locations, rather than prescribing subdivision standards which would result in a spread of development. At the same time the natural, physical and open space characteristics of the property can be maintained and enhanced.

The Judgeford Hills Zone recognises the need for an approach to the sustainable management of the resources of this part of the District that balances the demands of rural lifestyle development, environmental protection and enhancement and ongoing primary production activities. It therefore provides for an integrated approach to rural residential subdivision in the location.

C16.2 Resource Management Issues**C16.2.1 Rural residential subdivision and lifestyle**

Rural residential subdivision provides an alternative lifestyle choice and an opportunity to plan land use management which is as appropriate as other rural activities.

Planning for the use of rural land should accommodate a range of lifestyle choices as well as recognising alternative approaches to maintaining and enhancing the environment. At the same time, provision should be made for productive rural activities to continue in a manner that is compatible with existing and potential future residential uses.

Rural residential subdivision creates a demand for various infrastructure, which can of itself have potential effects on the environment. The provision of infrastructure therefore needs to be addressed within the Judgeford Hills Zone.

C16.2.2 Cluster housing

Cluster housing developments provide an opportunity for environmental protection and enhancement including wetland maintenance and improvement, provision of open space and walkways as well as planting and protection of regenerating native vegetation. Further, it means that productive areas can be retained for rural activity without being compromised by development.

C16.2.3 Rural character and rural amenity

The rural area has been modified by human activities. Despite, or perhaps because of this, it is highly valued for a number of reasons. Its most important characteristic is its open, expansive nature with a relatively low density of buildings. Areas of pasture, bush and wetland are key features of rural areas, as are discrete clusters of buildings and amenity tree planting separated by farmland and Production Forestry plantations.

The level of rural amenity in the rural area is important to the quality of life enjoyed by people living and working in the area and by visitors. This should be balanced with the need to maintain appropriate utilisation of the rural land resource for primary production and production forestry.

C16.2.4 Environmental protection and enhancement

Indigenous vegetation and wetlands not only provide for visual and rural amenity – they also contribute to ecological values and provide habitat for native flora and fauna. In many areas they also protect the soil from erosion with a resultant reduction in silt and other matter getting into streams and watercourses and degrading water quality.

C16.2.5 Local recreational facilities

Judgeford Hills Zone has a strategic location being adjacent to the Belmont Regional Park. There is a potential increase in local demand for recreational facilities arising from local subdivision and there is also a wider potential neighbourhood and city wide benefit arising from the provision of access to Belmont Regional Park. Provision of such access also has the potential to create adverse effects.

C16.3 Objectives and Policies

C16.3.1 Objective

To provide for integrated rural residential subdivision and development, open space, and rural character in the Judgeford Hills Zone whilst avoiding, remedying or mitigating any adverse effects of development.

Explanation

Rural residential development is appropriate in concentrated areas of the Judgeford Hills Zone where the characteristics of that area and its location are such that the effects of development can be avoided, remedied or mitigated. By concentrating development within these defined areas (cluster residential areas) of the Judgeford Hills Zone the productive areas of the property are retained and environmental enhancement can be achieved in an integrated manner. The adverse effects that would otherwise be created by sprawling and sporadic development are avoided.

Consequently, the Judgeford Hills Zone seeks to provide for an innovative approach to rural residential development, together with the benefit of environmental protection and enhancement together with sustainable farming in an integrated approach.

The infrastructure required to support residential development can have adverse effects on the environment, which need to be managed.

C16.3.1.1 Policy

To facilitate development in an integrated manner with appropriate standards for activities in the zone.

Explanation

The Structure Plan has been developed in a comprehensive manner having regard to the natural and physical features of the property, the topography of the site and surrounds and the infrastructural requirements. Although development across the cluster residential areas may be staged, and the detailed design is to be determined under a separate resource consent process, the Structure Plan assures an integrated approach to development.

Further, the Structure Plan ensures that the scale and nature of the land use activities reflects the existing character of the property and surrounds, as well as the objectives and policies of the Judgeford Hills Zone.

C16.3.1.2 Policy

To concentrate rural residential development in defined areas of the property and to identify areas where buildings are not appropriate, as defined in the Structure Plan.

Explanation

A Structure Plan has been developed for the Judgeford Hills Zone that identifies areas appropriate for clustered residential development, land for residential use but where no buildings are allowed, as well as environmental enhancement and farming areas of the property. Further residential development outside the areas designated for cluster residential is a non complying activity, so that the integrity of the natural and physical features and farming is maintained whilst development is facilitated.

These areas have been determined following a robust environmental assessment with regard to factors including:

- The existing character and natural features of the property and surrounds
- The potential landscape and visual effects
- The ecological aspects of the property and opportunities for protection and enhancement
- Infrastructural and engineering considerations.

C16.3.1.3 Policy

To provide for continuing primary production activity in appropriate areas within the zone.

Explanation

Primary production activity is a fundamental element of the existing rural character in the area, and therefore that activity should be maintained and is provided for in areas of the Structure Plan.

C16.3.1.4 Policy

To provide for the improvement of water quality in the Pauatahanui Inlet Catchment.

Explanation

The property is located within a sub catchment of the Pauatahanui Inlet and there are three primary stream branches within the property. These have been modified by vegetation removal and farming practices. However, there are still some areas of good fish habitat. Clustering residential development away from the valley floor provides an opportunity to rehabilitate some of these wetland areas and watercourses if they are retired from farming and revegetated.

C16.3.2 Objective

To maintain the rural character and rural amenity of the Judgeford Hills Zone

Explanation

The resource management issues identify the importance of rural character. The development envisaged by the structure plan and the rules of the Judgeford Hills Zone anticipates development that will maintain rural character.

C16.3.2.1 Policy

To provide for the majority of the Judgeford Hills Zone to remain as open space

C16.3.2.2 Policy

To limit the extent of built development within the Primary Production Area of the Judgeford Hills Zone

Explanation

The maximum possible extent of built development is limited by a restriction on the maximum number of dwellings and certificates of title provided for in the Primary Production Area under the rules. The purpose of this is to provide that the majority of the site remains as open space. Open spaces include the Primary Production Area, Environmental Enhancement Areas and Land Attached to Residential Lots. The Structure Plan enables achievement of these policies by designating cluster areas and effective open space areas which need careful ongoing management to ensure that the rural character of the Judgeford Hills Zone is maintained into the future.

C16.3.3 Objective

To provide for existing and proposed infrastructure services in a manner that is physically and environmentally sustainable.

Explanation

The provision of all future infrastructure services needs to be accommodated in a manner which avoids, remedies or mitigates any potential adverse effects. To ensure the physical and environmental sustainability of infrastructure services and the management of effects, Controlled Activity subdivision applications will be required to demonstrate how each dwelling will be provided with reticulated wastewater and drinking water services and appropriate stormwater management. Non-reticulated subdivisions can be considered as a Discretionary Activity, and would be required to demonstrate how non-reticulation is physically and environmentally sustainable as required by the Objective. It is noted that physical sustainability includes the ability for Council to manage a system in the future.

The Pauatahanui harbour catchment, in which the Judgeford Hills Zone is located, is a valued environment, and therefore, appropriate measures should be taken to manage effects of stormwater on this environment.

In addition, there is regionally important existing infrastructure that passes through the Zone (high voltage electricity transmission, gas, and a regional water main). Development within the Zone must have regard to the effects of, and effects on, this infrastructure.

C16.3.3.1 Policy

To manage the effects of stormwater generated during and after construction.

Explanation

Stormwater run off needs to be managed both during the construction phase of development, and after development has been completed, so that:

- the rate of stormwater run off does not exceed the pre-development rate; and
- sedimentation and other earthworks related effects on waterbodies are no more than minor.

The stormwater management system for the development should be designed to achieve the above outcomes. This will enable a high degree certainty in the management of effects. This will be partially achieved by the implementation of an earthworks management plan, which satisfies the Greater Wellington Regional Council sediment control guidelines, prior to any resource consents being granted for development within the site. Control of effects will also be achieved through conditions of consent.

C16.3.3.2 Policy

To provide a secure and sustainable supply of water suitable for residential and productive purposes to all dwellings within the Judgeford Hills Zone.

Explanation

An integrated reticulated water supply for all dwellings from one reservoir is the preferred method of ensuring a sustainable, and healthy, supply of water. However, it is recognised that other alternatives exist and that these alternatives may satisfy this Policy.

A reticulated water supply is expected to provide for potable drinking water and sufficient flow and pressure for fire fighting purposes. Individual homeowners may also choose a roofwater supply to supplement a reticulated water supply. Reticulated water must be provided in an integrated manner that ensures security of supply of a sufficient quantity as well as of a quality that is fit for human consumption.

C16.3.3.3 Policy

To provide for the disposal and treatment of wastewater via a reticulated system.

Explanation

A reticulated wastewater service for all dwellings in Cluster Residential Areas to one treatment plant is the preferred method of ensuring environmental and physical sustainability as required by Objective C16.3.3. However, it is recognised that other alternatives exist and that these alternatives may satisfy this Policy and Objective C16.3.3. It is important to ensure that the wastewater treatment services are appropriately located, connected to all dwellings within the Cluster Residential Area and the system is maintained as required. This outcome will be ensured by conditions of consent.

C16.3.3.4 Policy

To provide sustainable public access to properties within the Judgeford Hills Zone.

Explanation

Public access must be provided to and within the Judgeford Hills Zone. There are a variety of mechanisms available to achieve that outcome, including the creation of private roads for public use.

If any private roads are created for public use, the Council may assume the management and maintenance of those roads. If that is the case, the developer will be required to establish a sustainable funding mechanism that replicates the maintenance cost subsidy available to Council for public roads.

C16.3.4 Objective

To provide for development that is sensitively located in relation to the natural and landscape features, setting and rural character of the Judgeford Hills Zone, and to avoid development in inappropriate locations.

Explanation

The landscape and ecological features of the property have determined the location of the development areas; these development areas having been identified following a landscape and ecological assessment of the site. Maintaining, and where the opportunity arises, enhancing existing landscape and natural features also allows for development to be integrated within the landscape and landforms whilst allowing for development to occur.

The rural character of the valley and surrounding area is reflected in the layout and design of the Structure Plan so that the development is assimilated into the landforms and the natural features enhanced. Areas where development would be visually prominent have also been identified as Land Attached to Residential lots where buildings are non-complying activities.

C16.3.4.1 Policy

To protect and enhance existing natural features and landscape characteristics including retention of open space, remnants of native bush, areas of regenerating native vegetation and wetlands.

Explanation

Existing natural features, such as the watercourses, wetlands and native vegetation are recognised as Environmental Enhancement Areas in the Structure Plan. The protection and enhancement of the Environmental Enhancement Areas is to be encouraged, recognising that, at the same time, residential development within the defined Cluster Residential Areas is appropriate.

C16.3.4.2 Policy

To enable development of appropriate buildings and structures which reflect the character and amenity values of the zone in an appropriate manner.

Explanation

The structure plan envisages dwellings in the cluster residential areas, however, the location of possible accessory buildings and minor structures and their impact on the environment may require further consideration in some circumstances and may or may not be appropriate. Therefore, this policy seeks to enable consideration of amenity and character effects of such development as appropriate.

C16.3.5 Objective

To minimise any adverse visual effects of development on the surrounding landscape and natural character.

Explanation

The introduction of development into the landscape has the potential to generate adverse effects on the existing landscape character, however, the Structure Plan has been developed with particular regard to these effects and the cluster residential areas are considered appropriate locations for development. In addition, areas where buildings would be visually prominent have been identified.

Whilst the detailed design of final building forms is a matter to be determined under a resource consent application following the Plan Change, limitations on lot size, building location and some building size and design limitations are included within the Rules of the Judgeford Hills Zone to address these considerations.

C16.3.5.1 Policy

To encourage development that is in accord with the existing character of prominent landforms and ridges and not allow buildings in inappropriate locations.

Explanation

The development areas shown on the Structure Plan have been determined with particular regard to the landforms and ridgelines of the property. Development within those areas is considered consistent with the existing character of the landscape, landforms and ridges within and beyond the Judgeford Hills Zone. Similarly, areas where buildings would not be consistent with the existing character have also been shown in the Structure Plan.

C16.3.5.2

Policy

To have regard to the effects of the Transmission Gully Motorway on landscape and natural character.

Explanation

In assessing and making decisions on consent applications for development, the Council will have regard to the effects (or likely effects) of the “preferred route” for Transmission Gully Motorway which was announced on 11 July 2008 and shown in Plan Alignment: 3, Connection Option. 1, JC/0.6 dated 2 May 2008¹. Development of the motorway is anticipated to have some adverse effects on the character of nearby land, outside the motorway designation. In this context, the Council’s assessment under Objective C16.3.5 and Policy C16.3.5.1 may be modified.

C16.3.6

Objective

To provide for development that is in accordance with the Structure Plan and which avoids, remedies or mitigates adverse effects.

Explanation

Requiring development to be in accordance with the Structure Plan (included within the zone) provides both transparency and certainty in relation to the scale, nature and location of potential development.

Although the Structure Plan and rules establish a framework for development, there will still be a need to ensure that detailed proposals (at the subdivision stage) are considered on their merits by reference to the Design Guidelines, performance standards and assessment criteria (in the case of applications not meeting the performance standards and structure plan). This assessment will ensure that the objectives and policies of the Zone are met, and that adverse effects are avoided, remedied and mitigated as appropriate.

C16.3.6.1

Policy

To control the extent of earthworks in the Judgeford Hills Zone to the extent that is appropriate in terms of potential effects on, stormwater, geotechnical stability, amenity values.

Explanation

The structure plan has identified appropriate areas for residential development and associated land, environmental enhancement and primary production. Earthworks for development can have potential adverse effects in terms of amenity values, water quality and natural hazards, including geotechnical stability. Therefore, these effects need to be managed to ensure that potential impacts on people and the environment are minimised.

¹ Refer to Plan Alignment:3, Connection Option. 1, JC/0.6 dated 2 May 2008 at the end of Chapter D5

C16.3.6.2 Policy

To encourage development in a manner that avoids, remedies or mitigates any adverse effects.

Explanation

The Structure Plan has identified appropriate areas for development and environmental enhancement and protection. Therefore, the adverse effects of development have been considered and balanced in determining the Structure Plan so that development in accordance with the Structure Plan is provided for.

C16.3.6.3 Policy

To limit any future new or upgraded vehicle access to or from Belmont Road and / or the Transmission Gully Motorway.

Explanation

The Structure Plan has identified road access to the Zone through Bradey Road and not through Belmont Road or from the Transmission Gully Motorway. Any new or upgraded vehicle access to the Zone from Belmont Road or the Transmission Gully Motorway could have adverse effects in terms of amenity values within the Zone or Bradey Road as a consequence of increased traffic volumes, and is not provided for in the Structure Plan.

Any future new or upgraded vehicle access from either Belmont Road or the Transmission Gully Motorway will require consent as a Non-Complying Activity and will need to address these considerations.

C16.3.7 Objective

To provide an opportunity for appropriate public access to Belmont Regional Park

Explanation

Judgeford Hills Zone adjoins the north-west boundary of Belmont Regional Park. It is appropriate to provide an opportunity for enhancing public access to the Regional Park, via the Judgeford Hills Zone, given that the Zone anticipates local residential development and subdivision, which would increase demand for access to recreational facilities.

C16.3.7.1 Policy

To enable an opportunity for non-motorised public access, via the Judgeford Hills Zone, to Belmont Regional Park incorporating appropriate facilities to enhance such access.

Explanation

Areas of the Judgeford Hills Zone will remain in private ownership, nevertheless the Structure Plan provides for public access. Restrictions on such access may be necessary to maintain or enhance privacy, amenity and security of residents. It is appropriate to consider the achievement of this objective and policy via an enabling framework within the District Plan, which would require the appropriate consent to gain such access.

This access would need to be of a sufficient standard to minimise potential conflict between different uses.

C16.4 Methods

C16.4.1 District Plan provisions

The Judgeford Hills Zone identifies a Structure Plan showing:

- Cluster Residential Areas where rural residential development is appropriate.
- Land Attached to Residential lots where buildings are non-complying activities.
- Environmental Enhancement Areas for environmental protection and enhancement.
- Primary Production Areas: where rural production activities are provided for.
- Non motorised access, including pedestrian, equine and cycle access to Belmont Regional Park

Complying development is to be in accordance with the Structure Plan as delineated in the above areas, the Design Guide, the development controls, and the objectives and policies of the zone.

Rules are also applied within the Judgeford Hills Zone providing:

- Standards for activities in each of the areas above including subdivision, lot sizes, access, building bulk and location, etc.
- Rules to maintain open space character
- Assessment criteria for resource consent applications.

C16.4.2 Other methods

Methods to complement the District Plan provisions may include:

- Conditions imposed on resource consents requiring covenants to provide for fencing and protection of significant environmental areas.
- Codes of practice for engineering works including: Austroads Volumes 1-14, Porirua City Council's code of Land Development and Subdivision Engineering 2007, NZS4404:1981 Land Development and Subdivision Engineering and NZS4404:2004 Land Development and Subdivision Engineering, and The LTNZ & TNZ Manual of Traffic Signs and Markings.
- Conditions imposed on resource consents to provide for non motorised access to Belmont Regional Park as shown on the Structure Plan.
- An earthworks management plan
- Greater Wellington Regional Council guidelines for erosion and sediment control.

C16.5 Anticipated Environmental Outcomes

The results expected to be achieved by the objectives, policies and methods set out above are tabulated below. The table also indicates the means of monitoring whether the anticipated environmental outcomes are achieved or not.

Environmental outcomes	Indicators
The rural character and amenity of the Judgeford Hills Zone is maintained and enhanced	Scale and nature of residential and other development is in accordance with the Structure Plan provisions.
	Environmental Enhancement Areas are protected and enhanced and open space maintained.
The identified environmental areas are protected and enhanced	Fencing of Environmental Enhancement Areas and protected wetlands is undertaken
	Area under native vegetation increased
	Access provided as appropriate
Water quality in streams is improved	Reduction in sediment loading and Biological Oxygen Demand
The effects of runoff from the zone will not increase or exacerbate downstream flood hazards	The incidence and severity of downstream flooding is not increased
	Post development water run off rates are the same as, or less than, pre development flows
Continuing primary production activity	Farm area used productively
Development within the Judgeford Hills Zone is not inconsistent with the surrounding rural character.	There is no set indicator for this outcome

C16.6 Monitoring

As most development within the Judgeford Hills Zone will require resource consents, the application process can ensure that the scale and nature of any development is appropriate and in accordance with the objectives and policies. The effects of permitted activities are, by definition, appropriate.

State of the environment monitoring undertaken by both the City and Regional Councils will address outcomes, and no new monitoring is seen to be necessary.

C17

RECREATION AND OPEN SPACE ZONE

The provision and maintenance of public recreation areas and open spaces is a key issue for the City. Specifically the following two significant resource management issues have been identified.

ISSUE 1

RECREATION AREAS AND PUBLIC OPEN SPACES, INCLUDING THE FACILITIES PROVIDED ON THEM, REPRESENT A FINITE NATURAL AND PHYSICAL RESOURCE THAT IS INTEGRAL TO THE QUALITY OF LIFE AND ENVIRONMENTAL QUALITY OF PORIRUA CITY

Porirua City's recreation areas and public open spaces are an important resource for the City and make a significant contribution to the quality of life in the City. The provision and management of recreation areas and public open spaces help ensure that space is freely available to meet the recreation and leisure needs of Porirua and to provide for community activities. As Porirua is a diverse community, the City's recreation areas and public open spaces should provide for an equally diverse range of needs. Consequently the management of these spaces needs to be flexible enough to enable this to occur.

The City's recreation areas and public open spaces are also valued for the degree to which they contribute to the overall amenity and character of the City. In this regard, the City's recreation areas and public open spaces contribute to the 'green structure' of the City's suburban areas. Those areas with a stronger green structure, ie more public open spaces, generally have higher amenity.

The continued protection, maintenance and use of recreation areas and public open spaces is therefore an important resource management issue. Any reduction in the actual or relative area, amenity and/or utility of these areas may adversely affect the quality of life and environmental quality of Porirua City.

It is noted that some of the City's recreation areas and public open spaces are used for non-recreation and non-community activities.

Such activities are often complementary to the core functions of the Recreation Zone and Open Space Zones, in that they help to maintain the open space values of the area concerned. Such complementary activities include:

- Pastoral productive farming at Battle Hill Farm Forest Park; and,
- Primary production farming at Belmont Regional Park (Waitangirua Farm) and Whitireia Park.

In addition, the non-recreation and non-community activities include key network utilities and transport corridors. These uses form part of the existing environment, contribute to the well-being of the City and/or have regional or national significance. These include, but are not limited to:

- Radio communication facilities at Whitireia Park;
- High voltage electricity transmission lines traversing Battle Hill Farm Forest Park Belmont Regional Park; and,

- The Transmission Gully Motorway designation running through Belmont Regional Park and Battle Hill Farm Forest Park.

With regard to these activities, it is noted that in addition to the reference in Policy C17.1.2, the importance of these activities are addressed in Section C7 – Transport and C14 – Network Utilities which apply across the entire City, including recreation areas and public open spaces.

ISSUE 2

THE USE, MAINTENANCE AND DEVELOPMENT OF RECREATION AREAS AND PUBLIC OPEN SPACES CAN ADVERSELY AFFECT THE RECREATION AREA, PUBLIC OPEN SPACE AND ADJOINING AREAS.

The activities, including maintenance work, which occur on the City's recreation areas and public open spaces, have the potential to produce adverse environmental effects on other users of the space and on surrounding areas. The use of these areas may, in particular, adversely affect adjoining residential areas. Potential effects associated with the use of recreation areas and public open spaces include noise impacts, light spill, the presence of and effects from larger scale buildings and effects from earthworks and vegetation clearance.

C17.1

Objective

THAT THE USE AND DEVELOPMENT OF PUBLIC OPEN SPACES AND RECREATION AREAS IN PORIRUA CITY PROVIDES FOR AND COMPLEMENTS THE DEMAND FOR RECREATION AND COMMUNITY ACTIVITIES AND CONTRIBUTES TO THE CITY'S AMENITY AND CHARACTER.

Explanation

This objective seeks to ensure that the use and development of the City's public open spaces and recreation areas achieves two key outcomes.

The first is to provide for and complement current and future demands for recreation and community activities. This outcome is the core reason why the City's public open spaces and recreation areas were set aside in the first instance.

The second key outcome sought from the City's public open spaces and recreation areas is to contribute towards City amenity and character. Public open spaces and recreation areas achieve this through the provision of large public open spaces and by enabling larger areas of vegetation to be maintained or established. By enabling large areas of public open space and large areas of vegetation, the City's recreation areas and public open spaces contribute to the green structure of the area of the City within which they are located and subsequently to the character and amenity of that part of the City.

It is noted that there are some activities within recreation areas and public open spaces, such as network utilities and transport corridors which do not directly relate to either of the two key outcomes described above. There are often operation, functional and route selection constraints which require these activities to be located recreation areas and public open spaces. Additionally, because of their isolation from residential activity, some recreation and public open spaces are suited to accommodating network utilities and transport corridors. In addition to Policy C17.1.2, these activities are provided for in

Section C7 – Transport and C14 – Network Utilities which apply across the entire city including recreation areas and public open spaces.

C17.1.1 Policy

To provide for a wide range of recreation and community activities by adopting a mix of zones.

Explanation

In order to enable the social and cultural wellbeing of the City, this policy recognises that the City's public open spaces and recreation areas need to be provide for a wide range of recreation and community activities. Recreation and community activities range in their nature but, perhaps more importantly, also in their scale and intensity. It would not be sustainable to provide for the all recreation and community activities on all public open spaces and recreation areas.

Therefore in order to ensure the full range of recreation and community activities needs can be met within the City it is appropriate to identify multiple District Plan zones.

Method of Implementation

Provision of a Recreation Zone and Public Open Space Zone.

Principal Reasons

Within the Porirua community there are a broad range of recreation and community activity needs. However not all of these needs can be met sustainably on all of the City's recreation and public open spaces. It is therefore appropriate to provide for these needs through the inclusion of multiple zones with the Porirua City District Plan.

C17.1.2 Policy

To provide for a limited range of non-recreation and non-community activities on recreation areas and public open spaces.

Explanation

This policy recognises that it is appropriate to accommodate some non-recreation and non-community activities within the City's public open spaces and recreation areas. Many of these activities are long established or have a complementary role to the core function of the recreation area or public open space. Examples of such activities include primary production and production forestry at Battle Hill Farm Forest Park, Belmont Regional Park and Whitireia Park, the Council nursery at Porirua Park, and the sale of food and beverages as an ancillary activity to the core recreation or community activity. These activities tend not to adversely affect the core open space values or recreation use of the recreation area or public open space within which they are located.

It is noted that there are also some non-complementary activities located within the City's public open spaces and recreation areas, that are important to the social, economic and environmental well-being of the City and that are of regional or national significance. Existing network utilities on these sites are long established and have functional/location needs which require that they are

provided for in these zones. The importance of these activities are also addressed in Section C7 – Transport and C14 – Network Utilities which apply across the entire City including recreation areas and public open spaces.

Method of Implementation

The Recreation Zone and Public Open Space Zone activity rules and the definitions of community and recreation activities.

Assessment of resource consent applications and the imposition of appropriate conditions.

Assessment of Notice of Requirements for Designations for network utilities and transport infrastructure.

Principal Reasons

Non-recreation and community activities exist within the City's public open spaces and recreation areas for a variety of legitimate reasons. It is therefore appropriate that these activities are provided for. However, in order to protect the City's recreation and public open spaces and adjoining areas it is important that the range of non-recreation and non-community activity is limited.

C17.1.3 Policy

To protect public open spaces and recreation areas from inappropriate development pressures through the use of specific zoning.

Explanation

This policy recognises that, in nearly all cases, development activities, such as residential subdivisions or commercial developments, would be an inappropriate use of the City's public open spaces or recreation areas.

Method of Implementation

The Recreation Zone and Public Open Space Zone activity rules.

Principal Reasons

In nearly all cases, development activities, such as residential subdivisions or commercial developments, are likely to have a significant adverse effect on the public open spaces and recreation areas.

These effects will arise from factors such as:

- the loss of space for recreation or community activities; and
- the reduction in the amenity of any remaining recreation or community activity space.

C17.2 Objective

THAT THE USE AND DEVELOPMENT OF RECREATION AREAS AND PUBLIC OPEN SPACES DOES NOT HAVE SIGNIFICANT ADVERSE EFFECTS.

Explanation

This objective seeks to ensure that the use and development of the City's public open spaces and recreation areas does not have significant adverse effects on:

- the recreation and public open space areas themselves; and,
- any surrounding areas including the coast and any waterbody.

In doing so the objective recognises that the use and development of recreation areas and public open spaces by one recreation and community group can adversely affect the use of the space by another group.

Further the objective also recognises that recreation and community activities also have the potential to adversely affect adjoining areas including the coast and waterbodies. Like all activity in Porirua City, it is important to avoid significant adverse effects on Pauatahanui Inlet and Porirua Harbour arising as a result of activity on the City's recreation areas and public open spaces.

C17.2.1 Policy

To control the scale and intensity of activities permitted on different recreation areas and public open spaces by adopting a Public Open Space Zone and a Recreation Zone.

Explanation

This policy recognises that the scale and intensity of activities permitted on recreation areas and public open spaces has a large influence on the significance of any resulting adverse effects. Further the policy recognises that not all recreation areas and public open spaces are able to accommodate recreation and community activities of the same scale and intensity without creating significant adverse environmental effects.

By adopting both a Public Open Space Zone and a Recreation it is intended that recreation and community activities of different scales and intensities will be able to be provided for in a sustainable manner throughout the City.

Method of Implementation

Provision of both a Recreation Zone and a Public Open Space Zone.

The activity standards for the Recreation Zone and Public Open Space Zone.

Assessment of resource consent applications and the imposition of appropriate conditions.

Principal Reasons

Not all public recreation areas and open spaces are able to accommodate the same scale and intensity of recreation and community activity. For example smaller neighbourhood parks are unlikely to be able to accommodate large events without causing significant adverse effects on the surrounding residential area. Conversely, larger recreation areas in particular, which have specifically designed facilities are more likely to enable larger events without significant adverse effects.

C17.2.2 Policy

To identify recreation areas and public open spaces which are capable of accommodating more intensive recreation or community activities and associated buildings, taking into account past patterns of use, the interface with surrounding land uses and classifications under the Reserves Act 1977.

Explanation

This policy recognises that the identification of those areas able to accommodate more intensive activities and facilities should be based on past patterns of use, the interface with surrounding areas and classifications under the Reserves Act 1977.

The classifications of public recreation and open space under the Reserves Act is of particular importance as these classifications are accompanied by restrictions on the types of activities able to occur on a recreation area or open space. Given this, it is important that the zoning given to a recreation area or open space under the Resource Management Act 1991 is generally consistent with the classification given to the same area under the Reserves Act.

Method of Implementation

Allocation of recreation areas and public open spaces to either the Recreation Zone or Public Open Space Zone through the planning maps.

Principal Reasons

The intensity of activities provided for on a recreation area or public open space will in part determine the significance of the adverse effects that are generated from the recreation area or open space. It is therefore important that only those areas likely to be able to accommodate more intensive recreation and community activities are zoned to provide for these activities.

Past patterns of use, the interface with surrounding land uses and classifications under the Reserves Act 1977 all provide useful indicators of those areas best able to accommodate more intensive activities without generating significant adverse environmental effects.

C17.2.3 Policy

To provide for and manage activities within the City's recreation areas and public open spaces in a manner that ensures that any adverse environmental effects are avoided, remedied or mitigated.

Explanation

This policy recognises that recreation areas and public open spaces have been established to provide for recreation and community activities. Provision for these activities is important to the social and cultural wellbeing of the community. Further, it is recognised that recreation areas and public open spaces often provide for a limited range of non-recreation and non-community activities.

Notwithstanding this, the policy also recognises that these activities can generate adverse effects; including on:

- other users of recreation and public open space areas;
- other activities taking place within recreation and public open space areas;
- ecological values contained within recreation and open space areas; and,
- the environmental quality of adjoining areas, adjoining waterbodies and the coast.

It is therefore important that the activities on recreation areas and public open spaces are managed to ensure that such adverse effects are avoided, remedied or mitigated, as appropriate.

With regard to bullet two above it is noted that the ecological sites contained within the City's public recreation areas and open spaces are shown on the District Plan maps. In order to maintain their ecological value, the disturbance of vegetation within these sites is limited by the Recreation Zone and Public Open Space Zone permitted activity standards. In determining the significance of the effects of activities which do not comply with these permitted activity standards it is important that the Significant Ecological Site ranking and assessment of each site, contained within the Inventory of Ecological Sites in Porirua City – July 2001 is considered.

Method of Implementation

The Recreation Zone and Public Open Space Zone activity rules and activity standards.

Assessment of resource consent applications and the imposition of appropriate conditions.

The management framework, including Reserve Management Plans, under the Reserves Act 1997.

Principal Reasons

Activities on recreation areas and public open spaces may result in significant adverse environmental effects, if inappropriately managed.

C17.2.4 Policy

To ensure that the location, scale and treatment of all recreation and public open space facilities avoids, remedies or mitigates adverse environmental effects including those on the open space values of the site.

Explanation

This policy recognises that facilities such as buildings, car park areas and walkways are important to the function of recreation areas and public open spaces. However these facilities need to be appropriately located and treated and of an appropriate scale to ensure that they do not generate significant adverse environmental effects. The policy therefore seeks to ensure that location, scale and treatment of these facilities is appropriate to ensure that potential adverse effects are avoided, remedied, or mitigated.

Potential adverse effects may include effects on the quality of the recreation area and public open space itself such as the loss of open space and the destruction of vegetation. Likewise the construction and maintenance of facilities may also impact on adjoining land and waterbodies. Like all activity in Porirua City, it is important to avoid significant adverse effects on Pauatahanui Inlet and Porirua Harbour arising as a result of activity on the City's recreation areas and public open spaces.

Method of Implementation

The Recreation Zone and Public Open Space Zone activity standards.

Assessment of resource consent applications and the imposition of appropriate conditions.

The management framework, including Reserve Management Plans, under the Reserves Act 1997.

Principal Reasons

Facilities can generate adverse effect on the recreation area and public open space within which they are located, and on surrounding areas. It is therefore important the location, scale and treatment of these facilities is carefully considered and appropriately provided for.

C17.3 Environmental Outcomes Anticipated

- C17.3.1 Sufficient recreation areas and public open spaces to meet the needs of the Porirua community.
- C17.3.2 A limited range of non-recreational and non-community activities which do not create inappropriate adverse effects on the recreation function and open space values of the City's recreation areas and public open spaces.
- C17.3.3 Any environmental effects associated with the use of the City's recreation areas and public open spaces are appropriately avoided, remedied and/or mitigated.

C18 AOTEA SUPERMARKET ZONE**Zone Introduction**

This zone identifies a specific area in Aotea for a stand alone supermarket. The zone is site specific and has a range of objectives, policies and rules that apply to give effect to the Structure Plan developed for the zone. The Structure Plan shows specific and important details or parameters which any consent application must generally meet if it is to retain controlled activity status and proceed without notification. If a proposal is not generally in accordance with the Structure Plan, it will become a restricted discretionary activity, and will be subject to the standard statutory requirements for notification.

Standards will set specific limits to the development, and assessment criteria will provide guidance to the applicant and Council in determining how effects should be avoided, remedied or mitigated.

Zone Resource Management Issues

These issues include:

- the potential to compromise the retail development opportunities and vitality of the existing business zones, and in particular the City Centre;
- possible site constraints and infrastructure limitations;
- traffic effects on the existing transportation network;
- residential amenity effects;
- urban design related matters in terms of scale, form and appearance;
- the likelihood of positive economic effects;
- the extent of travel efficiencies arising; and
- the extent to which reverse sensitivity matters may arise.

C18.1 Objective

To provide for the establishment and operation of a supermarket at an appropriate location within the Aotea suburban area that provides for the shopping needs of the local community.

C18.1.1 Policy

The supermarket activities located within the Aotea suburban area should be controlled so that the role of the City Centre Zone is reinforced and the potential for adverse effects as a result of significant impacts on the vibrancy and viability of the City Centre Zone is avoided.

C18.1.2 Policy

The scale of supermarket activity within the zone should be limited to that required to service the current and foreseeable future shopping needs of the local catchment.

Explanation

The purpose of the Aotea Supermarket Zone is to provide suitably zoned land to meet both the present and future need for a supermarket within the nearby areas to service the shopping demands of the local community. While supermarket activities are well established in the City Centre Zone, there is a local need for a readily available and suitable site for this form of specialist

retail activity.

The objectives and policies are anticipated to create a zone which will contribute to a more sustainable and resilient urban form in this part of the suburban area. Further, the limitation on the size of retail activity to a total area of 3,160m² and other controls on the nature, scale and form of development will ensure that the supermarket development will be complementary to the Porirua City Centre and to adjacent suburban areas.

C18.2 Objective

To maintain or enhance the amenity and environmental values of the surrounding areas by managing the potential for adverse effects from a supermarket activity on these other areas, whilst enabling supermarket operations to be appropriately undertaken.

C18.2.1 Policy

The activities within the Aotea Supermarket Zone will be undertaken in a manner that provides for the operational requirements of a supermarket while avoiding, remedying or mitigating potential adverse effects on the amenity values (including visual amenity, privacy, and acoustic amenity) of neighbouring suburban areas; on personal, pedestrian and vehicle safety; and on the natural and physical environment (including stormwater quantity and quality).

C18.2.2 Policy

The building development or redevelopment within the Aotea Supermarket Zone will be sited and designed in a manner that appropriately manages any potential for adverse effects on surrounding uses by avoiding or mitigating excessive building scale or bulk, overshadowing, invasion of privacy and loss of access to daylight / sunlight.

Explanation

There is potential for the supermarket building, and associated operational activities within the Aotea Supermarket Zone to have adverse effects on the amenity values and environment of the surrounding areas. Amenity values of the surrounding area could be adversely affected by such factors as the scale and intensity of the use, the design and external appearance of buildings and associated structures, traffic generation, vehicle access, hours of operation, signage, noise, parking, lighting and glare. The Aotea Supermarket Zone includes activity standards and assessment criteria to ensure that the amenity values of neighbouring activities will not be adversely affected.

Policy 42 of the Wellington Regional Policy Statement requires, as part of considering resource consent applications for subdivision and development, that adverse effects of stormwater run-off from subdivision and development shall be reduced.

At the same time the Aotea Supermarket Zone has the potential to contribute positively to the neighbourhood by providing a community retail hub which is well designed and integrated into the area and is in close proximity to the suburb's residential areas.

C18.3 Objective

To maintain a high level of visual amenity, character and personal safety within the Aotea Supermarket Zone based on established urban design, landscape design and sustainable design principles.

C18.3.1 Policy

A high quality design approach to built development is required within the Aotea Supermarket Zone that acknowledges and responds to the context of the site and the surrounding suburban and open space areas. In particular, colour and building materials will be controlled to achieve this aim.

C18.3.2 Policy

The potential for other visual effects associated with the supermarket building, parking areas and service and loading areas will be mitigated by appropriate design and management approaches. Achieving this policy shall include but not be limited to:

- Management of lighting from the building and parking areas (including from vehicles).
- Control of signage.
- Development of a landscape plan, and ongoing maintenance of landscaped areas.
- Landscape planting to soften the impact when viewed from the surrounding areas.

C18.3.3 Policy

The design of the supermarket's Whitford Brown Avenue façade will provide for an active street frontage and include a main entrance that faces and opens to this street. The Eskdale Road frontage will provide active access and surveillance towards the east.

Explanation

The Aotea Supermarket Zone should be developed in a way that contributes to the sense of place of the local neighbourhood and which enhances the identity of the surrounding suburban area. The development undertaken within the zone should be mindful of best practice urban design (including design for the prevention of crime), landscape design and sustainable design principles to ensure that a successful built environment is delivered at this locality. The visual amenity of the supermarket building, associated structures and the spaces around them will be required to contribute to the overall attractiveness and functionality of the development.

The operational requirements of a supermarket will necessitate the use of some blank walls on the boundaries with the Suburban Zone to the north and west, and to a limited extent the frontage with Eskdale Road. However, it is important that a monotonous or overwhelming blank wall is not established along Whitford Brown Avenue as this has the potential to significantly compromise the amenity of the residential area that it faces. The building along this street frontage represents the most important façade and as such should be interesting and well articulated creating a strong link with the surrounding suburban area through the use of glazing facing the street and the public realm. The appropriate use of colour and building materials is also very important in

this regard. Activity standards and assessment criteria will be used to ensure that an appropriate built frontage is provided along Whitford Brown Avenue.

The contrast in scale between the large supermarket building and the adjacent suburban and open space uses can be mitigated through the use of activity standards and assessment criteria that require planting to soften the views of the building and generous set-backs from Eskdale Road to reduce the dominance of the building at this street frontage.

C18.4 Objective

To enable efficient, convenient and safe access for people and goods to and within the Aotea Supermarket Zone, and to minimise effects on the adjoining road network and its users.

C18.4.1 Policy

The activities within the Aotea Supermarket Zone are provided with appropriate vehicle access and on-site parking to meet the needs of the people visiting and working within the zone and thereby maintain the safety and efficiency of the local roading network.

C18.4.2 Policy

Development of the Aotea Supermarket Zone shall provide for the safety of pedestrians and cyclists by ensuring that appropriate pedestrian and cycle facilities are developed along the street frontages and within the internal car parking areas. This policy also applies to facilities required for crossing Whitford Brown Avenue and Eskdale Road to access or pass by the site.

C18.4.3 Policy

Development of the Aotea Supermarket Zone shall provide for the safe and efficient movement of traffic on the adjoining road network. Achieving this policy shall include, but not be limited to:

- Integration, in terms of safety and efficiency, with public transport.
- Management of delivery and serving servicing movements.
- Adoption of an appropriate intersection design for the Whitford Brown / Eskdale intersection.

Explanation

A supermarket is a destination retail activity and is a relatively high generator of traffic. An increase in the number and frequency of vehicles using the local road network to access the zone has the potential for adverse effects. The use of activity standards for the design and construction of vehicle access and car parking areas, and associated requirements for a minimum number of car parking spaces relative to the floor area of buildings, will ensure that any potential for adverse effects is avoided or mitigated and the safety and efficiency of the roading network is maintained. There is also a need to ensure that safe and appropriate pedestrian and cycle facilities are developed at this locality given the suburban nature of the surrounding environment. Whitford Brown and Warspite Avenue are a key bus route. The development of the supermarket needs to have regard to the ongoing safety and efficiency of that route - especially the nearby bus stops on Warspite Avenue. In addition to this objective and policies, the Aotea Supermarket Zone remains subject to section

C7 of the district plan.

Method of Implementation

- (a) Zoning
- (b) Rules
- (c) Permitted and Controlled Activity Standards to manage effects
- (d) Assessment Criteria

Principal Reasons

The approach that has been adopted for the Aotea Supermarket Zone is to allow for sufficient and suitable land for a modern supermarket development but not at a scale that has the potential to adversely affect the function of the City Centre Zone as the principal commercial and social focus for the City or to significantly impact on the amenity of nearby residential areas.

Provided that attention is paid to appropriate design and the management of potential adverse effects through rules and assessment criteria and consequent conditions of consent, then adverse effects on amenity values will be minor.

Particular attention to building design and appearance in the zone is necessary given the location of the Aotea Supermarket Zone within an existing residential area.

As a high traffic generator, a supermarket may have adverse effects on the local traffic network and its users unless appropriate mitigation measures are put in place to provide appropriate site access and interface with the road network.

Other methods

Methods to complement the District Plan provisions may include:

- Conditions imposed on resource consents.
- Management practices implemented by the consent holder.
- Codes of practice for engineering works including: The Austroads guides that have superseded Austroads Volumes 1-14, Porirua City Council's Code of Land Development and Subdivision Engineering 2007, NZS 4404:2004 Land Development and Subdivision Engineering, NZS4404:2010 Land Development and Subdivision Infrastructure, the LTNZ & NZTA Manual of Traffic Signs and Markings, and NZTA Pedestrian Planning and Design Guide.
- The New Zealand Urban Design Protocol.
- Earthworks Management Plan.
- Greater Wellington Regional Council guidelines for erosion and sediment control.

Anticipated Environmental Outcomes

The results expected to be achieved by the objectives, policies and methods set out above are tabulated below. The table also indicates the means of monitoring whether the anticipated environmental outcomes are achieved or not.

Environmental outcomes	Indicators
The character and amenity of the surrounding Aotea area is maintained and enhanced.	<p>On-site landscaping is not maintained in good condition.</p> <p>Supermarket noise levels exceed allowable noise limits.</p> <p>The roading network comes under stress.</p>
Development within the Aotea Supermarket Zone is not inconsistent with the surrounding residential character.	There is no set indicator for this outcome.

PART D RULES AND STANDARDS

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GUIDE TO THE MAPS AND RULES

THE MAP VOLUME

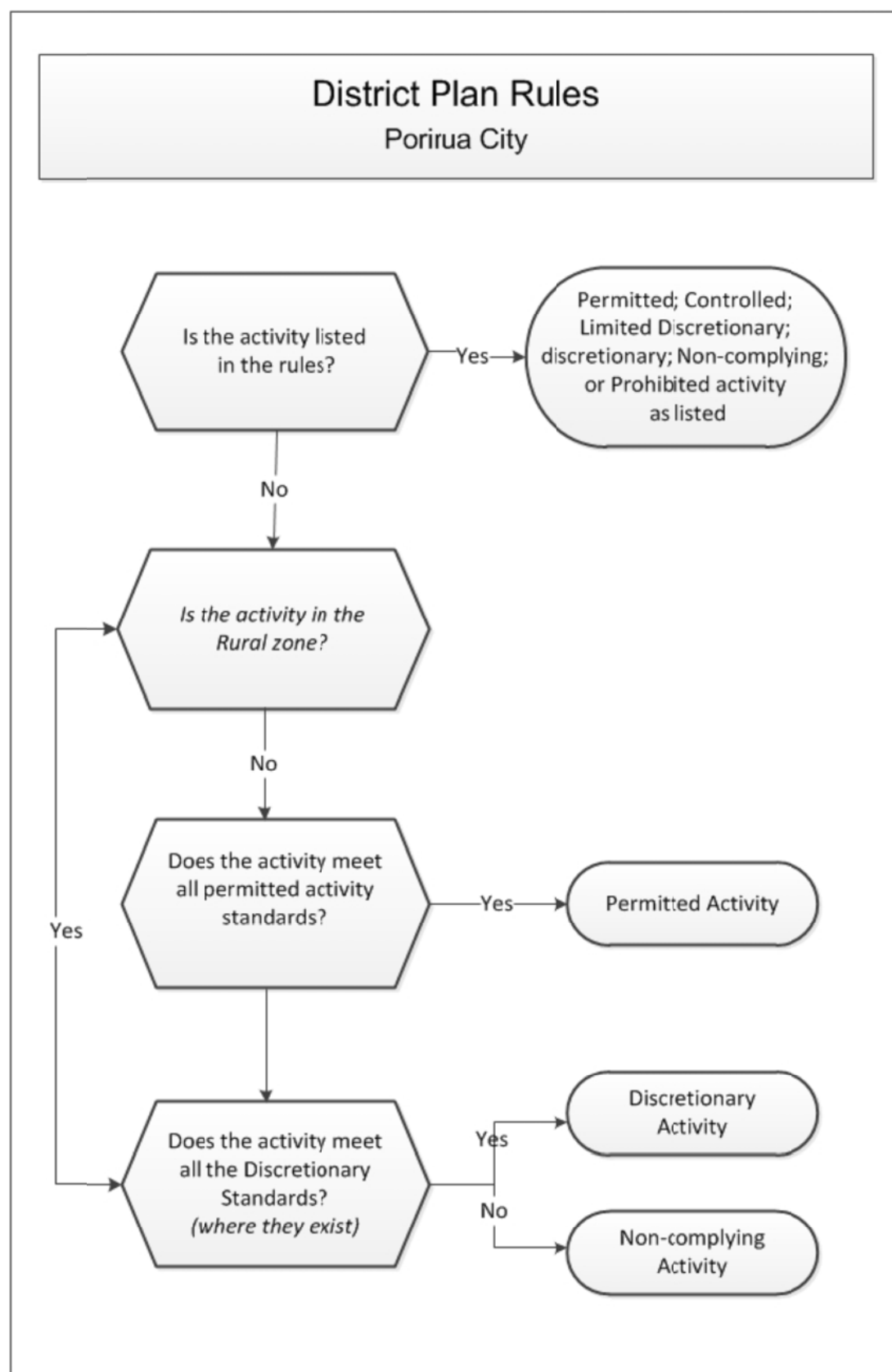
- 1 An overall Zoning map, to be used as a quick reference to determine the zoning of a particular site.
- 2 There are four map sheets (Maps 2-5) for the City Centre Zone. All four maps show the extent of the City Centre Zone. Map Sheet 2 shows the extent of the Seismic Hazard Area within the Zone: Map Sheet 3 shows designations within the Zone: Map Sheet 4 shows height areas within the Zone: and Map Sheet 5 shows the extent of the Pedestrian and Vehicle areas within the Zone.
- 3 For the Industrial, Suburban and Rural Zones, the Zone is shown on two sheets, for the northern and southern parts of the City. The Zone Maps also show the extent of the Judgeford Hills Zone, the Landscape Protection Areas, Seismic Hazard Areas, Suburban Shopping Areas, and Heritage Features within the Zone.
- 4 The extent of designations and financial contributions on permitted activities within these Zones are shown on the "Designation" maps (Maps 13-14) and the "Permitted Activity Levies" maps (Maps 15-16) respectively.
- 5 Maps 17-18 show the primary road network (motorways, arterials and principal roads) which is an important part of the City's hierarchy.

USING THE MAPS TO DETERMINE THE ZONING OF A SITE

- 1 Determine which Zone the site is located in. The City is divided into seven Zones. Each Zone is shown on a separate set of planning maps.
- 2 Determine whether the site is:
 - (i) In a Landscape Protection Area (green hatched areas on the maps) on the Zone Map,
 - (ii) In a Seismic Hazard Area (red hatched areas on the maps) on the Zone Map,
 - (iii) Containing a Heritage Feature (denoted by a reference beginning with "HH") on the Zone Map,
 - (iv) Designated (denoted by a reference beginning with "K" and a blue coloured area) on the Designations Maps,
 - (v) Subject to any financial contribution on a permitted activity, (the extent of levy areas are shown in blue on the Permitted Activities Levies Maps).

DETERMINING WHETHER AN ACTIVITY NEEDS A RESOURCE CONSENT

Figure 4



D1 CITY CENTRE ZONE RULES AND STANDARDS

Reference needs to be made to the four maps of the City Centre Zone and how these relate to individual rules. These maps define the extent of specific Height Areas, Pedestrian and Vehicle Areas, and Seismic Hazard Areas within the City Centre Zone.

The majority of rules and standards apply to the whole City Centre Zone as defined on all four maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary, or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D1.1 CITY CENTRE ZONE RULES

D1.1.1 Permitted activities

Any one or more of the following are permitted activities:

- (i) All activities which are not controlled, restricted discretionary, discretionary, are not specified in rule D1.1.5(ii) or (iii) as a non-complying activity and which do not contravene any permitted activity standard.
- (ii) Removed by Plan Change 16
- (iii) Removed by Plan Change 16
- (iv) Removed by Plan Change 16
- (v) Temporary Military Training which complies with the permitted activity standards for hazardous substances, noise and earthworks.
- (vi) Shop(s) with a total gross floor area of 99 m² or less on any site, located in the Vehicle Area, provided that the shop(s) do(es) not contravene any permitted activity standard.

For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for a shop or shops on the site, measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

The permitted activity standards apply only to those activities for which the rules include a direct reference to those standards.

D1.1.2 Controlled activities

Any one or more of the following are controlled activities:

- (i) Removed by Plan Change 16
- (ii) Subdivision which complies with the controlled activity standards for subdivision.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the design and layout of the subdivision including any new roads or the diversion or alteration to the course of any existing roads;
- (b) earthworks;
- (c) the imposition of financial contributions in accordance with Part E of this plan;
- (d) the imposition of conditions in accordance with section 220 of the RMA.
- (e) the design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site;
- (f) the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (iii) Subdivision which complies with the controlled activity standards for subdivision.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the design and layout of the subdivision;
- (b) the imposition of financial contributions in accordance with Part E of this plan;
- (c) the imposition of conditions in accordance with s220 of the RMA.

- (d) the design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site.
- (e) the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.
- (iv) Service Stations, which meet all the Permitted Activity Standards, except that the following activities are exempt from the Hazardous Facility Threshold Permitted Activity Standard:
 - (a) the underground storage and retail sale of petrol and diesel, up to a storage of 100,000 litres of petrol in underground storage tanks, and up to 50,000 litres of diesel in underground storage tanks.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the design, installation and operation of underground petroleum storage facilities;
- (b) location in respect to seismic hazard areas;
- (c) landscaping; and
- (d) the imposition of financial contributions under Part E of this Plan.

D1.1.3 Restricted discretionary activities

Any one or more of the following are restricted discretionary activities:

- (i) Essential activities in the Seismic Hazard Area, where these activities do not contravene any permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity;
- (b) the imposition of financial contributions in accordance with Part E of this plan.

- (ii) Buildings located in Height Area 2 which are over 15 metres in height and up to a maximum of 25 metres in height, and which do not contravene any permitted activity standards other than height.

The Council restricts the exercise of its discretion to the following matters:

- (a) the height of the building;
- (b) the imposition of financial contributions in accordance with Part E of this plan.

- (iii) Buildings located in Height Area 3 which are over 10 metres in height and up to a maximum of 12 metres in height, and which do not contravene any permitted activity standards other than height.

The Council restricts the exercise of its discretion to the following matters:

- (a) the height of the building;
 - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (iv) Shops with an individual gross floor area of 500 m² or more located in the Vehicle Area and which do not contravene any permitted activity standard.

The Council restricts the exercise of its discretion to the following matters:

- (a) The design, layout and number of car parks;
- (b) The cumulative effects of traffic generation to and from the site on the transportation network of the City Centre Zone including the public transportation network;
- (c) Pedestrian safety;
- (d) Loading areas;
- (e) The imposition of financial contributions in accordance with Part E of this plan.

Applications for a restricted discretionary activity in relation to a shop in the Vehicle Area shall be considered without notification and without the need to obtain the written approval of affected persons.

For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for an individual shop measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

- (v) Removed by Plan Change 16
- (vi) Removed by Plan Change 16
- (vii) Removed by Plan Change 16

D1.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i) All activities which are not a permitted, controlled, or restricted discretionary activity, which are not specified in rule D1.1.5 (ii) (iii) or (iv) as a non-complying activity and which do not exceed any discretionary activity standard.

- (ii) Any subdivision which is not a controlled activity.
- (iii) Any service station which is not a controlled activity.
- (iv) Shop(s) with an individual gross floor area of between 100m² and 499 m² located in the Vehicle Area.

For the purposes of this rule and notwithstanding any other provision in the plan, "gross floor area" means the area of all floors of all buildings used for an individual shop measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points, shall not be included in the calculation of gross floor area.

- (v) Removed by Plan Change 16

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D1.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

- (i) All activities which are not a permitted, controlled, restricted discretionary, or discretionary activity.
- (ii) Activities which emit an objectionable odour from the site.
- (iii) Offensive trades.
- (iv) Removed by Plan Change 16

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D1.1.6 PROHIBITED ACTIVITIES

There are no prohibited activities.

D1.2 City Centre Zone Standards

D1.2.1 Permitted activity standards

Car parks

The number of car parks on a site shall be:

- (a) Inner Pedestrian Area

No less than 4.5 car parks per 100 m² gross floor area excluding the existing ground floor.
- (b) Outer Pedestrian Area

No less than 4.5 car parks per 100m² gross floor area.

For retail shopping malls with a gross floor area of greater than 30,000m², no less than 3.7 carparks per 100m² gross floor area. For the purposes of this rule, retail shopping mall is defined as a comprehensively operated shopping centre involving the centralised provision of retail shops around covered public circulation spaces.

(c) Vehicle Area

No less than 5 car parks per 100 m² gross ground floor area.

For every subsequent floor, 3.5 car parks per 100 m² gross floor area.

All car parks are to be located within the site. Where the assessment of the number of car parks in (a), (b) or (c) above results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. All car parks shall comply with the technical standards in Part H of this plan.

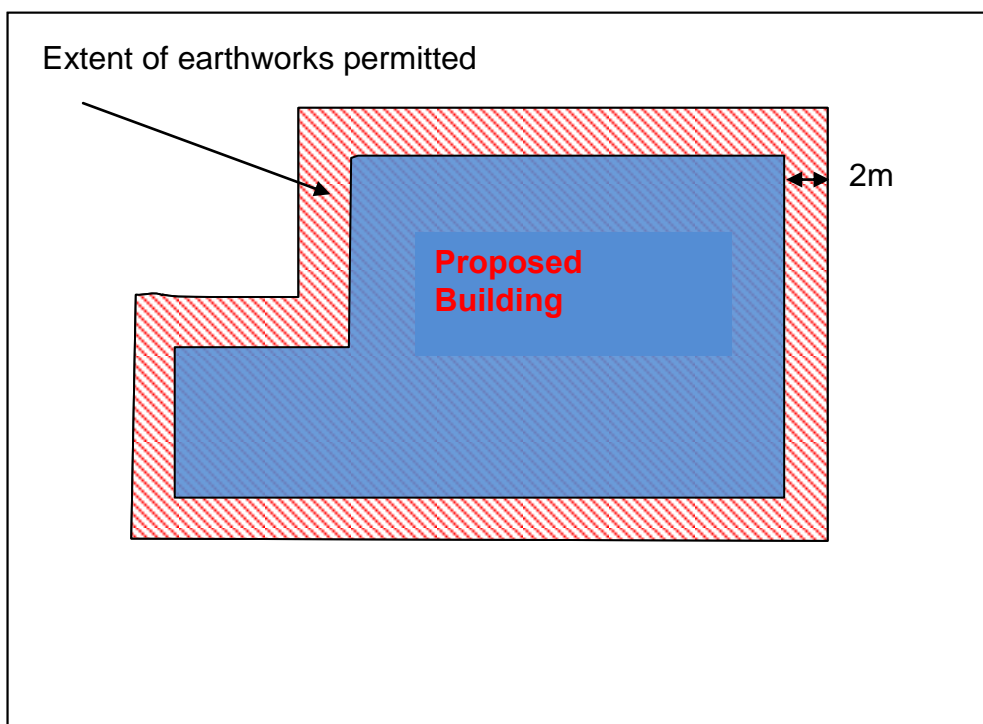
Earthworks

The following shall apply to earthworks on a site, except for earthworks (cut and fill) under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view:

- (i) Earthworks, in a 12 month period, shall not exceed:
 - (a) 25m² in area within a riparian setback; or
 - (b) 400m² in area elsewhere in the City Centre Zone; or
 - (c) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.
- (ii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees;

Note: Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks



Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Hazardous substances

No activity shall exceed a Hazardous Facility Threshold of 0.2.

Height

The maximum height of any building or part of a building (including any sign) on a site shall be:

- (a) Height Area 1

Maximum building height	-	30m.
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- (b) Height Area 2

Maximum building height	-	15m.
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- (c) Height Area 3

Maximum building height	-	10m.
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Loading

All loading and unloading of goods shall take place within the site.

Noise

- (i) The maximum noise levels received at any site boundary within the City Centre from any activity within the City Centre Zone must not exceed L_{10} 60 dBA at all times; and
- (ii) The maximum noise levels received at any boundary in the Suburban Zone from any activity in the City Centre Zone, shall not exceed the following noise levels:
 - (a) L_{10} 55 dBA day time (7am-10pm), L_{10} 45 dBA night (10pm-7am), where the receiving Boundary is within 50m of a motorway;
 - (b) L_{10} 55 dBA day time (7am-10pm), L_{10} 45 dBA night time (10pm-7am), where the receiving Boundary is within 50m of a major arterial road;
 - (c) L_{10} 50 dBA day time (7am-10pm), L_{10} 45 dBA night time (10pm-7am) where the receiving boundary is within 50m of a minor arterial road;
 - (d) L_{10} 50 dBA day time (7am-10pm), L_{10} 40 dBA night time (10pm-7am) elsewhere;
 - (e) The L_{max} noise level shall not exceed the lower of L_{95} background sound plus 30 dB, or 75 dBA during night time hours (10pm-7am).

Where two or more of these noise standards, except (e), apply to a particular site, the least restrictive noise standard shall apply (see explanatory diagram under 'Noise' Part M).

- (iii) Construction, maintenance or demolition activities must be in compliance with the following:
 - (a) section 16 [Duty to Avoid Unreasonable Noise] of the RMA during day time hours (7am – 10pm); and
 - (b) the noise levels specified in (ii) (e) above L_{10} 45dBA during night time hours (10pm – 7am) at any point within the boundary of the Suburban Zone.

This does not replace any general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.

- (iv) Emergency repair work to network utilities is subject only to the general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.
- (v) The sound level from any activity on a City Centre Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

L_{10} 60 dBA day time (7am – 10pm)

L_{10} 50 dBA night time (10pm – 7am)

L_{\max} 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – "Measurement of Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.

Screening

Any refuse, packaging, wrecked or derelict vehicles, scrap metal or other recyclable material shall be screened from view from the ground floor level of adjoining properties including any adjacent road.

Signs

Any sign provided it relates to the activities on the site.

Note: Refer to the height standard to determine the maximum permitted height of signs.

Yards

Riparian setback

Minimum riparian setback 20m.

D1.2.2 Controlled activity standards

Subdivision

- a) For every allotment where there is an existing building(s), there shall be no increase in the degree of non-conformity with the permitted activity standards for carparks and loading.
- b) For every allotment where there is no existing building(s), it shall be practicable to construct on all allotments, as a permitted activity, a building which does not contravene any permitted activity standard.

D1.2.3 Discretionary activity standards

Car parks

The number of car parks on a site shall be:

- (a) Inner Pedestrian Area
No less than 3.5 car parks per 100 m2 gross floor area.
- (b) Outer Pedestrian Area
No less than 3.5 car parks per 100m2 gross floor area.
- (c) Vehicle Area
No less than 4 car parks per 100 m2 gross ground floor area.

For every subsequent floor 3 car parks per 100 m² gross floor area.

All car parks to be located within the site. Where the assessment of the number of car parks in (a), (b) or (c) above results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. All car parks shall comply with the technical standards in Part H of this plan.

Height

The maximum height of any building or part of a building on a site shall be:

- (a) Height Area 1
Maximum building height - 30m.
- (b) Height Area 2
Maximum building height - 25m.
- (c) Height Area 3
Maximum building height - 12m.

Noise

The maximum noise levels received at any point within the Suburban Zone from any activity within the City Centre Zone must not exceed L₁₀ 60 dBA day time (7am-10pm), L₁₀ 45 dBA night (10pm-7am).

D2 INDUSTRIAL ZONE RULES AND STANDARDS

There is one map (in two sheets) for the Industrial Zone (yellow). The majority of the Industrial Zone rules and standards apply to the whole Industrial Zone.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary, or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D2.1 Industrial Zone Rules

D2.1.1 Permitted activities

Any one or more of the following are permitted activities:

- (i) All activities which are not a controlled, restricted discretionary, discretionary, or prohibited activity, and do not exceed any permitted activity standard.
- (ii) Removed by Plan Change 16
- (iii) Removed by Plan Change 16
- (iv) Removed by Plan Change 16
- (v) Temporary Military Training which complies with the permitted activity standards for hazardous substances, noise and earthworks.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

D2.1.2 Controlled activities

Any one or more of the following are controlled activities:

- (i) Removed by Plan Change 16
- (ii) Subdivision which complies with the controlled activity standards for subdivision.

The matters over which Council reserves control for assessment are:

- (a) the design and layout of the subdivision, including any new roads or the diversion or alteration to the course of any existing roads;
- (b) earthworks;
- (c) the imposition of financial contributions in accordance with Part E of this plan;
- (d) the imposition of conditions in accordance with s220 of the RMA.
- (e) the design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network located on or in proximity to the site.
- (f) the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (iii) Harvesting of production forestry over 1 ha. in area.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the method and time of year of the harvesting;
- (b) the hours of operation of the harvesting;
- (c) the location of access to the site;
- (d) the imposition of financial contributions in accordance with Part E of this plan.

- (iv) Service Stations, which meet all the Permitted Activity Standards, except that the following activities are exempt from the Hazardous Facility Threshold Permitted Activity Standard:

- (a) The underground storage and retail sale of petrol and diesel, up to a storage of 100,000 litres of petrol in underground storage tanks, and up to 50,000 litres of diesel in underground storage tanks.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the design, installation and operation of underground petroleum storage facilities;
- (b) location in respect to seismic hazard areas;
- (c) landscaping; and
- (d) the imposition of financial contributions under Part E of this Plan.

D2.1.3 Restricted discretionary activities

The following are restricted discretionary activities:

- (i) Essential activities in the Seismic Hazard Area, where these activities meet all the permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity;
 - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (ii) Removed by Plan Change 16
- (iii) Removed by Plan Change 16
- (iv) Removed by Plan Change 16

D2.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i) All activities which are not a permitted, controlled, restricted discretionary, or prohibited activity, and are not specified in D2.1.5 (ii) as a non complying activity and which do not exceed any discretionary activity standard.
- (ii) Activities which emit an objectionable odour.
- (iii) Offensive trades.
- (iv) Subdivisions which are not a controlled activity.
- (v) New vehicle crossings onto State Highway No. 1 and State Highway 58.
- (vi) Any service station which is not a controlled activity.
- (vii) Removed by Plan Change 16

D2.1.5 Non-complying activities

The following are non-complying activities:

- (i) All activities which are not a permitted, controlled, restricted discretionary, or discretionary activity.
- (ii) Removed by Plan Change 16

Note: Council may require financial contributions as a condition of resource consent in accordance with Part E of this plan.

D2.1.6 Prohibited activities

There are no prohibited activities.

D2.2 INDUSTRIAL ZONE STANDARDS**D2.2.1 Permitted activity standards**Car parks

The number of car parks on a site shall be:

(a) Industrial activities

A minimum of 2 car parks per 100 m² gross floor area.

(b) Non-industrial activities

A minimum of 4.5 car parks per 100 m² gross floor area.

All car parks to be located within the site. Where the assessment of the number of car parks in (a) or (b) above results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. Every car park shall comply with the technical standards in Part H of this plan.

Earthworks

The following shall apply to earthworks on a site, except for earthworks (cut and fill) under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view:

(i) Earthworks in a 12 month period shall not exceed:

(a) 25m² in area within a riparian setback, or

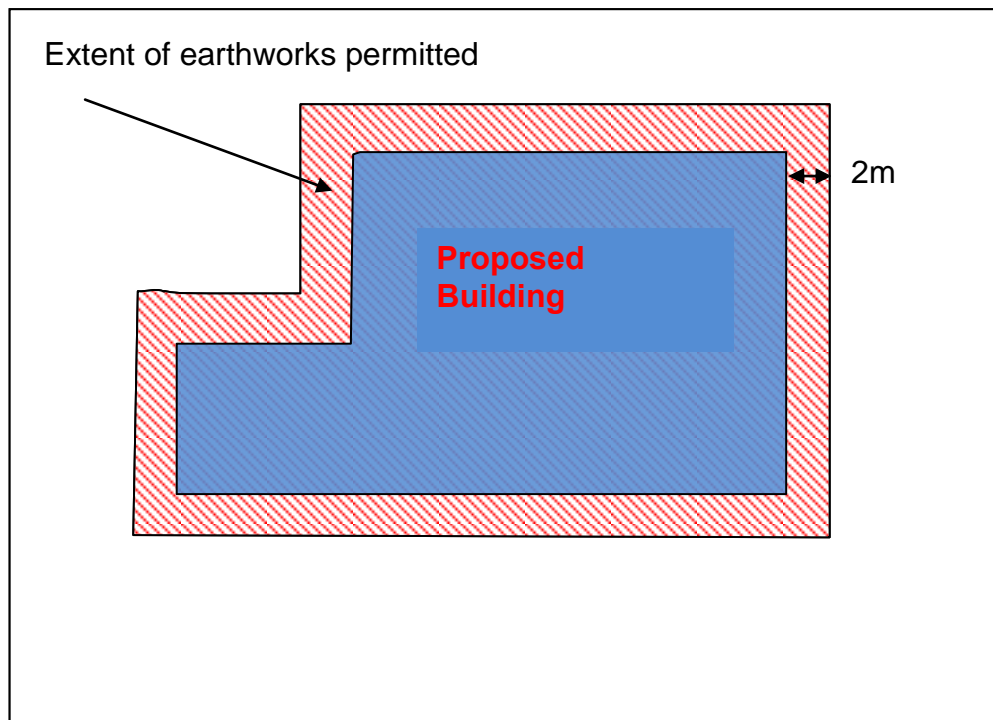
(b) 400m² in area elsewhere in the Industrial Zone, or

(c) 0.5 metres in height or depth. In a riparian setback and 1.5 metres in height or depth elsewhere.

(ii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees.

Note : Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks.



Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Hazardous substances

No activity shall exceed a Hazardous Substance Threshold of 1.0.

Height

The maximum height of any building or part of a building (including any sign) on a site shall be: 10m

Height recession plane

All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with a Suburban or Rural Zone.

Loading

All loading and unloading of goods shall take within the site and clear of all yards.

Noise

- (i) The maximum noise levels received at any site boundary within the Industrial Zone from any activity within the Industrial Zone must not exceed L_{10} 65dBA at all times; and

- (ii) The maximum noise levels received at any boundary in the City Centre and Suburban Zones from any activity within the Industrial Zone, shall not exceed the following noise levels:
- (a) L_{10} 55 dBA day time (7am-10pm), L_{10} 45 dBA night (10pm-7am), where the receiving boundary is within 50m of a motorway,
 - (b) L_{10} 55 dBA day time (7am-10pm), L_{10} 45 dBA night time (10pm-7am), where the receiving boundary is within 50m of a major arterial road,
 - (c) L_{10} 50 dBA day time (7am-10pm), L_{10} 45 dBA night time (10pm-7am), where the receiving boundary is within 50m of a minor arterial road,
 - (d) L_{10} 50 dBA day time (7am-10pm), L_{10} 40 dBA night time (10pm-7am) elsewhere,
 - (e) L_{max} noise level shall not exceed the lower of L_{95} background sound plus 30 dBA, or 75 dBA during night-time hours (10pm-7am).

Where two or more of these noise standards, except (e), apply to a particular site, the least restrictive noise standard shall apply (see explanatory diagram under Noise Part M).

- (iii) The maximum noise levels from any activity located in the Industrial Zone, measured within 20m of any dwelling on another property in the Rural Zone shall not exceed the following levels:
- (a) L_{10} 55 dBA day time (7am-10pm), L_{10} 45 dBA night time (10pm-7am)
 - (b) L_{max} 75 dBA night time (10pm-7am).
- (iv) Construction, maintenance or demolition activities must be in compliance with the following;
- (a) section 16 [Duty to Avoid Unreasonable Noise] of the RMA during day time hours (7am-10pm); and
 - (b) the noise levels specified in (ii) (e) above or L_{10} 45 dBA during night time hours (10pm-7am) .

This does not replace any general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.

- (v) Emergency repair work to network utilities is subject only to the general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.
- (vi) The sound level from any activity on an Industrial Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

L_{10} 60 dBA day time (7am – 10pm)

L₁₀ 50 dBA night time (10pm – 7am)

L_{max} 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – “Measurement of Sound”. Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.

Signs

Any sign provided that:

- (a) the sign relates to activities on the site,
- (b) no sign which is visible to drivers on a State Highway is the shape or colours of any traffic control sign or is a flashing sign, and
- (c) no sign shall be sited in a manner which restricts visibility to and from intersections and vehicular access points.

Note: Refer to the height standard to determine the maximum permitted height of signs.

Siting of Production Forestry

The last row of plantings shall be no closer than 10m to a site boundary, and no closer than 20m to a site boundary where the site abuts the Suburban Zone.

Yards

The minimum yard requirements for any site shall be:

- (a) Front Yard
Minimum front yard - 5m.
- (b) Other yards
Minimum yards at any boundary with the City Centre, Suburban or Rural Zone - 5m.

D2.2.2 Controlled Activity Standards

Subdivision

- (i) For every allotment where there is an existing building(s), there shall be no increase in the degree of non-conformity with the permitted activity standards for carparks and loading.
- (ii) For every allotment where there is no existing building(s), it shall be practicable to construct on all allotments, as a permitted activity, a building which does not contravene any permitted activity standards.

D2.2.3 Discretionary activity standardsNoise

The maximum noise levels received at any point within the Suburban Zone or City Centre Zone from any activity within the Industrial Zone must not exceed L_{10} 60 dBA day time (7am-10pm), L_{10} 45 dBA night (10pm-7am) and L_{max} 75 dBA.

D2A

PART D2A WAS DELETED BY PLAN CHANGE 14.

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D3 SUBURBAN ZONE RULES AND STANDARDS

The following rules and standards apply across the Suburban Zone, as shown on the suburban planning map.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary, or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D3.1 Suburban Zone Rules

D3.1.1 Permitted activities

Any one or more of the following are Permitted Activities, provided that (ii), (iii) and (iv) shall not apply in the Whitby Landscape Protection Area as identified on Planning Maps:

- (i) **One dwelling** on any allotment provided the dwelling does not contravene any permitted activity standard.
- (ii) **A second or any subsequent detached dwelling or dwellings** on an allotment where each dwelling meets all permitted activity standards.
- (iii) **Two dwellings** on an allotment where:
 - (a) those dwellings **share a party wall**; and
 - (b) each dwelling **meets all permitted activity standards**.
- (iv) **Three dwellings** on an allotment where:
 - (a) **two** of those dwellings **share a party wall**; and
 - (b) **one dwelling is detached** from the other two dwellings; and
 - (c) each dwelling **meets all permitted activity standards**.
- (v) **Non-Residential Activities Outside a Suburban Shopping Centre or Aotea Mixed Use Policy Area.**

All activities, excluding shops, which are not a controlled, restricted discretionary, or discretionary activity, are not specified in rule D3.1.5(ii)

or (iii) as a non-complying activity and which do not contravene any permitted activity standard.

Note: Shops outside a Suburban Shopping Centre Area or Aotea Mixed Use Policy Area are a discretionary activity.

(vi) **Non-residential activities in a Suburban Shopping Centre Area or Aotea Mixed Use Policy Area**

All activities which are not a controlled, restricted discretionary, or a discretionary activity, and are not specified in D3.1.5 (ii) or (iii) as a non-complying activity, provided that no activity on any site within the Suburban Shopping Centre Area or Aotea Mixed Use Policy Area:

- (a) exceeds the permitted activity standard for **Aotea Mixed Use Policy Area – shops, height, earthworks, native vegetation clearance, noise, loading, screening, waste water, water supply or hazardous substances** on any site,
- b) exceeds any permitted activity standards for **height recession plane or yards** at any boundary with any site outside the Suburban Shopping Centre Area or Aotea Mixed Use Policy Area.
- c) exceeds the permitted activity standard for **car parks (in the Aotea Mixed Use Policy Area and the Suburban Shopping Centre on the Aotea Block only)**.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(vii) Buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that meet all the permitted activity standards and are not being used for a Sensitive Activity.

(viii) Earthworks within a National Grid Yard that:

- (a) Are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; or
- (b) Complies with the permitted activity standards for earthworks within a National Grid Yard.

(ix) Removed by Plan Change 16

(x) **Temporary Military Training** which complies with the permitted activity standards for hazardous substances, native vegetation clearance, noise, vehicle movements and earthworks.

(xi) Within the **Whitby Landscape Protection Area, buildings (other than a dwelling) accessory to a permitted activity or controlled activity** which do not contravene any permitted activity standard.

(xii) **Commercial recreation activities within the Commercial Recreation Policy Area** which are not a controlled, restricted discretionary, discretionary or non-complying activity, provided that the activity:

- (a) complies with the permitted activity standard for **carparks, coverage, earthworks, financial contributions, gross floor area, height, vegetation clearance, noise, loading, screening, signs, vehicle movements, waste water, water supply or hazardous substances on any site**; or
- (b) complies with any permitted activity standards for **height recession plane or yards** at any boundary with any site or road outside the Commercial Policy Area; or
- (c) **does not have structures** (including aerial cables) located within the **Baxters Knob Landscape Protection Area** or within **50 metres** (measured horizontally) of the **property owned by Broadcast Communications Limited** or its successor in title.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

D3.1.2

Controlled activities

Any one or more of the following are controlled activities:

- (i) Removed by Plan Change 16
- (ii) **Subdivision** where:
 - (a) **Public roads are available** to serve the subdivision. In respect of public roads, the term “available” means available at a standard not less than the recommended carriageway width shown in Table 3 or Table 4, Part H ‘Carparking Vehicle Movements and Roads’;
 - (b) **Public water supply systems, sanitary drainage systems and stormwater drainage systems are available** to serve the subdivision,
 - (c) All the **controlled activity standards for subdivision** are complied with.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the design and layout of the subdivision including any new roads or the diversion or alteration to the course of any existing roads,
- (b) earthworks,
- (c) native vegetation clearance,

- (d) the imposition of financial contributions in accordance with Part E of this Plan,
- (e) the imposition of conditions in accordance with s220 of the RMA.
- (f) the avoidance, or mitigation of adverse effects on the ecology of Duck Creek, and on the landscape values within the Whitby Landscape Protection Area.
- (g) In the Medium Density Residential Policy Area, the range of lot sizes and the shape and orientation of lots (refer Design Element 1 in the medium density residential development design assessment criteria in Appendix 1 to this section).
- (h) The potential provision for a new link road from the southern end of the Aotea Block to either the City Centre or to another road.
- (i) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- (j) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule D3.1.3(viii) covers subdivision within the National Grid Corridor.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (iii) **Harvesting of production forestry** where the area being harvested **exceeds 1 hectare** in any 12 month period.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the method and time of year of the harvesting,
- (b) the hours of operation of the harvesting,
- (c) the location of access to the site,
- (d) the imposition of financial contributions in accordance with Part E of this plan.

D3.1.3 Restricted discretionary activities

Any one or more of the following are Restricted Discretionary Activities:

- (i) **Essential activities in the Seismic Hazard Area**, where these activities do not contravene any permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity,
- (b) the imposition of financial contributions in accordance with Part E of this plan.
- (ii) *Repealed by Plan Change 15, refer to Part HH of the Plan for relevant rules relating to Historic Heritage.*
- (iii) **Any building** which does not meet one or more of the permitted activity standards for:
 - (a) **Building height, up to a maximum of 10m in height**
 - (b) **Height recession plane**
 - (c) **Yards**
 - (i) Front Yards
 - (ii) Other Yards

In considering any applications for such restricted discretionary activities, the Council restricts the exercise of its discretion to the following matters:

General Matters of Discretion for D3.1.3(iii)(a-c) Building Height, Height Recession Plane and all Yards:

- (a) The impact of those parts of the building that exceed permitted activity standard(s) on the outlook and privacy of adjacent sites and the surrounding residential environment.
- (b) The degree to which non-compliance results in a development density that is not consistent or compatible with the surrounding residential environment.
- (c) The extent to which the non-compliance leads to better or more efficient use of the site and/or creates a higher level of on-site amenity.
- (d) The extent to which the impact of those parts of the building that exceed permitted activity standard(s) may be mitigated by screening, landscaping or other treatment.
- (e) Where a proposal involves breaches of more than one permitted activity standard, the extent to which the cumulative effects of those breaches results in a development that is out of scale with the surrounding residential neighbourhood and whether it will create adverse effects on residential neighbourhood amenity.
- (f) Whether the shape or topography of the site or the location of any built or natural feature(s) on the site or other requirements such as easements, rights-of-way, formed carriageways, footpaths or services within the road impose constraints that make compliance impracticable.

Activity Specific Matters of Discretion for D3.1.3(iii)(a) Building Height

- (a) The scale and bulk of the building in relation to the street, the site, adjacent sites and the surrounding neighbourhood.
- (b) The extent to which the additional height of the building will shade or physically dominate adjacent sites.

Activity Specific Matters of Discretion for D3.1.3(iii)(b) Height Recession Plane

- (a) The extent of the impact of those parts of the building that exceed the permitted activity standard(s) on shading, having regard to the size of the shadow cast and the period of time a part of an adjacent site(s) is affected.
- (b) The extent to which the additional height of the building will shade or physically dominate adjacent sites.

Activity Specific Matters of Discretion for D3.1.3(iii)(c)(i) Front Yards

- (a) The extent to which the setback of the building will create any adverse effects on the streetscape and neighbourhood character.
- (b) Any adverse effect on traffic visibility, pedestrian and road traffic safety.
- (c) The need to ensure that the use or safety of any adjacent public road or footpath is not restricted.
- (iv) Any dwelling which does not meet one or more of the permitted activity standards for:
 - (a) Outdoor Living Area
 - (b) Car parks in Front Yards

In considering any applications for such restricted discretionary activities, Council shall have regard to the following general and activity-specific assessment criteria:

General Matters of Discretion for D3.1. 3 (iv) (a-b) Outdoor Living Area, Car parks in Front Yards

- (a) The degree to which non-compliance results in a development density that is out of character with the surrounding residential environment.
- (b) The extent to which the non-compliance leads to better or more efficient use of the site and/or creates a higher level of on-site amenity.
- (c) Where a proposal involves breaches of more than one permitted activity standards, the extent to which the cumulative effects of

those breaches results in a development that is out of scale with the surrounding residential neighbourhood and whether it will create adverse effects on residential neighbourhood amenity.

- (d) Whether the shape or topography of the site or the location of any built or natural feature(s) on the site or other requirements such as easements, rights-of-way, formed carriageways, footpaths or services within the site or adjacent road impose constraints that make compliance impracticable.

Activity Specific Matters of Discretion for D3.1. 3 (iv)(a) Outdoor Living Area

- (a) The extent to which the outdoor living area is accessible and of a useable size and slope.
- (b) The extent to which daylight and sunlight is provided to the outdoor living area.
- (c) The availability of alternative public outdoor space such as parks and reserves adjacent or near to the site.
- (d) The extent of a suitable alternative outdoor living area or permeable surfaces otherwise provided on the site.

Activity Specific Matters of Discretion for D3.1. 3 (iv)(b) Car parks located in the front yard

- (a) The extent to which the location of parking spaces in the front yard will create any adverse effects on the streetscape and neighbourhood character.
- (b) Any adverse effect on traffic visibility, pedestrian and road traffic safety.
- (c) The need to ensure that the use or safety of any adjoining public road or footpath is not restricted.
- (d) The extent that the visual impacts of parking space(s) may be mitigated by screening, landscaping, or other treatment.

Explanation

The height, height recession plane, yards, outdoor living area and car parks in front yards permitted activity standards are set at a level to provide a certain level of development with minimal adverse effects within the Suburban Zone. When considering an application where one or more of the above permitted activity standards is not met, the Council's assessment will generally focus on the effects resulting from the part(s) of the building or development that does not meet the permitted activity standard. The Council will give specific consideration to any cumulative effects that arise from the parts of the proposal that do not meet those permitted activity standards.

- (v) **Medium Density Residential Development within the Medium Density Residential Policy Area** which complies with all the following Suburban Zone permitted activity standards:

- (a) **Car parks;**
- (b) **Earthworks (a)(i), (a)(iii), (b), (c);**
- (c) **Financial Contributions;**
- (d) **Hazardous Substances;**
- (e) **Height;**
- (f) **Vegetation Clearance;**
- (g) **Noise;**
- (h) **Private ways and driveways;**
- (i) **Signs;**
- (j) **Yards (b) and (c), with the exception of (c)(i);**

AND which also complies with all Suburban Zone restricted discretionary activity standards.

Except as provided for by section 94C of the Resource Management Act 1991, applications made under this rule need not be notified, the written approval of affected persons will not be necessary and notice of the application need not be served on any person.

The Council restricts the exercise of its discretion to the following matters:

- (a) the degree to which the proposal is in accordance with the medium density residential development design assessment criteria in Appendix 1 to this section
- (b) the imposition of financial contributions in accordance with Part E of this Plan
- (c) traffic generation effects
- (d) earthworks
- (e) stormwater runoff and disposal.

Note: Medium Density Residential Development activities which do not satisfy this rule shall be assessed in accordance with D3.1.4 (i).

- (vi) The construction of **new buildings in the Aotea Mixed Use Policy Area or the Aotea Suburban Shopping Centre Area** as shown on the Aotea Block planning map.

The Council restricts the exercise of its discretion for new buildings (including signage) in relation to the following matters:

- (a) The coherence of site planning and layout and the visual effects of buildings and associated earthworks, landscaping, signs and other structures in relation to enhancing the visual amenity of the neighbourhood and its character and sense of place.
- (b) The quality of the development and the level of amenity created in the urban environment.
- (c) Presentation to the street with quality active building edges.
- (d) Landscaping of open spaces to enhance the street edges.
- (e) Layout, location, landscaping and adequacy of parking (taking into account the car parking requirements in D3.2.1) and traffic circulation areas to avoid visual dominance of large areas of off-street carparking.
- (f) Achieving reasonable privacy to private open space, appropriate scale transition or landscape screening at the interface with residential areas, and screening service and parking areas at the interface.
- (g) Whether the establishment of buildings for office activities or entertainment facilities will result in significant adverse consequential effects on the Porirua City Centre.
- (h) The degree to which buildings that include dwellings accord with the relevant design element in Appendix I to section D3 of the District Plan.
- (i) To ensure existing infrastructure networks can meet the needs of the proposed activity.
- (j) To manage the effects of stormwater runoff to avoid inundation, erosion and potential adverse ecological effects.
- (k) The quality of pedestrian environment (including shelter and safety aspects) to provide for the safe movement and wellbeing of pedestrians.
- (l) The imposition of financial contributions in accordance with Part E of the District Plan.

Except as provided for by section 94C of the Resource Management Act 1991, applications made under this rule need not be notified, the written approval of affected persons will not be necessary and notice of the application need not be served on any person.

- (vii) New buildings and structures and additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard

The Council has restricted its discretion to the following matters when considering an application for resource consent:

- (a) Any risk to the structural integrity of the transmission line;

- (b) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
- (c) The proximity of buildings and structures to electrical hazards;
- (d) Operational risks relating to health or public safety, and the risk of property damage;
- (e) Amenity effects; and
- (f) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

- (viii) Subdivision of land which is within a National Grid Corridor and provides a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent and/or appropriate conditions:

- (a) the extent to which the design, construction and layout of the subdivision (including landscaping) demonstrates that a suitable building platform(s) for a dwelling can be provided outside of the National Grid Yard for each new lot to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;
- (b) The provision for the on-going operation, maintenance (including access) and planned upgrade of Electricity Transmission Lines;
- (c) The risk to the structural integrity of the National Grid;
- (d) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;

- (e) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

- (ix) Earthworks within a National Grid Yard that do not comply with permitted activity standard D3.2.1(iii)(i) but comply with standard (ii).

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

D3.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i) **All activities which are not a permitted, controlled, restricted discretionary, or prohibited activity, and are not specified in D3.1.5 (ii), (iii) or (iv) as a non-complying activity and do not contravene any discretionary activity standard.**
- (ii) **Vehicle yards**
- (iii) **New vehicle crossings onto State Highway No 1 and State Highway 58.**
- (iv) **Activities in the Commercial Recreation Policy Area which are not a permitted, controlled, restricted discretionary, non-complying or prohibited activity.** In considering any applications for such discretionary activities, Council shall have regard to the following assessment criteria:

- (a) Whether the visual effects of the proposal, and any associated earthworks and structures, are such that a high level of amenity and character is maintained.
- (b) Whether the development is of a high quality which contributes to the overall character of the Aotea Block.
- (c) Whether landscape treatment or other visual mitigation measures are adequate to mitigate the visual intrusion of buildings
- (d) Whether, taking into account Baxters Knob's landscape values, the proposal includes provision for the appropriate management of any existing vegetation, including appropriate revegetation where the existing vegetation is to be removed
- (e) Whether any potential adverse effects of traffic movements on the safety and efficiency of the surrounding roading network are adequately avoided, remedied or mitigated
- (f) Whether any potential adverse effects on the amenity values of surrounding land and properties, including Aotea College, are adequately avoided, remedied or mitigated
- (g) Whether existing infrastructure networks can adequately cater for the demand resulting from the development
- (h) Whether stormwater runoff will be adequately managed to avoid the effects of inundation, erosion and downstream ecological effects
- (i) Whether the actual or projected level, duration and frequency of non-compliance with any permitted activity standard (including noise standards) and the proposed hours of operation are reasonable, and achieve an appropriate balance between the reasonable amenity expectations of nearby property owners and occupiers, and the purpose of the policy area which is to encourage commercial recreation activities.
- (j) The effects on broadcasting and telecommunications coverage from the existing facility of Baxters Knob from buildings and structures located closer than 50 metres to the boundary of the land owned by Broadcast Communications Limited and/or with a roof level (maximum height) above 139 metres above sea level and whether these effects result in the loss of broadcasting and telecommunications coverage to the community from the existing facility.

(v) **Service Stations.**

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D3.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

- (i) All activities which are **not a permitted, controlled, restricted discretionary, or a discretionary activity.**
- (ii) Activities which emit an **objectionable odour.**
- (iii) **Offensive trades.**
- (iv) **Activities that do not comply with the "Aotea Mixed Use Policy Area - Shops Standard (D3.2.1)"**
- (v) The construction and use, establishment, or change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.
- (vii) Any subdivision of land within the National Grid Corridor that does not provide a complying nominal building platform(s) for a dwelling(s) for each new lot, which is fully located outside the National Grid Yard.
- (viii) Earthworks within a National Grid Yard that do not comply with permitted activity standard D3.2.1 (iia) (ii).

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

D3.1.6 Prohibited activities

There are no prohibited activities in the Suburban Zone.

D3.2 Suburban Zone Standards

D3.2.1 Permitted activity standards

(i) Aotea Mixed Use Policy Area – Shops

The maximum gross floor area of shops per site in the Aotea Mixed Use Policy Area shall be 150m² up until such time as the total combined gross floor area of shops on all sites in the Policy Area reaches 2000m². Once the 2000m² threshold level for combined gross floor area is reached, no further area of shops may be established as a permitted activity.

Garden centres/nurseries are exempt from compliance with the above standard.

(ii) Car parks

The number of car parks on a site shall be:

(a) **Residential Activities**

No less than one car park per dwelling of up to 75 m² gross floor area, excluding car parks, and two car parks per dwelling of greater than 75m² gross floor area.

For Medium Density Residential Development in the Medium Density Residential Policy Area, where two car parks are required for any

dwelling unit, these may be parked one in front of the other. In applying this standard the following exemption shall be allowed from the requirements of Part H1 (iii) of the Plan:

- (i) The second car parking space may be located within the car park manoeuvring room area necessary for one other required car parking space serving the dwelling.

Note: The second car parking space shall comply in all respects with the requirements of Part H1(iii) and (v).

Note: Where resource consent is required for a Medium Density Residential Development in accordance with rule D3.1.3 (iv) the location, layout and treatment of car parking areas will be assessed in accordance with the design elements included within Appendix 1.

(b) **Non-residential Activities**

No less than five car parks per 100 m² gross floor area, excluding car parks, of the buildings or parts of buildings on the allotment which are used for non-residential activities.

- (c) **Tertiary education (Aotea Mixed Use Policy Area Only):** One car park per staff member and one car park per three students (maximum on-site at any one time).

All car parks to be located within the site. Where the assessment of the number of car parks results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. Every car park shall comply with the technical standards in Part H of this plan.

(iii) Earthworks

The following shall apply to earthworks on a site, except for:

- **earthworks (cut and fill)** under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view; and
- **earthworks (cut)** for a swimming pool which do not extend further than 2 metres from the edge of the swimming pool:

(a) **Earthworks, in a 12 month period**, shall not exceed:

- (i) 25m² in area within a riparian setback, or
- (ii) 100m² in area elsewhere in the Suburban Zone, or
- (iii) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

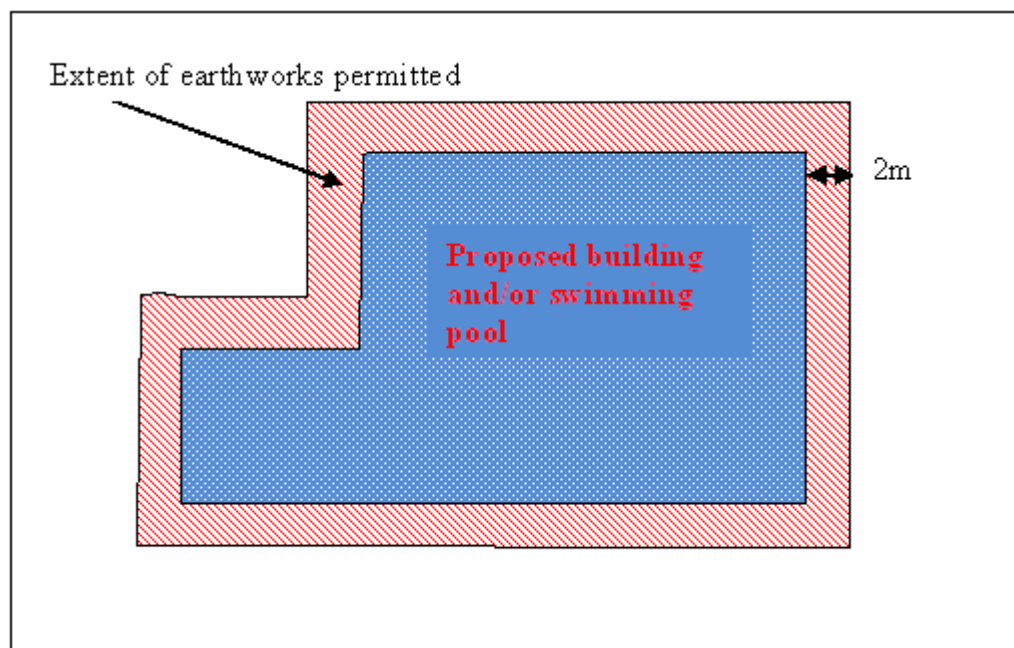
(b) **Earthworks** shall not be undertaken on **land with a slope in excess of 45 degrees**.

- (c) **Earthworks within a yard** shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.

Note: Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks.



(iia) Earthworks within a National Grid Yard

Any earthworks within a National Grid Yard:

- i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm
- (ii) shall not result in a ground to conductor clearance of less than:
 - 6.5m (measured vertically) from a 110kV National Grid transmission line; or
 - 8m (measured vertically) from a 220kV National Grid transmission line.

(iv) Financial contributions

The **payment of all financial contributions** in respect of a permitted activity as provided for in **Part E of this plan** shall be made before the commencement of that activity.

(v) Gross floor area

The **maximum gross floor area** for any non-residential activities shall be:
300m² on any site.

(vi) Hazardous substances

No activity shall exceed a **Hazardous Facility Threshold** of 0.05.

(vii) Height

The **maximum height** of any building or part of a building (including any sign) on a site shall be: 8m.

(viii) Height recession plane

- (a) **All buildings** must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured at right angles from any point along the boundary of the site with any other site in the Zone.
- (b) **Where a party wall is proposed between two proposed buildings on adjacent sites**, then the recession plane standard will not apply along the length and height of that party wall.
- (c) Where there are **two or more detached dwellings on a site** there shall be an additional height recession plane measured at a distance not less than 1.5m from any other dwelling(s) on the site.

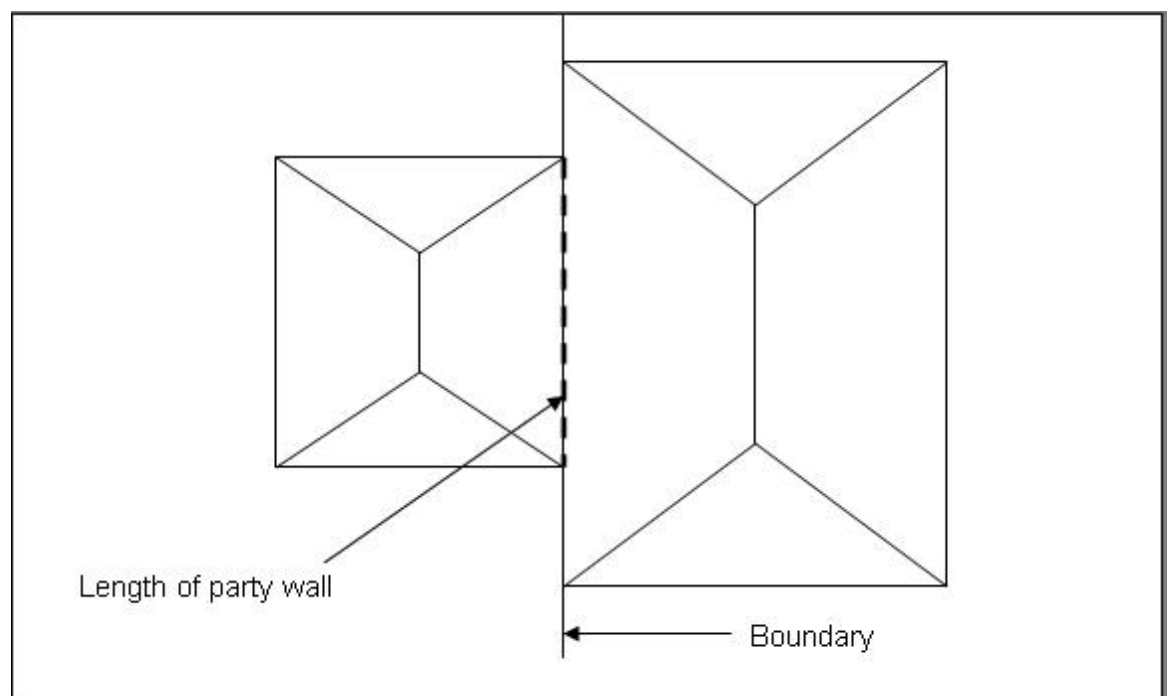


Diagram showing extent of party wall

(ix) Loading

All **loading and unloading of goods** shall take place within the site and clear of all yards.

(x) Minimum Allotment Size

In the **Whitby Landscape Protection Area** the minimum allotment size shall be 10,000 m² (1 hectare).

(xi) Noise

- (a) The **maximum noise levels received at any boundary** within the **City Centre and Industrial Zones** from any **non-residential activity within the Suburban Zone** must not exceed L₁₀ 60 dBA at all times:
- (b) The maximum noise levels received at any boundary in the Suburban Zone from any non-residential activity in the Suburban Zone shall not exceed the following noise levels;
 - (i) L₁₀ 55 dBA day time (7am-10pm), L₁₀ 45 dBA night (10pm-7am), where the receiving boundary is within 50m of a motorway, or a major arterial road,
 - (ii) L₁₀ 50 dBA day time (7am-10pm), L₁₀ 45 dBA night time(10pm-7am) where the receiving boundary is within 50m of a minor arterial road,
 - (iii) L₁₀ 50 dBA day time (7am-10pm), L₁₀ 40 dBA night time(10pm-7am) elsewhere.
 - (iv) The L_{max} noise level shall not exceed the lower of L₉₅ background sound plus 30 dB, or 75 dBA during night time hours (10pm-7am).

Where two or more of these noise standards, except (e), apply to a particular site, the least restrictive noise standard shall apply (see explanatory diagram under 'Noise' Part M).

- (c) The **maximum noise levels** from **any activity** located in the Suburban Zone measured within **20m of any dwelling on another property in the Rural Zone** shall not exceed the following:
 - (i) L₁₀ 55 dBA day time (7am-10pm), L₁₀ 45 dBA night time (10pm-7am),
 - (ii) L_{max} 75 dBA night time (10pm-7am).
- (d) **Construction, maintenance or demolition** activities must be in compliance with the following:
 - (i) section 16 [Duty to Avoid Unreasonable Noise] of the RMA during day time hours (7am-10pm); and
 - (ii) the noise levels specified in (b)(iv) above L₁₀ 45 dBA during night time hours (10pm-7am) at any point within the boundary of the Suburban Zone.

This does not replace any general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.

- (e) **Emergency repair work to network utilities** is subject only to the general duty under section 16 [Duty to Avoid Unreasonable Noise] of the RMA.
- (f) The sound level from any non-residential activity on a Suburban Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

L_{10} 60 dBA day time (7am – 10pm)

L_{10} 50 dBA night time (10pm – 7am)

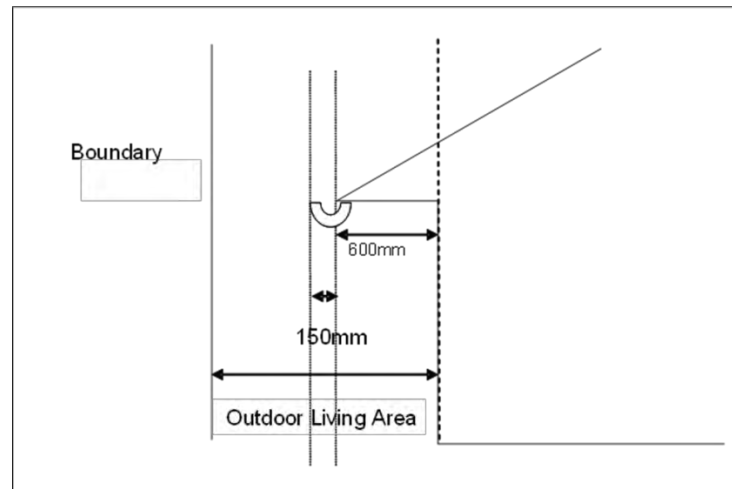
L_{max} 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – “Measurement of Sound”. Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.

(xii) Outdoor Living Area

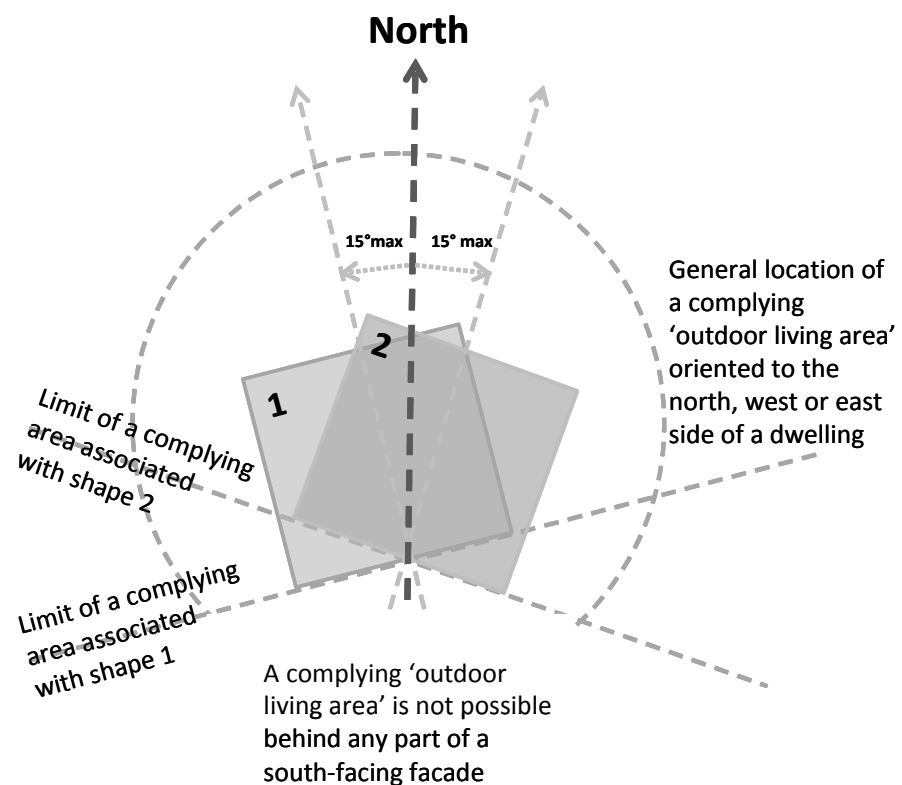
- (a) Except for existing dwellings constructed before 29th September 2009 where no additional dwellings are proposed to be added to the site, each dwelling shall have a **contiguous outdoor living area** that:
 - (i) is contained within the site; and
 - (ii) is at least 50m² in size; and
 - (iii) can accommodate a 4 metre diameter circle with a maximum gradient of 1:20; and
 - (iv) is located directly adjacent to and can be accessed directly from the dwelling; and
 - (v) is oriented to the north, west and/or east side of the dwelling; and
 - (vi) has at least 25m² of its outdoor living area provided in permeable surfaces. The remainder may include paved surfaces, open pergolas and decks of less than 1 metre in height; and
 - (vii) does not form part of vehicle accessways, parking or manoeuvring area; and
- (b) Except as provided above, no other buildings, except for eaves up to a maximum of 600mm in width and external gutters or downpipes (including their brackets) up to an additional width of 150mm, shall be located within the required outdoor living area.

Figure B: Extent that eaves and gutters may extend into a required Outdoor Living Area



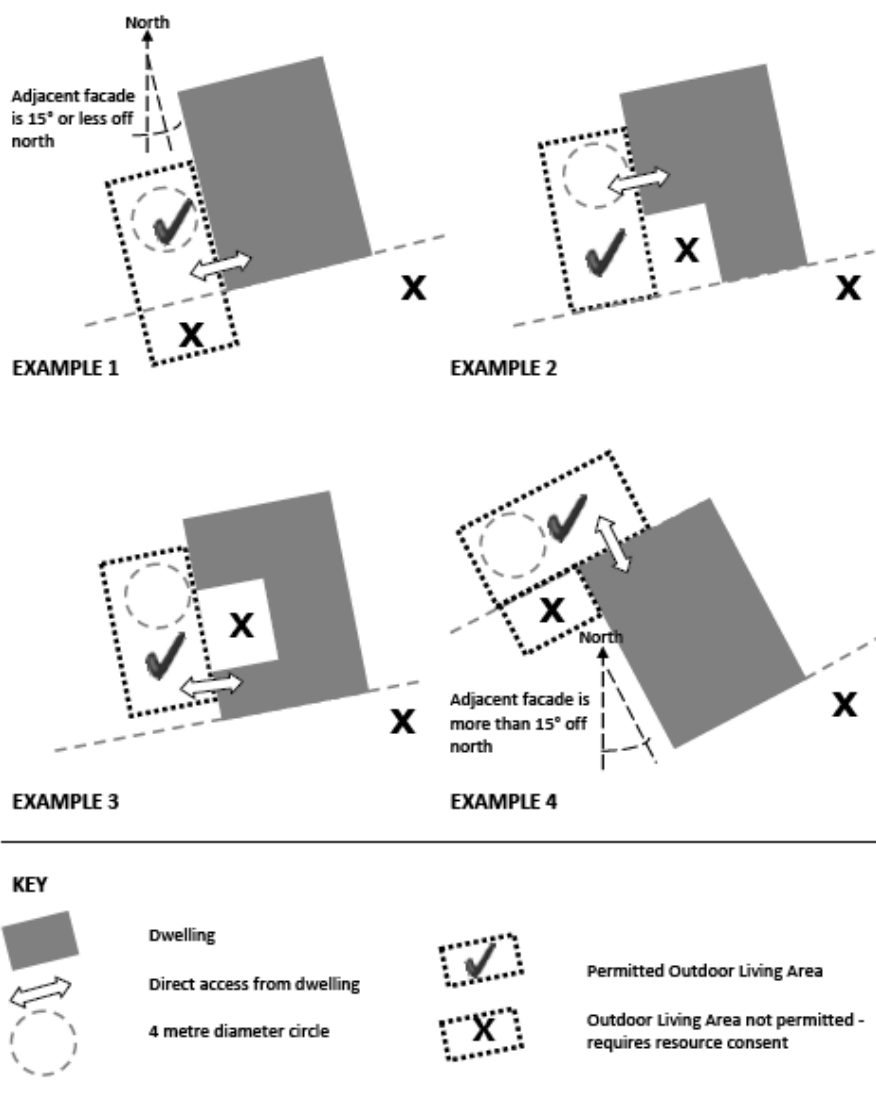
Note: For the purposes of this standard, oriented to the north, west or east side of the dwelling means that all of the complying outdoor living area is to the:

- North of the western most and/or eastern most corner of the dwelling; and/or
- West of a west-facing façade aligned at not more than 15 degrees to the north-south axis; and/or
- East of an east-facing façade aligned at not more than 15 degrees to the north-south axis.



Interpretation of Outdoor Living Area Standard

DIAGRAMS OF TYPICAL SITUATIONS *(Indicative and not to scale)*



(xiii) Private ways and driveways

- (a) The access to any dwelling on any site shall meet the technical standards for private ways and driveways in Part H of the Plan (including the requirements of Table 4 of Part H).
- (ii) The access to any building containing a non-residential activity on any site shall meet the technical standards for private ways and driveways in Part H of the Plan (including the requirements of Table 4 of Part H) as if the building for a non-residential activity was a dwelling.

(xiv) Screening

Any refuse, packaging, building materials, wrecked or derelict vehicles, scrap metal or other recyclable material shall be screened from view from the ground floor level of adjoining properties including any adjacent road.

(xv) Signs

Any sign or signs provided that:

- (a) the sign or signs relates to activities on the site,
- (b) the sign or signs do not exceed 1 m² in total area,
- (c) no sign which is visible to drivers on a State Highway is the shape or colours of any traffic control sign,
- (d) no sign shall be sited in a manner which restricts visibility to and from intersections and vehicular access points.
- (e) no sign shall be flashing.

Note: Refer to the height standard to determine the maximum permitted height of signs.

(xvi) Site Coverage

- (a) The **maximum site coverage** shall be 35% of the net site area.
- (b) On sites containing **two or more dwellings**, the maximum site coverage shall be 35% of the notional net site area for each dwelling.
- (c) For sites with a **net site area of more than 50% within the Whitby Landscape Protection Area or the Baxters Knob Landscape Protection Area**, the maximum area of any site covered by buildings shall be 300m² or 15% whichever is the lesser.

(xvii) Siting of Production Forestry

The last row of plantings shall be no closer than 20 metres to the boundary of the site.

(xviii) Vegetation Clearance

There shall be no destruction of any native vegetation in a Landscape Protection Area or the Whitby Landscape Protection Area where:

- (a) The area of **native vegetation on a site exceeds 100m² with an average height of 3 metres or more**, or
- (b) The area of **native vegetation is part of an area in one or more sites, which exceeds 100m² with an average height of 3 metres or more**.
- (c) Any **individual native species with a height of at least 5 metres or more**.

The word "area" in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

In addition, within the Baxters Knob Landscape Protection Area there shall be no destruction of exotic vegetation exceeding a height of 3 metres.

(xix) Vehicle movements

The maximum number of vehicle movements per day for any non-residential activity shall be 30.

(xx) Waste water

The maximum volume of wastewater discharged from any non-residential activity into a public sewerage system shall be 5000 litres per day.

(xxi) Water supply

The maximum volume of water taken by any non-residential activity from the public water supply system shall be 5000 litres per day.

(xxii) Yards

The minimum yard requirements for any site shall be:

(a) Front yard

Minimum front yard - 5m.

(b) Riparian setback

The minimum riparian setback for sites on the west side of Steyne Avenue and adjacent to mean high water springs is 7.5m; elsewhere in the zone the minimum riparian setback is 20m.

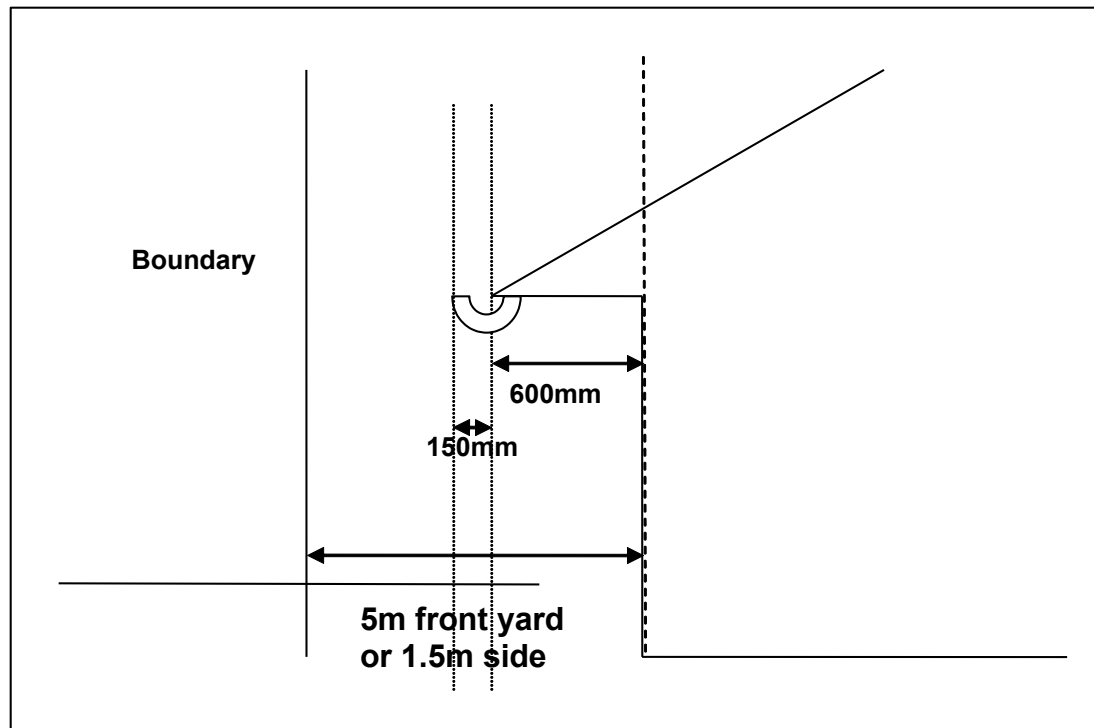
(c) Other yards

Minimum other yard - 1.5m.

- (i) Where there are two or more detached dwellings on a site, there shall be a minimum separation of 3m between those dwellings.
- (ii) Where there is any building containing a non-residential activity on a site, standard (i) above shall apply as if any building containing a non-residential activity were a dwelling.
- (iii) Where a party wall is proposed between two proposed dwellings on adjacent sites, then the other yard standard will not apply along the length of that party wall.

For the purpose of this standard and notwithstanding any other provision in the plan eaves, up to a maximum of 600mm in width and external gutters and downpipes (including their brackets) up to an additional 150mm, may extend into any yard.

Diagram: extent that eaves may extend into any yard



D3.2.2 Controlled activity standards

(i) Subdivision

- (a) For every allotment where there is an **existing building/s** there shall be no increase in the degree of non-conformity with the permitted activity standards, except that where subdivision is proposed between dwellings that share a party wall, the height recession plane and other yard permitted activity standards shall not apply along the length of party wall.
- (b) For every allotment where there is **no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted** (in the case of joint land use and subdivision applications), it shall be practicable to construct on all allotments, as a permitted activity, a dwelling which does not contravene any permitted activity standard.

D3.2.3 Restricted Discretionary Activity Standards

(i) Coverage

Within the Medium Density Residential Policy Area the maximum area of any site covered by buildings associated with a medium density residential development shall be 45%.

(ii) Yards

Within the Medium Density Residential Policy Area the minimum yard requirements for any site developed for medium density residential development purposes shall be:

(a) **Front yard**

Minimum front yard – 1 metre.

For this standard alone, the following building features shall be exempt from this yard requirement: porches; steps; formed planter boxes; highlevel balconies that maintain a clearance of at least 2.5m above ground level; eaves; terraces; and ground level landscape features.

D3.2.4 Discretionary activity standards

(i) Coverage

Excluding the Suburban Shopping Centre Areas and the Whitby Landscape Protection Area, the maximum area of the site covered by buildings shall not exceed 60%.

For sites with a **net site area of more than 50% within the Whitby Landscape Protection Area**, the maximum area of any site covered by buildings shall be 30%.

(ii) Height

The maximum height of any building or part of a building on a site shall be: 12m.

(iii) Noise

The maximum noise levels from any non-residential activity shall be:

The maximum noise levels received at any other site boundary in the Suburban Zone or City Centre Zone from any non residential activity within the Suburban Zone must not exceed L₁₀ 60 dBA day time (7am-10pm), L₁₀ 45 dBA or L_{max} 75 dBA night time (10pm-7am).

APPENDIX 1: MEDIUM DENSITY RESIDENTIAL POLICY AREA – ASSESSMENT CRITERIA

Assessment criteria to be used when considering medium density residential development and subdivision proposals in the “Medium Density Residential Policy Area”.

Design Element 1: Site and Block Size

Purpose: The purpose of the design elements below is to encourage sites that maximise opportunities for subsequent good building design and useful outdoor spaces.

Base sites for medium density residential development should be:

- (i) Located, orientated and designed to enable dwellings with good solar access
- (ii) Designed so that as many future dwellings as possible can front onto and be accessed directly from a legal road. Rear lots are not generally suitable for medium density residential development.
- (iii) Large enough and of a shape that enables flexibility in design solutions.
- (iv) Designed so that convenient and safe access can be achieved to the external footpath network, walkway/cycleways, any nearby reserve and shops and to public transport routes.

Design Element 2: Public Interface and External Appearance

Purpose: The purpose of the design elements below is to encourage attractive, visually interesting developments that are designed to have active public space frontages and to be harmonious with other land uses in the neighbourhood in which they are located.

- (i) A transition in height and scale between the new development and any neighbouring buildings should be provided.
- (ii) When viewed from any nearby public space (road, reserve and open space) buildings should create visual interest through modelling of form and roof line, and ordered complexity in the application of materials and composition of openings.
- (iii) Every dwelling unit should have a sheltered entry that is visible from the road if possible, or otherwise visible from the main public access to the development.
- (iv) Garage doors should not dominate the road elevation and should generally be set back further than the front face of the building.
- (v) Fences or walls along any boundary with a public space and between the road and the front face of the closest building should be generally avoided or limited in height to a maximum of 1.2m.
- (vi) Public space boundaries and front yards should be landscaped, with plant and tree species selected to maintain views between the dwellings and public space.

- (vii) Dwelling units adjacent to a public space should have at least one window from a living room, dining room or kitchen with primary views directly to the public space.
- (viii) Access through developments should demonstrate integration with public walkways and cycleways.

Design Element 3: Dwelling Design, Position and Orientation

Purpose: The purpose of the design elements below is to encourage medium density residential development that is a pleasure to live in and which maximises opportunities for access to daylight, sunlight and views where available, and which adequately provides for refuse/recycling storage areas.

- (i) Buildings should be of a height, orientation and located to define external spaces that allow adequate daylight to dwellings and sunlight to main living rooms and private outdoor spaces.
- (ii) Garages to dwelling units should generally be located to the south and/or the rear of the dwelling.
- (iii) Main living rooms should be located on the northern or north-western side of the dwelling unit where possible.
- (iv) Buildings should be positioned to minimise overshadowing or visual domination of adjoining private outdoor spaces.
- (v) As many dwelling units as possible should front onto and be accessed from the road and should be located with a minimal setback. Only where the site precludes this, should dwelling units front onto a central shared access way directly linked to the development's public entrance.
- (vi) Dwelling units should be positioned and openings designed to capitalise on views that are available.
- (vii) Provision for refuse collection and recycling should be well integrated into the development, ensuring that collection points and facilities are readily accessible by service vehicles and workers, and will not detract visually or generate health risks

Design Element 4: Private Outdoor Spaces

Purpose: The purpose of the design elements below is to ensure that medium density residential developments incorporate adequate, practical, private and attractive private outdoor space for each dwelling unit.

- (i) Every dwelling unit should be provided with flat private outdoor space located to the north, east or west of the dwelling unit and directly accessible from a primary living area of the dwelling.
- (ii) Private outdoor space should be at ground level if possible (ie. desirable minimum area of 40m² and minimum dimension of 5m). It may be provided in part as balconies (ie. desirable minimum area of 8m² and minimum dimension of 2m) or roof decks, where overlooking of the private outdoor space of other units is avoided or limited.

- (iii) Private outdoor space should not generally be positioned solely at ground level between the dwelling unit and any road boundary.
- (iv) Private outdoor space should be of a size to suit both probable occupancy and dwelling type and having regard to the availability of storage space, the availability of shared open space within the development and the proximity of the site to a public reserve.
- (v) Private outdoor space should be well proportioned for its envisaged uses.

Design Element 5: Visual and Acoustic Privacy

Purpose: The purpose of the design elements below is to encourage the use of good design techniques to maximise visual and aural privacy for the benefit of residents living in the dwelling units.

- (i) Ground level rooms at the street side should have some level of privacy protection from that public space either through the use of building setbacks, the placement of landscaping elements and/or features between the street boundary and dwelling, or changes of level between the street boundary and building edge.
- (ii) Ground level private outdoor space should be protected from being overlooked from windows and private outdoor spaces of adjacent dwelling units through the use of any or all of the following design devices:
 - (a) The shape and position of buildings, spaces and windows;
 - (b) Separation distance;
 - (c) Intervening screening, e.g.
 - Fences or retaining walls at least 1.6m in height (not on a road boundary)
 - Dense trees, planting or hedges;
 - (d) Screening devices on balconies;
 - (e) Offset and high sill windows;
 - (f) Obscured and restricted-opening windows (service rooms only)
- (iii) Direct views from the windows of one dwelling unit into the windows of another should be avoided or minimised, through the use of the design devices cited for Criterion 1 (above), as applicable.
- (iv) Acoustic privacy between dwelling units should be enhanced by separation between openings, effective solid acoustic screening, and by separating the noise sensitive spaces (such as bedrooms) of one unit from the service rooms, garages and parking areas of another.

Design Element 6: Parking and Access

Purpose: The purpose of the design elements below is to ensure that medium density residential developments incorporate adequate, safe and practical parking and traffic circulation areas on-site to cater for the residents and their visitors, while maintaining the attractive appearance of such developments, and providing opportunities for on-site stormwater filtration.

- (i) Use of space on the development site for the turning and manoeuvring of vehicles should be minimised.
- (ii) Garages and outdoor parking spaces should be located adjoining or in close proximity to and visible from, the dwelling unit they serve.
- (iii) Outdoor parking spaces, shared vehicle access routes and any pedestrian routes on site should be well lit for night time visibility and security.
- (iv) Outdoor parking spaces on the front 10m of any site abutting a road should be generally limited, unless the spaces are designed and positioned to minimise visual impact on the streetscape.
- (v) Outdoor parking and access areas serving more than two dwelling units should include hard and soft landscape features that provide an attractive outlook from publicly accessible locations, and from the dwelling and spaces within the development.
- (vi) On-site visitor parking that is easily located and identified by unfamiliar users should be provided for larger developments.
- (vii) Shared accessways to dwellings at the rear should be designed as short straight lanes with generous legal access widths.
- (viii) Access ways should be designed so that they restrict vehicle speeds to levels appropriate to the site (traffic calming measures may be desirable)
- (ix) Safe and convenient pedestrian access should be provided within the development and linking to the external footpath network
- (x) The road and accessway standards in Part H of the Plan apply.

D4 RURAL ZONE RULES AND STANDARDS

There are two maps that cover the Rural Zone and the majority of rules and standards that follow apply to the whole Rural Zone as outlined on these maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D4.1 Rural Zone Rules

D4.1.1 Permitted activities

Any one or more of the following are permitted activities:

- (i) All primary production activities, excluding buildings, which do not contravene any permitted activity standard.
- (ii) Buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that meet all the permitted activity standards and are not being used for a Sensitive Activity.
- (iii) Earthworks within a National Grid Yard that:
 - a) are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; or
 - b) comply with the permitted activity standards for earthworks within a National Grid Yard.
- (iv) Removed by Plan Change 16
- (v) Removed by Plan Change 16
- (vi) Temporary Military Training Activities in compliance with Temporary Military Training Activities Standards.
- (vii) Use of existing school facilities, buildings and associated grounds and halls for activities or services having either a social, community, sporting, ceremonial, cultural, educational, recreational, worship, and

spiritual purposes subject to compliance with the permitted activity standards for carparking, noise and signs.

- (viii) Alterations and additions to existing dwellings, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.
- (ix) Alterations and additions to existing buildings (other than dwellings) accessory to a permitted or controlled activity, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.
- (x) Except in a Landscape Protection Area, the harvesting of production forestry one hectare or less in area in any 12 month period.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

D4.1.2 Controlled activities

Any one or more of the following are Controlled Activities:

- (i) Except in a Landscape Protection Area, one dwelling per certificate of title containing a minimum land area of 2000m² where the dwelling does not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the dwelling,
- (b) earthworks,
- (c) native vegetation clearance,
- (d) the imposition of financial contributions in accordance with Part E of this plan,
- (e) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- (f) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 4.1.3(v) covers subdivision within the National Grid Corridor.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (ii) Except in a Landscape Protection Area, buildings (other than dwellings) accessory to a permitted or controlled activity and which do not exceed any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the building,
- (b) earthworks,
- (c) native vegetation clearance.
- (d) the imposition of financial contributions in accordance with Part E of this plan,

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (iii) Harvesting of production forestry where the area being harvested exceeds 1 hectare in area in any 12 month period and, in Landscape Protection Areas, any harvesting of production forestry, regardless of the area.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the method and time of year of the harvesting,
- (b) the hours of operation of the harvesting,
- (c) the location of access to the site,
- (d) the imposition of financial contributions in accordance with Part E of this plan.

- (iv) New vehicle crossings onto roads in the Rural Zone (except state highways and limited access roads).

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the crossing,
- (b) the imposition of financial contributions in accordance with Part E of this plan.

- (v) Removed by Plan Change 16

- (vi) Removed by Plan Change 16

- (vii) Subdivisions of allotments where the following requirements are met:

- (a) the number of allotments will not be increased, and
- (b) no resultant allotment shall be reduced in area by more than 5% from the area of the existing allotment from which it is derived, and

- (c) the length of the road frontage of any allotment shall not be reduced by more than 5% from the existing allotment from which it is derived, and
- (d) the number of allotments with road frontage is not increased.

The matters over which Council reserves control for the purpose of assessment are:

- (a) earthworks,
- (b) native vegetation clearance.
- (c) the imposition of financial contributions in accordance with Part E of this plan,
- (d) the imposition of any conditions in accordance with s220 of the RMA.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (viii) Subdivisions which result in all allotments being 40 hectares or more in area. The matters over which Council reserves control for the purpose of assessment are:

- (a) earthworks,
- (b) native vegetation clearance.
- (c) the imposition of financial contributions in accordance with Part E of this plan.
- (d) the imposition of any conditions in accordance with s220 of the RMA.
- (e) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- (f) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 4.1.3(v) covers subdivision within the National Grid Corridor.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (ix) Alterations and additions to existing dwellings and buildings (other than dwellings) accessory to a permitted or controlled activity which do not comply with the Permitted Activity Rule and which do not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the alteration or addition,
- (b) earthworks,
- (c) native vegetation clearance,
- (d) the imposition of financial contributions in accordance with Part E of this Plan.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (x) Temporary Military Training Activities except in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.

The matters over which Council reserves control for the purpose of assessment are:

- (a) Any restrictions on public access to recreational areas.
- (b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.
- (c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.
- (d) Number of personnel.
- (e) Duration of the consent.
- (f) Impact on rural roads, including points of access.

D4.1.3 Restricted discretionary activities

Any one or more of the following are a restricted discretionary activity:

- (i) Essential activities in the Seismic Hazard Area, where these activities meet all the permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity,
 - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (ii) *Repealed by Plan Change 15, refer to Part HH of the Plan for relevant rules relating to Historic Heritage.*
- (iii) Temporary Military Training Activities in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) Any restrictions on public access to recreational areas.
 - (b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.
 - (c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.
 - (d) Number of personnel.
 - (e) Duration of the consent.
 - (f) Impact on rural roads, including points of access.
- (iv) New buildings and structures and additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent:

- (a) Any risk to the structural integrity of the transmission line;
- (b) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
- (c) The proximity of buildings and structures to electrical hazards;
- (d) Operational risks relating to health or public safety, and the risk of property damage;
- (e) Amenity effects; and
- (f) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially

works within the transmission corridor; contact the relevant network utility operator.

- (v) Subdivision of land which is within an National Grid Corridor and provides a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent and/or appropriate conditions:

- (a) the extent to which the design, construction and layout of the subdivision (including landscaping) demonstrates that a suitable building platform for a dwelling for each new lot can be located outside of the National Grid Yard to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;
- (b) The provision for the on-going operation, maintenance (including access) and planned upgrade of Electricity Transmission Lines;
- (c) The risk to the structural integrity of the National Grid;
- (d) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;
- (e) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

- (vi) Earthworks within a National Grid Yard that do not comply with permitted activity standard D4.2.1 (i) but comply with standard (ii).

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

D4.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i) All activities which are not a permitted, controlled, limited discretionary, or prohibited activity, and are not specified in D4.1.5 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix) or (x) as a non-complying activity.
- (ii) Subdivision where any of the resultant allotments are 5 hectares or more in area and less than 40 hectares.
- (iii) New buildings (including new dwellings) in a Landscape Protection Area.
- (iv) New vehicle crossings onto State Highway No 1 and State Highway No 58.

Note: Refer to Figure 6 in Part H of this Plan for the requirements relating to private access onto state highways.

- (v) Extractive industries.
- (vi) Service Stations.

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

- (vii) Wind farms where no turbine is located within a Landscape Protection Area or within 700 metres of:
 - a) A zone boundary (excluding district boundaries); or
 - b) The boundary of a site that is not part of the wind farm.

Assessment Criteria

In considering whether to grant consent to an application for resource consent made under Rule D4.1.4(vii) and, if granted, what conditions to impose, Council will have specific regard to (but will not be restricted to) the following criteria:

- a) The contribution to achieving national, regional and local energy policy objectives and renewable energy targets;
- b) Visual impacts, including the design, location, appearance and concentration of structures and their impact on the natural character of the coastal environment, outstanding natural features and landscapes, rural character, values associated with a Landscape Protection Area, and visibility from residences and public places;

- c) The effects of noise, and particularly the ability to meet NZS 6808:2010 (Acoustics – wind farm noise);
- d) Impacts on the amenity values of the surrounding environment, including a consideration of electromagnetic interference, vibration, aviation navigation lighting and turbine blade shadow or glare flicker;
- e) Ecological impacts, particularly impacts on the coastal environment, water bodies, impacts associated with native vegetation removal and impacts on indigenous avifauna, indigenous fauna and their habitats;
- f) Impacts on archaeological and historic features and items, and sites of significance to tangata whenua;
- g) Impacts of earthworks and the modification of natural landforms, including impacts on water quality and proposed remedial and mitigation measures;
- h) Traffic impacts (including construction and post-construction traffic) and impacts on the roading network, including the nature and extent of vehicle movements, access, management and mitigation measures; road safety and levels of service; and impacts associated with traffic distraction;
- i) Impacts on aviation, navigation and existing network utilities;
- j) Construction effects, including construction noise (and the ability to meet NZS 6803:1999 Acoustics – Construction Noise);
- k) Cumulative effects, including a consideration of visual saturation and the cumulative visual effects of wind farms across the Region;
- l) Positive effects.

In submitting an application for resource consent the applicant will be required to undertake a full assessment of environmental effects in accordance with the information requirements of Part F Information to be Supplied.

It is acknowledged that a wind farm is likely to encompass more than one site or land contained within a single certificate of title). For the purpose of this Rule, the provisions of Rule D4.1.4 (vii) apply to all sites that form the wind farm.

D4.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

- (i) All activities which are not a permitted, controlled, restricted discretionary, discretionary activity, or prohibited activity.
- (ii) Activities which emit an objectionable odour.
- (iii) Offensive trades.

- (iv) Vehicle yards.
- (v) Any subdivision which would result in any allotment of less than 5Ha (except as provided for in Rule D4.1.2(vii)).

Note: Council may require financial contributions as a condition of resource consent in accordance with Part E of this plan.

- (vi) Wind farms that are not provided for by Rule D4.1.4 (vii).

Note: The Assessment Criteria contained in Rule D4.1.4 (vii) shall apply to an application made under Rule D4.1.5 (vi).

- (vii) The construction and use, establishment, or change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.
- (viii) Any subdivision of land within the National Grid Corridor that does not identify a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.
- (ix) Milking Shed building(s) (excluding associated ancillary structures and stockyards) or building(s) used for an intensive rural production activity (excluding associated ancillary structures), located within the National Grid Yard.
- (x) Earthworks that do not comply with permitted activity standard D4.2.1(ii) for Earthworks within a National Grid Yard.

D4.2 Rural Zone Standards

D4.2.1 Permitted activity standards

Car parking

The number of car parks must be located on site. Every car park shall comply with the technical standards in Part H of this Plan.

Note: Where parking spaces standards for non-school activities cannot be provided to the Technical Standards in Part H of the Plan, parking is permitted on school grounds subject to practical access.

Earthworks

The following shall apply to earthworks on a site:

- (i) Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period:
 - (a) 25m² in area within a riparian setback, or
 - (b) 500m² in area in a Landscape Protection Area, or
 - (c) 1000m² in area elsewhere in the Rural Zone, or

- (d) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

(b) and (c) shall not apply to earthworks for the purposes of the maintenance of existing farm roads and tracks, or for the construction or maintenance of drains or fences.

- (ii) Earthworks as part of any proposed dwelling or building on the site, except for:
- earthworks (cut and fill) under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view; and
 - earthworks (cut) for a swimming pool which do not extend further than 2 metres from the edge of the swimming pool:

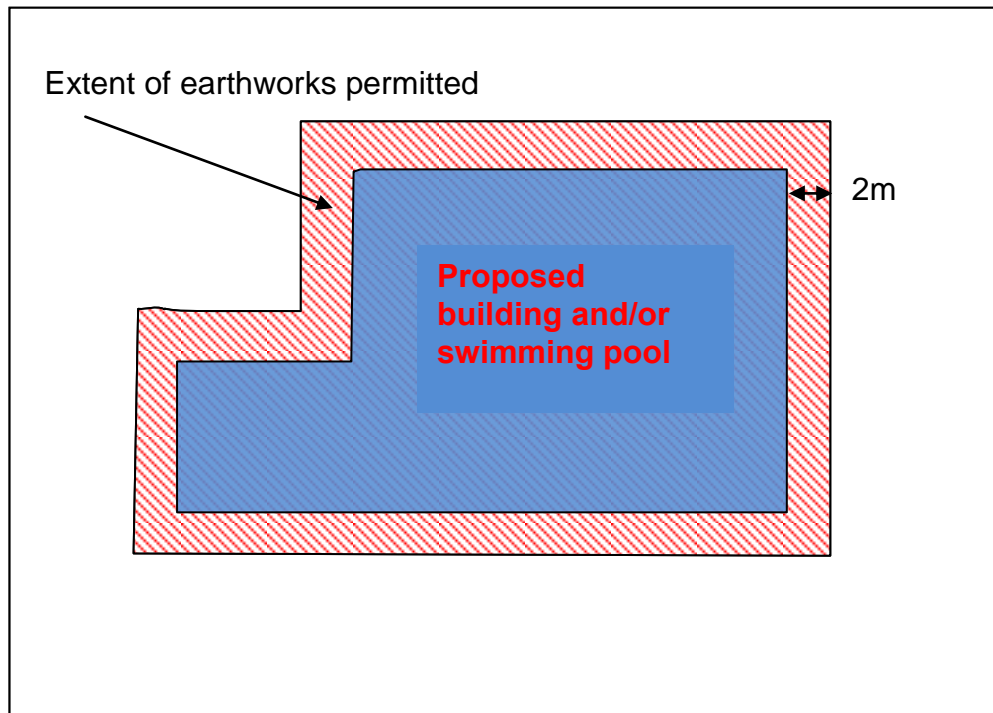
shall not exceed, in a 12 month period:

- (a) 25m² in area within a riparian setback, or
- (b) 100m² in area elsewhere in the Rural Zone, or
- (c) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.
- (iii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees.
- (iv) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.

Note: Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks



Earthworks within a National Grid Yard

Any earthworks within a National Grid Yard:

- (i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm
- (ii) shall not result in a ground to conductor clearance of less than:
 - 6.5m (measured vertically) from a 110kV National Grid transmission line; or
 - 8m (measured vertically) from a 220kV National Grid transmission line.

Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Hazardous substances

No activity shall exceed a Hazardous Substance Threshold of 0.75.

Height

The maximum height of any building or part of a building (including any sign) on a site shall be: 10m. The maximum height of new masts (as a permitted activity) shall be 6 metres.

Height recession plane

All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with an adjacent site.

Loading

All loading and unloading of goods shall take place within the site and clear of all yards.

Native Vegetation Clearance

There shall be no destruction of any native vegetation where:

- (a) the area of native vegetation exceeds 1 hectare with an average height of 3 metres or more, or
- (b) the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. if it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

Noise

- (i) The maximum noise levels from any activity on a site located in the Rural Zone, measured at the Suburban Zone boundary or within 20m of any dwelling on another property shall not exceed the following levels:

(a) L₁₀ 55 dBA day time (7am-10pm),

L₁₀ 45 dBA night (10pm-7am);

(b) L_{max} 75 dBA night time (10pm – 7am.

- (ii) The sound level from any activity on a Rural Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

L₁₀ 60 dBA day time (7am – 10pm)

L₁₀ 50 dBA night time (10 pm – 7am)

L_{max} 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – “Measurement of Sound”. Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.

Screening

All materials which are stored outside a building shall be screened from view from adjoining properties and any road. For the purpose of this standard materials includes wrecked or derelict vehicles and the ongoing storage of building materials or scrap metal.

Signs

One sign per site provided it relates to the activities on the site and does not exceed 1 m² in total area; but excluding signs visible to drivers on a State Highway, and flashing signs.

Note: Refer to the height standard to determine the maximum permitted height of signs.

Siting of Production Forestry

The last row of plantings shall be planted no closer than 10m to a site boundary, and no closer than 20m to any boundary where the site abuts the Suburban Zone.

Temporary Military Training Activities Standards

- (a) Noise from temporary military training activities shall not exceed the following limits when measured at, or within, any residentially zoned site, or the 20 metre notional boundary to any rural residence (or the legal boundary where this is closest to the residence):

7am to 10pm 75dBA L₁₀

7am to 10pm 90dBAL_{max}

10pm to 7am 45dBA L₁₀

10pm to 7am 75dBA L_{max}

Noise resulting from the use of explosives shall not exceed 122dBC "peak" time weighting. Measurements shall be in accordance with the provisions of NZS6801: 1991 Measurement of Sound.

- (b) There shall be no use of tracked or half-tracked vehicles.
- (c) Traffic movements generated on adjoining roads shall not exceed twenty movements per day. In order to comply with this standard the New Zealand Defence Force shall advise the Council not less than one week prior to the commencement date of the proposed military training activity the:
- Total number of vehicles to be used during the exercise;
 - Type of vehicles to be used during the exercise; and
 - The points of access onto adjoining roads.
- (d) Temporary Military Training Activities shall comply with all other relevant rural zone standards.

Yards

The minimum yards for a site shall be:

(a) Front yard

Minimum front yard - 5m.

(b) Riparian setback

Minimum riparian setback for buildings - 20m

(c) Other yard

Minimum other yard - 5m.

Note: Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

D4.2.2 Discretionary activity standards

There are no discretionary activity standards in the Rural Zone.

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D5 JUDGEFORD HILLS ZONE RULES

Explanation

The rules in this chapter of the District Plan relate to the Structure Plan. By its nature, the Structure Plan is indicative. However, subdivision and land use activities must proceed generally in accordance with the location and extent of the Areas shown on the Structure Plan. The Structure Plan is located at the end of this chapter of the District Plan.

D5.1 Activities Tables

D5.1.1 Subdivision activities

i.	<p>Subdivision for the purpose of creating any or all of the five broad divisions of land within the Judgeford Hills Zone, that is:</p> <ul style="list-style-type: none"> • Cluster Residential Areas • Land Attached to Residential Lots • Environmental Enhancement Areas • Primary Production Areas • Public accessways and roads <p>in general accordance with the Structure Plan and the rules in section D5.3 (Standards for Controlled Activities) unless specified below.</p> <p>Explanation</p> <p>The above rule seeks to allow a stage one subdivision where any or all of the five areas shown on the structure plan are subdivided into separate allotments. This subdivision may occur in whole or in part.</p> <p>Subdivision within these areas, is dealt with separately under the other rules of section D51.1.</p> <p>It is intended that subdivision within the Cluster Residential Areas to create individual titles (and associated works or subdivision, such as the creation of roads) will be dealt with under Rule D5.1.1 (ii).</p> <p>However, it is intended that subdivision under Rules D5.1.1(i) and D5.1.1(ii) can occur in stages and/or concurrently.</p>	Controlled
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ii.	Subdivision within the Cluster Residential Areas and Land Attached to Residential Lots via Rule D5.1.1(i) that complies with the relevant standards in the rules in section D5.3 (Standards for Controlled Activities) and in general accordance with these areas shown on the Structure Plan.	Controlled
iii.	Subdivision in the Primary Production Area that complies with the Discretionary Activity Standards and in general accordance with the structure plan.	Discretionary
iv.	Any Controlled Activity Subdivision in the Judgeford Hills Zone that does not comply with the Controlled Activity Standards or the Structure Plan.	Discretionary
v.	Any Discretionary Activity Subdivision in the Judgeford Hills Zone that does not comply with the Discretionary Activity Standards or the Structure Plan.	Non-complying
vi.	Subdivision other than under D5.1.1(i) or (viii) in the Environmental Enhancement Areas.	Discretionary
vii.	Following any subdivision under Rule D5.1.1(i), subdivision of land for reserves or conservation purposes including public accessways.	Discretionary
viii.	Boundary adjustments that do not create additional allotments, do not increase or decrease the total land area within any one allotment by more than 5%, do not increase or decrease a road frontage by more than 5% and do not generate any non-compliance with any Permitted, Controlled, Restricted Discretionary or Discretionary Standard.	Controlled
ix.	Subdivision to facilitate development of Building Site 36 that does not meet the requirements of Rule D5.3 (Standards for Controlled Activities).	Restricted Discretionary
x	Subdivision of land within a National Grid Corridor and provides a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.	Restricted Discretionary
xi	Any subdivision of land within the National Grid Corridor that does not identify a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.	Non-complying

D5.1.2 Land Use Activities

Key:

P Permitted activity – complies with the Standards for Permitted Activities in D5.2

- C Controlled activity – complies with the Standards for Controlled Activities in D5.3
- RD Restricted Discretionary activity – complies with the Standards for Restricted Discretionary Activities under D5.4
- D Discretionary activity – where applicable complies with the Standards for Discretionary Activities under D5.5
- NC Non-complying activity

The location and extent of the Cluster Residential Areas, Land Attached to Residential Lots, Environmental Enhancement Areas and Primary Production Areas are shown on the Judgeford Hills Structure Plan. This clearly identifies:

- The key areas where housing is appropriate (red);
- Areas attached to residential lots where buildings are not appropriate (blue);
- The important areas for environmental enhancement (green);
- The areas suitable for primary production (yellow); and
- Potential public access link to Belmont Regional Park (orange).

CRA LARL EEA PPA		Cluster Residential Areas Land Attached to Residential Lots Environmental Enhancement Areas Primary Production Areas			
		CRA	LARL	EEA	PPA
i.	More than one dwelling per Certificate of Title	NC	NC	NC	NC
ii.	Primary Production activities, unless otherwise specified in this table, which comply with the standards in section D5.2	P	P	D	P
iii.	Intensive animal farming, including pig farming	NC	NC	NC	D
iv.	Dog breeding and dog boarding businesses	NC	NC	NC	NC
v.	Production Forestry activities (including woodlots), unless otherwise specified in this table, which comply with the standards in the rules in sections D5.2 or D5.3 (as required).	C	C	D	P
vi.	Harvesting of Production Forestry up to 5,000m ² within a 12 month period	P	P	P	P

		CRA	LARL	EEA	PPA
vii.	Harvesting of Production Forestry over 5,000m ² within a 12 month period	C	C	C	C
viii.	Minor structures that meet the requirements of rule D5.2 (Standards for Permitted Activities).	P	P	P	P
ix.	One accessory building per Certificate of Title that complies with the Permitted and Controlled Activity Standards.	C	NC	NC	C
x.	More than one accessory building per Certificate of Title	D	NC	NC	D
xi.	Buildings that meet the requirements of rule D5.3 (Standards for Controlled Activities)	C	NC	NC	D
xii.	Buildings within Building Sites 1 and 28 that meet the requirements of rule D5.3 (Standards for Controlled Activities)	RD	NC	NC	D
xiii.	Buildings that do not meet the requirements of Rule D5.3 (Standards for Controlled Activities)	D	NC	NC	D
xiv.	Alterations and additions to existing buildings and accessory buildings where the alterations and additions do not contravene any Permitted Activity Standard or Controlled Activity Standard and do not increase the gross floor area by more than 10%	P	NC	NC	P
xv.	Walkways, boardwalks, and stormwater management structures regardless of whether the structures are buildings, accessory buildings or minor structures.	P	P	C	P
xvi.	Home occupations that comply with the Permitted Activity Standards.	P	P	NC	D
xvii.	Passive recreation activities	P	P	P	P

		CRA	LARL	EEA	PPA
xviii.	The construction, use and maintenance of any access (excluding access by motor vehicles) and facilities to Belmont Regional Park for use by the public including tracks and carpark areas as shown on the Structure Plan	RD	RD	RD	RD
xix.	Signs that comply with the permitted activity standards	P	P	P	P
xx.	New buildings and structures less than 2.5m in height and less than 10m ² in area located within the National Grid Yard that comply with the permitted activity standards and are not being used for a Sensitive Activity.	P	P	P	P
xxi.	Additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m ² in area located within the National Grid Yard.	RD	RD	RD	RD
xxii.	New buildings and structures over 2.5m in height and / or more than 10m ² in area located within the National Grid Yard.	RD	RD	RD	RD
xxiii.	Milking Shed building(s) (excluding associated ancillary structures and stockyards) or building(s) used for an intensive rural production activity (excluding associated ancillary structures), located within the National Grid Yard.	NC	NC	NC	NC
xxiv.	The construction and use, establishment and change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.	NC	NC	NC	NC

		CRA	LARL	EEA	PPA
xxv.	Earthworks within a National Grid Yard that: (a) are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track shall be a permitted activity; or (b) complies with the permitted activity standards for earthworks within a National Grid Yard.	P	P	P	P
xxvi.	Earthworks within a National Grid Yard that do not comply with permitted activity standard 4A.2.4 (v)(i) but comply with standard (ii).	RD	RD	RD	RD
xxvii.	Earthworks within a National Grid Yard that do not comply with permitted activity standard 4A.2.4 (v)(ii).	NC	NC	NC	NC
xxviii.	Any new or upgraded vehicular access to or from Belmont Road and / or the Transmission Gully Motorway	NC	NC	NC	NC
xxix.	The establishment and maintenance of wetlands, areas of native vegetation and private walking tracks that comply with the Permitted Activity Standards	P	P	P	P
xxx.	Earthworks that comply with the Permitted Activity Standards	P	P	P	P
xxxi.	Any wastewater disposal activity Note: Resource consent from Greater Wellington Regional Council may also be required for the disposal of wastewater.	D	D	D	C
xxxii.	More than 40 dwellings and Certificates of Title within the Cluster Residential Area excluding Certificates of Title required for the creation of a road	NC	NC	NC	NC
xxxiii.	Any Permitted Activity (excluding buildings) that does not comply with one or more of the Permitted Activity Standards	RD	RD	RD	RD

		CRA	LARL	EEA	PPA
xxxiv.	Any Controlled Activity (excluding buildings) that does not comply with one or more of the Controlled Activity Standards	RD	RD	RD	RD
xxxv.	Activities not otherwise provided for in this table	D	NC	NC	D
xxxvi.	Buildings within Building Site 36 that meet the requirements of D5.3 (Standards for Controlled Activities)	C	NC	N/A	N/A
xxxvii.	Buildings within Building Site 36 that do not meet the requirements of D5.3 (Standards for Controlled Activities)	RD	NC	N/A	N/A

D5.2 Standards for Permitted Activities

D5.2.1 Access

All accessways and manoeuvring areas shall be formed and surfaced in accordance with Porirua City Council's code of Land Development and Subdivision Engineering 2007 and Part H of the District Plan.

D5.2.2 Artificial light

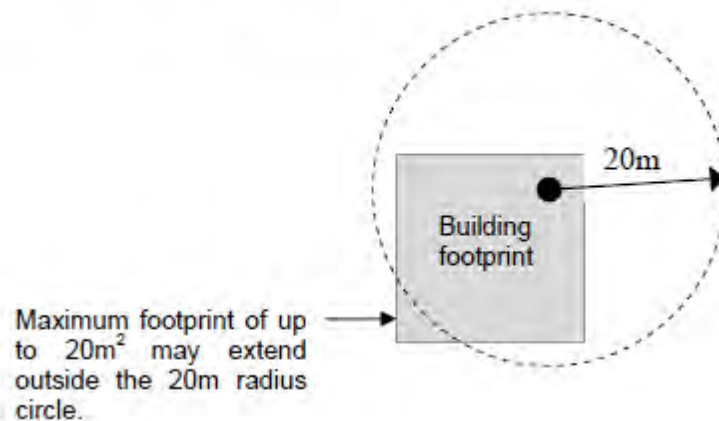
Streetlights shall only be installed where required to comply with AS/NZS 1158 Lighting for Roads and Public Spaces.

Note: In applying this standard Council shall adopt the solution which minimises light spill.

D5.2.3 Building Location

All buildings, other than a footprint of up to 20m² (as shown in Diagram 1), shall be contained within a Building Site as defined in Part M of the Plan.

DIAGRAM 1: Building Location

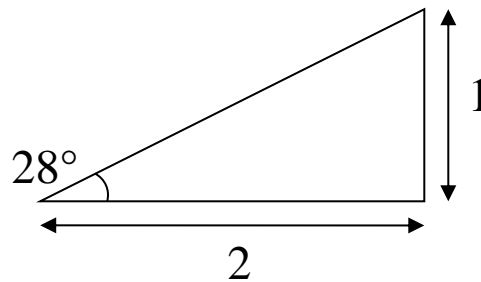
DIAGRAM 1: Building Location

D5.2.4 Earthworks

The following shall apply to earthworks on a site, other than to earthworks for the purpose of constructing and maintaining roads, or earthworks that form part of an approved subdivision:

- (i) Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period:
 - (a) 25m² in area within a riparian setback, or
 - (b) 25m² inside, or within 20m of, an Environmental Enhancement Area; or
 - (c) 100m² in Cluster Residential Areas or Land Attached to Residential Lots; or
 - (d) 500m² in area in a Landscape Protection Area; or
 - (e) 1000m² in area in a Primary Production Area, or
 - (f) 0.5 metres in height or depth within a riparian setback and 1.5 metres in height or depth elsewhere.
- (ii) Earthworks as part of any dwelling or building on a site, except excavations for foundations which do not extend further than 2 metres beyond the exterior walls of any building when measured in plan view shall not exceed, in a 12 month period:
 - (a) 25m² in area within a riparian setback, or
 - (b) 100m² in area elsewhere in the Judgeford Hills Zone, or
 - (c) 0.5 metres in height or depth within a riparian setback and 1.5 metres in height or depth elsewhere

- (iii) Earthworks shall not be undertaken on land with a slope in excess of 28 degrees as shown on the diagram below;



- (iv) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site; and
- (v) Any earthworks within a National Grid Yard:
- (i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm
 - (ii) shall not result in a ground to conductor clearance of less than:
 - 6.5m (measured vertically) from a 110kV National Grid transmission line; or
 - 8m (measured vertically) from a 220kV National Grid transmission line.

Notes: Earthworks may also require consent under the Proposed Regional Soil Plan.

For the purposes of the above standard, a riparian set back is a distance of 20m from the edge of a waterbody.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

D5.2.5 Financial contributions

The payment of all financial contributions in respect of a Permitted Activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Any development of land in the Judgeford Hills Zone that creates a Private Road (as defined by s.315 of the Local Government Act 1974) shall be required to pay a financial contribution equivalent to \$70,000 (+ GST) per kilometre (\$70 + GST per metre) length of private road prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, for the

subdivision featuring the Private Road. This sum is in October 2007¹ dollars and shall be adjusted at the rate of inflation in accordance with the construction cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for the NZ Transport Agency portion of maintenance costs over 54 years. Any unspent funds remaining, together with accumulated interest (based on the Council's average returns on cash investments over the period), will be returned to the developer if the road should vest as public road within this period, being a financial contribution under the Resource Management Act 1991.

The developer will be responsible for the maintenance of any private road for the first seven years after construction of the road an application of the second coat of seal, or until the private road vests as public road if this should occur before the seventh year.

Explanation

Porirua City Council receives a contribution from the NZ Transport Agency for assistance with annual maintenance of public roads vested in the Council.

Porirua City Council also receives a contribution from the NZ Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council's share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years.

However the Council will not be eligible for the NZ Transport Agency contributions in the case of any private road, and therefore the community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the NZ Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the NZ Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of \$70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.2.6 Hazardous substances

No activity shall exceed a hazardous substances threshold of 0.75

¹ October 2007 is the midpoint period over which maintenance costs were calculated.

D5.2.7 Height

No structures shall exceed 8 metres in height and also shall be no more than two storeys.

Chimneys, flues, television aerials and domestic satellite dishes may exceed the maximum height by no more than 1m

D5.2.8 Height recession plane

All buildings, accessory buildings and minor structures must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with an adjacent site.

D5.2.9 Home Occupations

Home occupations must comply with all of the following standards:

- At least one of the persons engaged in the home occupation shall live on the site as their principal place of residence.
- No more than two non-resident persons may be engaged in the home occupation at any one time.
- The repair or maintenance of vehicles or engines, other than those belonging to the residents, is not permitted.
- The site shall not be used as a depot for any heavy vehicle associated with a trade (excluding farm machinery).
- Only goods produced or grown on the site may be sold from the site

D5.2.10 Loading

All loading and unloading of goods shall take place within the site and clear of all yards.

D5.2.11 Noise

The maximum noise levels from any activity on a site located in the Judgeford Hills Zone, measured within 20m of any dwelling on another property shall not exceed the following levels:

- (a) L10 55 dBA day time (7am-10pm),
- (b) L10 45 dBA night (10pm-7am);
- (c) Lmax 75 dBA night time (10pm – 7am).

D5.2.12 Parking

A minimum of two car parks per dwelling shall be provided on site. Every car park shall comply with the technical standards in Part H of the District Plan.

D5.2.13 Production Forestry

Any production forestry shall provide a 10m non-millable buffer distance from any waterbody with a width greater than 1m.

There shall be no production forestry within 20m of any existing dwelling on another site.

D5.2.14 Screening

All materials that are stored outside a building shall be screened from view from adjoining properties and any road. For the purpose of this standard “materials” includes wrecked or derelict vehicles and / or the ongoing storage of building materials or scrap metal.

D5.2.15 Signs

One sign per site provided it relates to the activities on the site and does not exceed 1m² in total area; but excluding signs visible to drivers on a State Highway, and flashing signs.

Note: Signs are required to comply with the height and height recession plane standards.

D5.2.16 Yards and setbacks

The minimum yard standards for a site shall be:

(a) Front yard

Minimum front yard - 5m

(b) Riparian setback

Minimum riparian set back - 20m

Without limiting the definition of a riparian setback in Part M of the Plan, a riparian setback shall also apply to wetlands within the Judgeford Hills Zone. Wastewater disposal fields are subject to the Riparian setback.

(c) Other yard

Minimum other yard - 5m

Note: The above yard standards apply to buildings, accessory buildings and minor structures. However, the yard standards do not apply to fences (including fences for the containment of stock) or walls that are minor structures.

New dwellings shall not be built within 20m of an existing production forest.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

New dwellings shall not be built within a fault avoidance zone 40m either side of the fault traces shown on the Judgeford Hills Structure Plan unless further investigation, which may include trenching, has established the exact location of the relevant fault, in which case the separation distance may be reduced to 20m.

D5.3 Standards for Controlled Activities

D5.3.1 Permitted Activity Standards

All Controlled Activities shall comply with all the Permitted Activity Standards.

D5.3.2 Subdivision

D5.3.2.1 Environmental Management Plan:

An Environmental Management Plan for all of the Environmental Enhancement Areas shown on the Structure Plan shall be provided to and approved by Council prior to the issue of an approval under s224(c) of the Resource Management Act 1991 for any new certificates of title approved under the Structure Plan. The plan will have as its key performance objectives:

- (a) The protection, enhancement and adequate buffering of the remnant forest;
- (b) The revegetation and long term management of retirement areas including hillslopes, wetlands, and riparian margins; and
- (c) Best practice design and construction of treatment wetlands and their long term health and function through effective monitoring and maintenance regimes.

Consistent with practical implementation, the Environmental Management Plan shall aim to maximise the extent of revegetation in native species and shall include, but not be limited to, the following matters:

- a) Proposed measures and areas for revegetation and wetland enhancement;
- b) The fencing required and areas from which stock will be excluded;
- c) Public accessways and tracks required to give effect to the objectives and policies;
- d) Timeframes to complete any works required by (a) through to (c);
- e) Performance standards for vegetations establishment and ongoing maintenance, including weed and pest control;
- f) Measures to manage sediment control and water quality with particular regard to the Pauatahanui Inlet catchment;
- g) Measures to ensure fish passage past instream works; and

- h) Monitoring and reporting to Council on the achievement of the EMP's intended outcomes.

The Environmental Management Plan shall be developed and monitored by a suitably qualified ecologist.

Note: As a minimum, conditions may be placed on any resource consent to ensure compliance with the Environmental Management Plan.

D5.3.2.2 Financial contributions

The payment of all financial contributions in respect of a Controlled Activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Any development of land in the Judgeford Hills Zone that creates a Private Road (as defined by s.315 of the Local Government Act 1974) shall be required to pay a financial contribution equivalent to \$70,000 (+ GST) per kilometre (\$70 + GST per metre) length of private road prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, for the subdivision featuring the Private Road. This sum is in October 2007² dollars and shall be adjusted at the rate of inflation in accordance with the construction cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for the NZ Transport Agency portion of maintenance costs over 54 years. Any unspent funds remaining, together with accumulated interest (based on the Council's average returns on cash investments over the period), will be returned to the developer if the road should vest as public road within this period, being a financial contribution under the Resource Management Act 1991.

The developer will be responsible for the maintenance of any private road for the first seven years after construction of the road an application of the second coat of seal, or until the private road vests as public road if this should occur before the seventh year.

Explanation

Porirua City Council receives a contribution from the New Zealand Transport Agency for assistance with annual maintenance of public roads vested in the Council.

Porirua City Council also receives a contribution from the New Zealand Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council's share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years. However the Council will not be eligible for the New Zealand Transport Agency contributions in the case of any private road, and therefore the

² October 2007 is the midpoint period over which maintenance costs were calculated.

community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the New Zealand Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the New Zealand Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of \$70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.3.2.3 Maximum number of lots:

Within each of the clusters identified on the Structure Plan, the following maxima apply:

Cluster Area A – 6 lots

Cluster Area B – 16 lots

Cluster Area C – 6 lots

Cluster Area D – 7 lots

Cluster Area E – 8 lots

Provided that no more than 40 lots shall be created in the Cluster Residential Areas.

Explanation

The Structure Plan identifies Cluster Residential Areas A – E. In turn, the Design Guidelines identify 43 lots and building locations. However, only a maximum of **40 lots** and dwellings can be created as a Controlled Activity. The intention of identifying 43 preferred lots and building locations is to provide flexibility for the development of the resource consent application, not to facilitate the development of more than 40 lots.

D5.3.2.4 Minimum Lot Sizes

All land within the Land Attached to Residential Lots and Cluster Residential Areas shall be held within a Certificate of Title containing no less than 2000m² of land.

These standards shall not apply to any lot for utility, reserve or conservation purposes.

There is no minimum allotment size for lots within the Environmental Enhancement Areas

Lots in the Primary Production Area

Either:

- (a) all land in the Primary Production Area shall be held within a single Certificate of Title, or
- (b) the minimum size for a separate Certificate of Title shall be 40 ha

D5.3.2.5 Reverse sensitivity

All certificates of title created within all Cluster Residential Areas and Land Attached to Residential Lots Areas shall contain a consent notice advising the existence of rural and infrastructure activities in the area (including the existence of the high voltage transmission lines, regional water main, and gas pipeline), and the notice shall note:

- that these activities will continue into the future;
- that these activities may include production forestry; and
- that these activities may generate odour, dust and noise that could affect the property.

All certificates of title created from land within Cluster D and Cluster E shall contain a consent notice advising of the presence of the Transmission Gully Motorway designation.

The design and construction of all dwellings located within Cluster D and Cluster E shall ensure that future noise from traffic within the Transmission Gully Motorway Designation does not exceed 40 dBA Ldn within any habitable room. For the purposes of this standard, a habitable room is a space within a dwelling that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room or other space of a specialised nature occupied neither frequently nor for extended periods of time.

D5.3.2.6 Services

Any application for subdivision consent, other than under D5.1.1(i), that will create an allotment containing a building site, shall demonstrate how all allotments will be provided with a connection to a reticulated water supply, reticulated wastewater services, a stormwater system and legal access to a road.

To comply with the above standard, wastewater reticulation must be to one centralised wastewater treatment facility.

Note: Access to a road includes access via a private road for public purposes, a right of way, or a combination thereof.

D5.3.2.7 Stormwater

Any application for a subdivision consent shall demonstrate how stormwater will be managed within the Judgeford Hills Zone so that stormwater flows exiting the Zone after the development will be the same as, or less than, pre

development flows and that water quality shall be the same, or better, than pre development quality.

D5.3.2.8 Traffic Safety

Any application for a subdivision consent shall demonstrate how traffic safety in relation to existing Bradey Road driveways within 50m of the Judgeford Hills Zone will be managed (eg through the provision of a flush median or other approved traffic safety management device).

D5.3.2.9 Building Site 36

Subdivision to create a lot that facilitates development of Building Site 36 is allowed as a Controlled Activity subject to construction of the Transmission Gully Motorway having commenced on the designated land between State Highway 58 and Linden³.

D5.3.3 Land use

D5.3.3.1 Buildings

The construction of buildings and accessory buildings shall have regard to the design guide and shall comply with the Permitted Activity Standards.

D5.3.3.2 Financial contributions

The payment of all financial contributions in respect of a Controlled Activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Any development of land in the Judgeford Hills Zone that creates a Private Road (as defined by s.315 of the Local Government Act 1974) shall be required to pay a financial contribution equivalent to \$70,000 (+ GST) per kilometre (\$70 + GST per metre) length of private road prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, for the subdivision featuring the Private Road. This sum is in October 2007⁴ dollars and shall be adjusted at the rate of inflation in accordance with the construction cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for the NZ Transport Agency portion of maintenance costs over 54 years. Any unspent funds remaining, together with accumulated interest (based on the Council's average returns on cash investments over the period), will be returned to the developer if the road should vest as public road within this period, being a financial contribution under the Resource Management Act 1991.

The developer will be responsible for the maintenance of any private road for the first seven years after construction of the road an application of the second coat of seal, or until the private road vests as public road if this should occur before the seventh year.

Explanation

³ See explanation for rule D5.4.3

⁴ October 2007 is the midpoint period over which maintenance costs were calculated.

Porirua City Council receives a contribution from the New Zealand Transport Agency for assistance with annual maintenance of public roads vested in the Council.

Porirua City Council also receives a contribution from the New Zealand Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council's share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years. However the Council will not be eligible for the New Zealand Transport Agency contributions in the case of any private road, and therefore the community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the New Zealand Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the New Zealand Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of \$70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.3.3.3 Production Forestry

Production Forestry, or woodlots in the Cluster Residential Areas and Land Attached to Residential lots, shall be located to ensure that distant views and outlooks from the Building Sites are retained in the long term, taking into account the mature height of the trees to be planted.

D5.3.3.4 Roding

All new roads within the Judgeford Hills Zone shall meet the roading standards set out in Part H of the District Plan. Except that the Bradey Road Extension shall not be required to comply with the minimum legal width standards set out in Part H of the District Plan.

D5.3.3.5 Reverse sensitivity

The design and construction of all dwellings located within Cluster D and Cluster E shall ensure that future noise from traffic within the Transmission Gully Motorway Designation does not exceed 40 dBA Ldn within any habitable room. For the purposes of this standard, a habitable room is a space within a dwelling that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway,

lobby, clothes-drying room or other space of a specialised nature occupied neither frequently nor for extended periods of time.

D5.3.3.6 Services; water supply and wastewater

Any application for a dwelling within the Cluster Residential Area shall demonstrate how that dwelling will be connected to a reticulated water supply and reticulated wastewater services.

D5.3.3.7 Stormwater management

Any application for a building shall demonstrate how stormwater will be managed to comply with the overall stormwater requirements for the Judgeford Hills Zone.

D5.3.3.8 Building Site 36

The erection of a building within Building Site 36 is allowed as a Controlled Activity subject to construction of the Transmission Gully Motorway having commenced on the designated land between State Highway 58 and Linden⁵.

D5.3.4 Matters of Control for Controlled Activities

D5.3.4.1 Subdivision

In addition to matters under Part II of the Act, the matters over which Council reserves control in relation to subdivision are:

- Layout
- Location and standard of roads and accessways
- Vegetation clearance
- Earthworks, including effects of erosion, sediment control and construction management
- Infrastructure and services, including fire fighting water supply, provision of new services and protection of existing infrastructure
- Flooding
- Natural hazard management
- Fencing
- Structure planting
- The allocation of parts of the Environmental Enhancement Areas (as environmental covenant areas) to Cluster Residential allotments, as appropriate.
- The effects of artificial lighting on surrounding rural character
- Traffic safety

⁵ See explanation for rule D5.4.3

- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule D5.4.4 covers subdivision within the National Grid Corridor.

D5.3.4.2 Land use

In addition to matters under Part II of the Act, the matters over which Council reserves control in relation to land use are:

- Building location
- Connections to services
- Consistency with the design guide and structure plan
- Design, external appearance and siting
- Location, design and alignment of access drives
- Landscaping and planting
- Natural hazard management
- Financial contributions under Part E
- Earthworks, including visual effects and the effects of erosion, sediment control and construction management
- The effects of artificial lighting on surrounding rural character
- Amenity planting
- The protection of the existing High Voltage Transmission Line
- Traffic safety

Council may also place a condition on a land use consent for a building requiring a registered professional surveyor to verify that the constructed building is consistent with the building location approved by Council.

D5.3.4.3 Production Forestry and harvesting activities

Not limiting any other matters of control above, Council may impose conditions over the following matters for resource consents related to Production Forestry or harvesting activities:

- The method and time of harvesting
- The hours of operation of the harvesting

- The location of access to the harvesting site
- The route(s) used by logging vehicles and equipment
- In regard to consents for Production Forestry activities, the location of trees to ensure that distant views and outlooks from Building Sites are retained in the long term, taking into account the mature height of the trees to be planted
- Financial Contributions under Part E

D5.4 Standards for Restricted Discretionary Activities

D5.4.1 Restricted Discretionary Activities under Rule D5.1.2(xviii)-Belmont Regional Park

Council restricts the exercise of its discretion to:

- The layout, route and standard of formation of any access
- The provision of associated facilities (such as car parking, signage and stormwater management)
- The traffic effects associated with establishing access to Belmont Regional Park
- The impact on amenity values of residential development, including noise and construction effects, such as vibration and dust.

In exercising its discretion, Council may be guided by applicable Aust Roads standards, the Tracks and Outdoor Visitor Structures standard (SNZ HB 8630:2004), and the IMBA's Trail Solutions.

D5.4.2 Restricted Discretionary Activities under Rule D5.1.2(xii)- Building Sites 1 and 28

Council restricts the exercise of its discretion to:

- The effects of potential inundation upon buildings within building sites 1 and 28.

D5.4.3 Restricted Discretionary Activities under Rule D5.1.2(xxvii) and Rule D5.1.1(ix) – Building Site 36

Council restricts the exercise of its discretion to:

- The Matters of Control for Controlled Activities in Rules D5.3.4.1 and D5.3.4.2.
- The likelihood that the Transmission Gully Motorway (between SH58 and Linden) will commence construction within five years from the date of application.

Explanation

Potential effects associated with the subdivision and development of Building Site 36 (and its associated land) may vary in their significance depending on whether or not the nearby planned “preferred route” of the Transmission Gully Motorway (TGM) which was announced on 11 July 2008 is built⁶. In the context created by the construction of the “preferred route” motorway, the actual and potential adverse effects of development on Building site 36 will almost certainly be minor, and for this reason it becomes a controlled activity. However, if the preferred motorway is not built, or is built on the designation alignment as set out in the District Plan as 01/09/08, the Council would need to consider the potential adverse effects of development of house site 36 and an application would be treated as restricted discretionary.

A resource consent application for subdivision and / or development on Building Site 36 should be supported by evidence that motorway construction will commence within five years of the date of application. In assessing whether or not the standard is met, the Council will have regard to the TGM project’s achievement of recognised milestones such as finalisation of the designation, gaining all necessary statutory consents, necessary land purchase, the satisfaction of pre-construction conditions, TGM’s priority in the regional transport strategy, the status of funding, and the letting of construction contracts.

D5.4.4 Restricted discretionary activities under Rule D5.1.1.x

The Council has restricted its discretion to the following matters when considering an application for resource consent and/or appropriate conditions:

- (i) the extent to which the design, construction and layout of the subdivision (including landscaping) demonstrates that a suitable building platform for a dwelling for each new lot can be provided identified outside of the National Grid Yard to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;
- (ii) The provision for the on-going operation, maintenance (including access) and planned upgrade of Electricity Transmission Lines;
- (iii) The risk to the structural integrity of the National Grid;
- (iv) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;
- (v) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

⁶ See plan “Alignment: 3, Connection Option: 1, JC/0.6”, dated 2 May 2008, located at the end of this chapter of the District Plan

Advice Notes:

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

D5.4.5 Restricted discretionary activities under Rules D5.1.2xxi and Rules D5.1.2xxii

The Council has restricted its discretion to the following matters when considering an application for resource consent:

- (i) Any risk to the structural integrity of the transmission line;
- (ii) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
- (iii) The proximity of buildings and structures to electrical hazards;
- (iv) Operational risks relating to health or public safety, and the risk of property damage;
- (v) Amenity effects; and
- (vi) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Notes:

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

D5.4.6 For all other Restricted Discretionary Activities, Council restricts the exercise of its discretion to the following matters:

- The effects of the non-compliance with Controlled or Permitted Activity Standards that the proposal does not comply with;
- The degree of consistency with relevant Objectives and Policies of the Judgeford Hills Zone.
- For earthworks that do not comply with the Permitted Activity Standards, Council's discretion is restricted to the effects of the earthworks (including visual effects), the degree of consistency with relevant Objectives and Policies and, for earthworks near high voltage transmission lines, the consistency with NZECP 34:2001.

D5.5 Standards for Discretionary Activities

D5.5.1 There shall be no more than two Certificates of Title for land in the Primary Production Area.

D5.6 Assessment Criteria for Discretionary Activities

Purpose

The purpose of the criteria below is to encourage sensitive layout and design that respects the natural processes and features of the site, and minimises adverse landscape, visual and ecological effects.

D5.6.1 The following matters are to be taken into account in considering any application for resource consent:

- The extent to which the proposal accords with the Judgeford Hills Zone Structure Plan and the Judgeford Hills Design Guide
- The nature and extent of any variation(s) from the zone standards and the effects of the variation(s)
- The extent to which any earthworks are consistent with an earthworks management plan produced to support the proposal that shows how all adverse effects, including matters of erosion, sediment control and construction management will be avoided, remedied or mitigated.
- Location of buildings in relation of the fault line or transmission line setbacks identified on the structure plan and within the Permitted Activity Standards.
- The effects on existing infrastructure, including the high voltage transmission line, regional water main and the gas pipeline.
- The cumulative effect of multiple (both proposed and existing) wastewater treatment activities.
- The extent to which the proposal:

- Is consistent with rural character in the Judgeford Hills Zone and surrounds
- Avoid potential for amenity conflicts, reverse sensitivity issues and effects on amenity values
- Recognises the potential for natural hazards
- Recognises, protects and enhances natural patterns, processes and features
- Protects and improves water quality
- Protects and enhances indigenous vegetation and habitats for indigenous fauna
- Avoids large-scale earthworks particularly on ridgelines, steep ground, spurs and other prominent landforms
- Ensures that any built structures, including roads and infrastructure, physically and visually integrate with the landscape and minimise adverse effects on the environment.
- Ensures planting is sympathetic to the underlying landform and uses species consistent with the rural landscape and locality
- Enables primary production to continue
- Provides open space and recreational access.

D5.7 City-wide Provisions

D5.7.1 In addition to the zone rules set out above, the Judgeford Hills Zone is also subject to the City-wide provisions, where relevant, contained in parts E to M of the District Plan which relate to:

- | | |
|----|--|
| E | Financial contributions |
| F | Information to be supplied |
| G | Cross boundary issues |
| H | Car parking, vehicle movements and roads |
| HH | Historic Heritage |
| I | Hazardous facility screening procedure |
| K | Designations |
| L | Monitoring |
| M | Interpretation |

D5.8 Definitions Applying only to the Judgeford Hills Zone

All definitions within Part M: Interpretation (except the definition of a building), shall apply to the Judgeford Hills Zone. However, the following definitions shall apply only to the Judgeford Hills Zone.

- (i) **Home Occupation** means an occupation, business, trade, craft or profession which is carried out within a site, but is subordinate to the residential activity. A Home Occupation does not include any activity that requires, or is associated with, motor vehicle storage or repair (including panel beating and spray painting) any noxious or offensive trade, or outdoor storage of plant and equipment.

Homestay and Bed and Breakfast activities are Home Occupations provided the total number of persons accommodated on the site at any one time, including persons normally resident on the site, does not exceed twelve.

- (ii) **Building** means any dwelling, structure or part of a structure, whether temporary or permanent, movable or immovable, but does **not** include:

- A minor structure
- An accessory building
- A sign

- (iii) **Accessory building** means a building which is associated with a dwelling measuring not more than 25m² in ground floor area, not more than 6m in height and not itself being a dwelling.

- (iv) **Minor structure** means

- Fences or walls of up to 2m in height not used for advertising or for any purpose other than a fence or wall.
- A fence for the containment of stock.
- Structures less than 5m² in area and up to 2m in height.
- Swimming pools.
- Tennis courts and gardens.
- Water tanks not exceeding 4m in height.
- Decks less than 1.5m in height.
- A structure less than 40m² in area and less than 3m in height that is solely for the purpose of outdoor amenity, and is not a dwelling (for example, a pergola).

- (v) **Road** means a Road or any Private Road as defined under the Local Government Act 1974 and includes for the sake of clarity, any easement in gross in favour of the Council and extended to members of the public over the Bradey Road Extension.

- (vi) **Bradey Road Extension** means that segment of road as shown on the Structure Plan extending over Lot 9 DP 81760 and parts of Lots 5 and 12 DP 81760
- (vii) **Building site** is a circle with a 20m radius surrounding one of the NZ Geodetic 2000 datum Wellington circuit co-ordinates listed in the table below.

Building site number	NZ Geodetic 2000 datum Wellington circuit co-ordinate	
	Easting	Northing
1	411522.25	819091.62
2	411388.80	819222.40
3	411338.41	819141.37
4	411313.35	819044.85
5	411297.47	818902.85
6	411428.71	818679.10
7	411544.57	818338.35
8	411526.52	818290.98
9	411591.81	818277.28
10	411620.19	818196.57
11	411629.09	818114.00
12	411653.24	817957.72
13	411633.23	817896.51
14	411539.18	817959.17
15	411493.74	817931.25
16	411438.22	817956.14
17	411512.15	818043.49
18	411486.14	818110.14
19	411445.61	818186.34
20	411509.42	818196.62
21	411387.52	818389.21

Building site number	NZ Geodetic 2000 datum Wellington circuit co-ordinate	
	Easting	Northing
22	411402.71	818435.25
23	411011.57	818731.72
24	410953.19	818700.54
25	410920.84	818617.88
26	410850.22	818548.44
27	410830.81	818469.04
28	410702.78	818220.41
29	410539.94	818207.46
30	410436.53	818280.09
31	410477.36	818338.92
32	410478.17	818397.95
33	410475.35	818469.30
34	410524.76	818468.90
35	410571.00	818357.80
36	410549.58	818686.52
37	410637.62	818576.18
38	410606.11	818651.57
39	410669.93	818710.85
40	410728.94	818860.07
41	410763.41	818936.78
42	410851.34	818965.68
43	410824.75	819020.03

JUDGEFORD HILLS DESIGN GUIDE

1 Introduction

Construction of buildings including new dwelling houses and accessory buildings and structures in the Cluster Residential Areas is a Controlled

Activity. The Judgeford Hills Design Guide sets out objectives and guidelines that proposals for buildings including new dwelling houses, accessory buildings within these areas will need to address. (Rule D5.3)

The intention of the Judgeford Hills Design Guide is to ensure the Residential Cluster Areas are developed in accordance with the outcomes sought under the Structure Plan. Overall, this will assist the site to retain a rural character in the long term.

A plan located at the end of this chapter of the District Plan, (Preferred Building Sites and Lot Boundaries) shows indicative lot boundaries and the location of the Building Sites. The indicative lot boundaries are included as information only, as means of illustrating the likely nature of the residential clusters. The Building Sites are discussed in section 2.2 of this guide.

The Judgeford Hills Design Guide is not prescriptive, as a set of rules does not ensure sensitive and innovative design. The Judgeford Hills Design Guide allows flexibility for innovative design. The objectives state the desired outcomes and the guidelines provide guiding principles on specific issues.

The Judgeford Hills Design Guide will assist in providing a level of certainty to residents and potential residents by providing:

- Clear guidance to decision making that will contribute positively to the rural character and rural amenity of the site; and
- Long-term assurance that the rural character and rural amenity of the Judgeford Hills site will be retained or enhanced.

The overarching objectives addressed in the Judgeford Hills Design Guide are to:

- Endorse and enhance the rural character of the Judgeford Hills site;
- Protect and enhance the rural amenity of the site;
- Protect and enhance the natural systems, features and landforms present;
- Provide for, and encourage, the development of quality rural residential development.

The objectives below are discussed in terms of the three key activities that could potentially affect the rural values of the site: Buildings and Structures, Access Drives, and Structural and Amenity Planting.

2 Objectives

The objectives provide an explanation of the rationale behind the intended environmental outcomes. Development proposals must consider and satisfy the intent of the objectives as well as the more specific requirements of the guidelines.

2.1 Rural Character and Amenity

The Judgeford Hills Zone has been formulated to provide opportunities for living in a quality rural environment that will be sustained long term.

Rural environments are valued for their natural and open space qualities. People who choose to live in rural locations value rural amenity that is associated with a sense of spaciousness, privacy, quietness and absence of traffic bustle. Rural character consists of an environment relatively uncluttered by structures and artificial features, and a clean environment characterised by fresh air and clean water.

The rural character of the surrounding area has a settlement pattern typical of many rural, landscapes. Clusters of buildings and structures, surrounded by tall tree shelter and amenity trees, are separated by open farmland. The vegetation serves to nestle the structures into the landscape, often obscuring or partially obscuring them from view. Shelterbelts and woodlots of exotic trees species are often geometric in form and can detract from the natural features of the landform. However, native vegetation typically confined to steep ground and gullies often has a more organic, natural form that reinforces the underlying landform.

The enclosed nature of the Judgeford Hills site means that buildings, accessory buildings and structures and activities have the potential to impact on the rural amenity of other residents within the development. It is therefore important that as the rural community becomes established, the rural qualities that attracted residents in the first place, are retained.

Development of the Cluster Residential Areas should seek to endorse and enhance the existing natural and rural character. Buildings, structures and access drives should not overwhelm the natural features of the site, but instead be integrated with the landforms.

Establishment of suitable vegetation can assist to minimise the visual and landscape effects of buildings and access drives. However, tree planting alone is not a substitute for poor or ill-considered design. Sensitive and innovative siting and design of various elements such as buildings, fences and other structures within the Cluster Residential Areas is the essential foundation. However, the vegetation structure can contribute to, and enhance the integration of the development with the site.

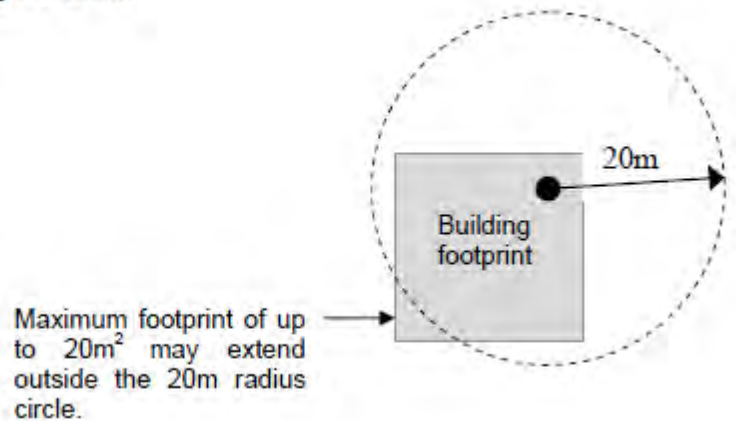
2.2 Buildings and Structures

Buildings including dwellings and accessory buildings and non-residential buildings should be sited and designed so they are physically and visually integrated with the natural features of the allotment. Buildings should be designed specifically for each individual building site to ensure they are not visually prominent.

However, there are some minor structures, such as swimming pools and fences, which whilst associated with residential activity, have minimal potential for visual impact in the context of the Cluster Residential Areas. Consequentially, the focus of the Design Guidelines is on the design and potential impact of buildings and accessory buildings.

Building Sites are shown on the Structure Plan and on the Preferred Building Sites and Lot Boundaries Plan. All buildings, not including accessory buildings, other than a footprint of up to 20m², must be contained within a 20m radius circle from the NZ Geodetic 2000 Datum Wellington circuit co-ordinate that identifies each Building Site.

DIAGRAM 1: Building Location



The Building Sites have been selected to minimise visual effects and protect the rural amenity for all residents, both existing and future.

The Building Sites are located to:

- avoid visually prominent positions;
- provide an outlook or view unobstructed by other houses sites;
- provide privacy or have the potential for the establishment of visual screening (vegetation) between neighbouring house sites;
- to cluster buildings together to avoid buildings being scattered throughout the site, and to encourage buildings to appear as a cohesive element with a consistent appearance; and
- minimise the need for earthworks for the construction of dwellings and access drives. Therefore, the Building Sites are located on flatter land, in close proximity to the access road, where access drives can be easily formed.

The Building Sites are considered to achieve the objectives of the Judgeford Hills Design Guide, in relation to the siting of dwellings and buildings. However, it is recognised that there may be other building sites or deviations from the preferred sites. Alternative sites will need to be assessed against the objectives of the Judgeford Hills Design Guide, and must meet the criteria used to identify the location of the Building Sites shown on the Structure Plan (refer criteria set out in Guidelines).

The external appearance of buildings and structures can have significant visual effects for neighbours and the community. A single and dominant 'out of place' building in a rural setting can affect the rural amenity of many other residents. Buildings and structures should avoid being visually obtrusive and should not dominate the site or its existing natural features. The scale and style of

buildings and accessory buildings should be non-urban in character and in keeping with the rural surroundings.

The establishment of accessory buildings and structures can potentially, adversely affect overall rural character, and the visual and rural amenity of the site. In particular, if accessory buildings are poorly sited, out of scale with associated dwelling, or if there are several dotted throughout a single lot, they can be more visually prominent than the dwelling itself. Essentially, the placement, scale and style of accessory buildings need to avoid or minimise the same potential landscape and visual effects as for dwellings. Additionally, the potential for 'visual clutter' that several accessory buildings or structures can create should be avoided.

2.3 Access Drives

Access drives can, if poorly sited or designed, have more significant landscape and visual impacts than buildings. This is especially so on hilly topography such as Judgeford Hills, where any earthworks on prominent hill faces or elevated ground may be highly visible from many locations.

Access drives should be aligned to avoid prominent locations and constructed to ensure only minimal earthworks are needed. The cuts and batters should be carefully integrated with the existing landforms. Retaining walls, often necessary in restricted urban or suburban sites, should be avoided.

2.4 Vegetation

Vegetation makes a significant contribution to rural character. Not only does it create patterns in the landscape, but it can also visually soften, obscure and integrate earthworks, buildings and structures with the landscape. Vegetation also provides privacy from neighbours and shelter from the elements.

Additionally, ecological benefits can be significant with appropriate species selection and planting patterns. There is existing vegetation on the property. However, additional planting for environmental enhancement is proposed under the Structure Plan.

Geometric patterns of vegetation such as shelterbelts and woodlots should be avoided in prominent positions. Instead, more organic groupings should be the aim that reflect and enhance the natural contour of the hills. Planting of appropriate native species adjacent to the Environmental Enhancement Areas would have significant ecological benefits. Such planting would also provide areas of 'transitional' vegetation, connecting the areas of native vegetation with exotic plantings that are likely to be established near the dwellings.

Given the windy nature of the site, species that are able to handle the prevailing environmental conditions should be used to ensure rapid and successful establishment of shelter.

3 Guidelines

- 3.1 All buildings other than a footprint of up to 20m², must be contained within a 20m radius circle from the NZ Geodetic 2000 Datum Wellington circuit co-ordinate that identifies each Building Site (shown on the Structure Plan).
- 3.2 Building must be located to ensure privacy, separation from neighbouring houses, and maintenance of open space and outlook and with sufficient space to establish effective vegetation buffers if appropriate. Erection of dwellings within the Preferred House Sites achieves this.
- 3.3 Buildings should be located in order to maintain primary views and outlooks from other Building Sites and established dwellings.
- 3.4 Buildings should respond to the natural landform of the site and have a non-urban character.
- 3.5 External wall cladding and roofing of all buildings should have reflectivity values of less than 40% and predominantly use a palette of 'natural earth' colours, to reduce the visibility and visual effects of buildings when viewed from other lots.
- 3.6 Accessory buildings and non-residential buildings should have a form and scale that reflects the dwelling's form and scale, be visually subservient to the dwelling, and avoid being visually prominent.
- 3.7 Accessory buildings, non-residential buildings and structures should be grouped together or coalesced to avoid visual clutter within the lot
- 3.8 Earthworks required for house construction and for accessory buildings should be minimised, with buildings designed to relate to the existing topography.
- 3.9 Access drives should be aligned and designed to reduce the visual effects of earthworks and cut faces, and ensure that batter slopes are integrated with the adjacent topography.
- 3.10 Planting of shelter and amenity vegetation is encouraged. Group plantings should preferably relate to the natural landforms of the site rather than having a geometric configuration. Locally sourced native species should preferably dominate vegetation planted adjacent to boundaries with Environmental Enhancement Areas. Groups of trees and shelterbelts should be located to avoid blocking views and outlooks from established dwellings or Building Sites.
- 3.11 Alternative building sites to those illustrated as Building Sites must be located to achieve the same outcomes provided by the 'Building Sites' so as to avoid potential adverse effects on the rural and visual amenity of neighbouring residents, the wider rural landscape and other Building Sites. Identification of alternative house sites must consider the effects on adjoining and other potentially affected lots.

The location of alternative building sites must comply with the objectives of the Design Guidelines and meet the following criteria:

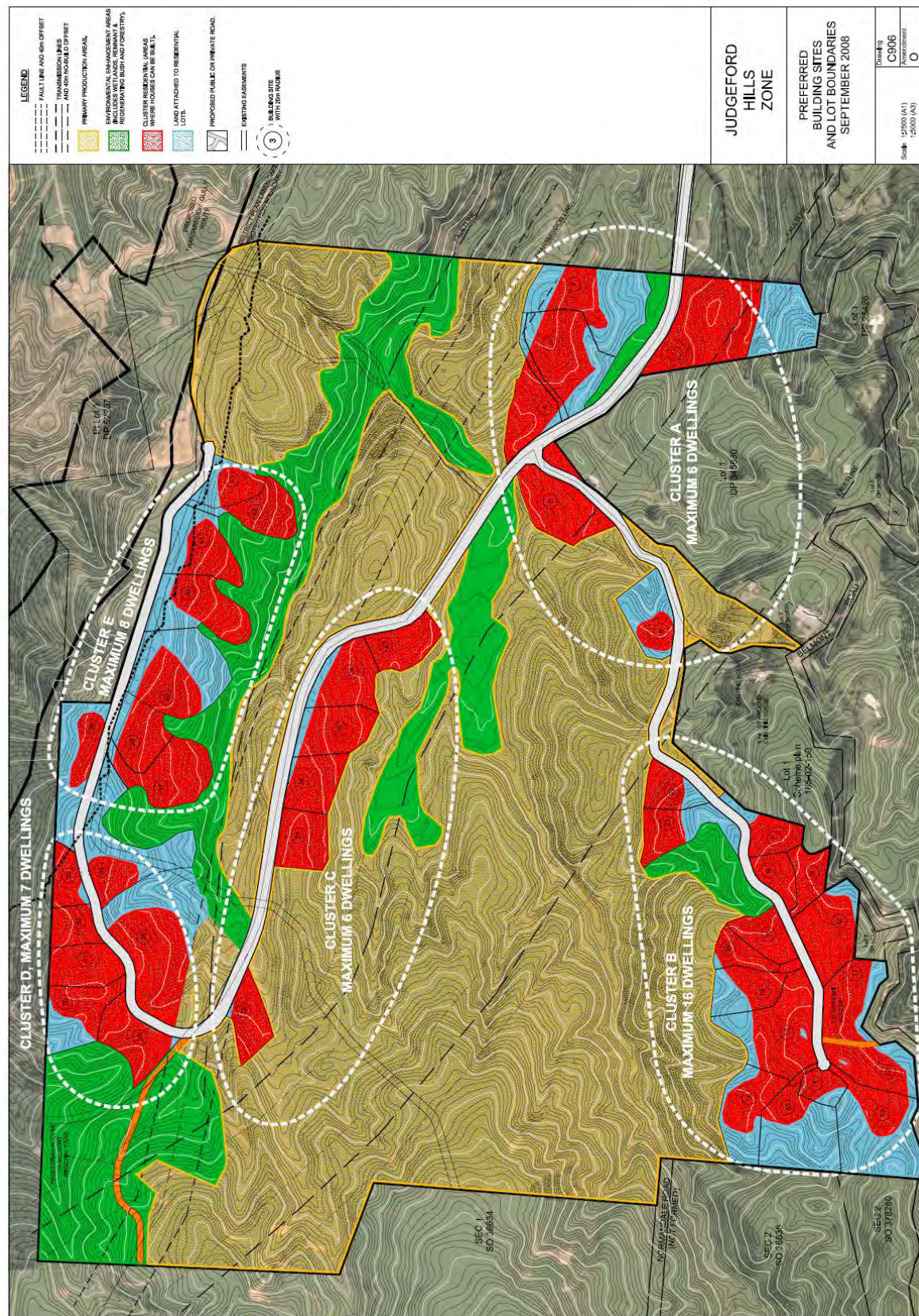
- Avoid visually prominent locations such as ridges and hill tops.
- Avoid encroachment or obstruction of the outlooks or views from other Building Sites or established houses.

- Provide an open outlook or view; that is not potentially obstructed by other dwellings or vegetation.
- Provide visual privacy between adjoining house sites; by way of either a) separation by landforms (ridges, hills, mounds), or vertical separation provided by sloping ground; or b) potential for effective screening through the establishment of vegetation.
- Provide open space between other house sites and within each lot.
- Minimise the requirement for earthworks by avoiding steeper land for house sites and access drives.
- Minimise the visual effects of access driveways. The alignment and design of access ways must be practicable and avoid visually prominent locations and steep land.

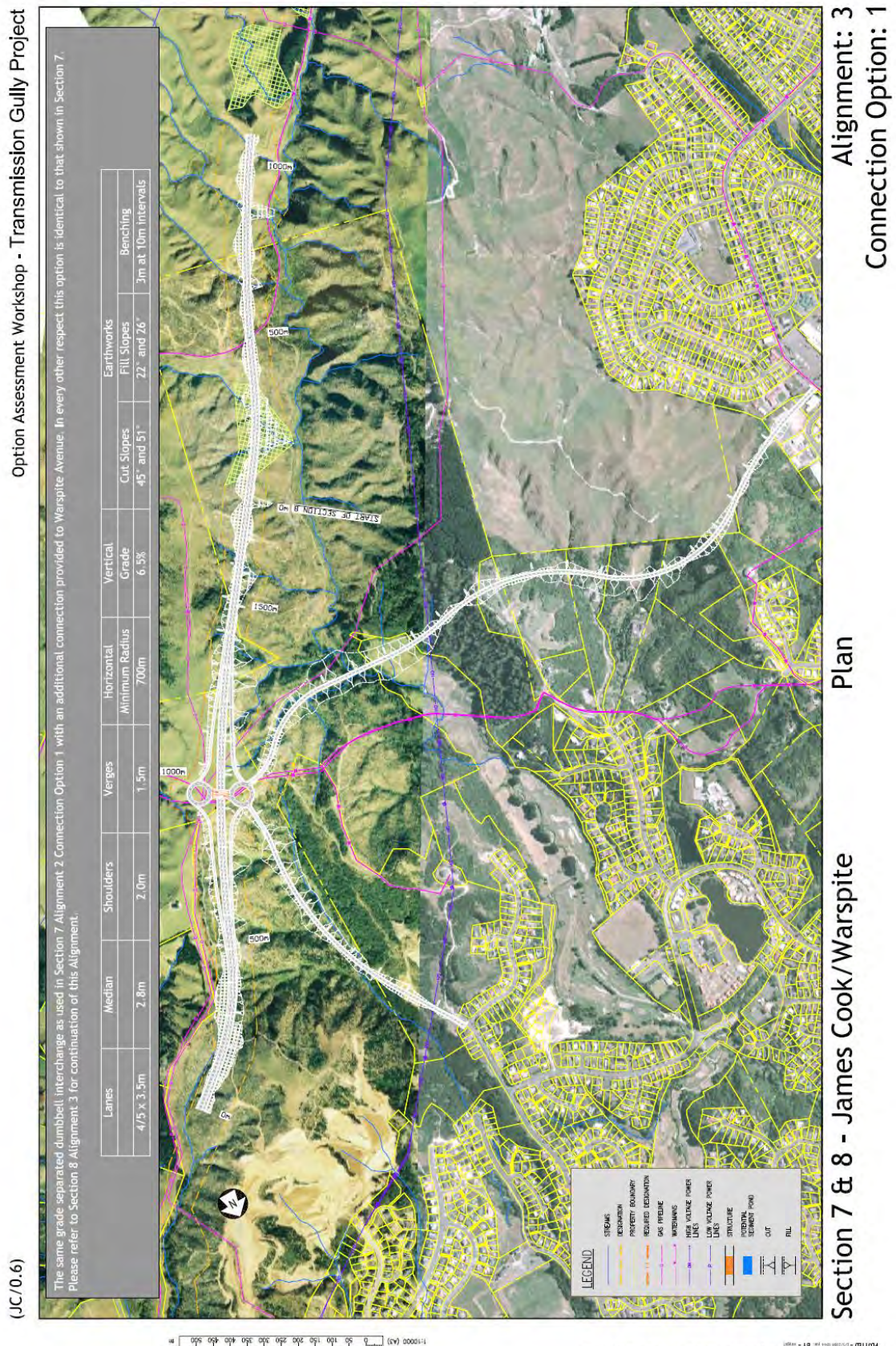
3.12 Amenity planting will be required as part of the establishment of a water reservoir in the Judgeford Hills Zone. The planting will provide visual mitigation for the surrounding area and integration of the reservoir within the landform.

[illegible]

PREFERRED BUILDING SITES AND LOT BOUNDARIES PLAN [DRAWING C906]



TRANSMISSION GULLY MOTORWAY PLAN [ALIGNMENT: 3, CONNECTION OPTION: 1, JC/0.6, DATED 2 MAY 2008]



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D6 RECREATION ZONE RULES AND STANDARDS

The majority of the rules and standards apply to the whole Recreation Zone as defined on the planning maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary or non-complying.

Notwithstanding the rules and standards provided in this chapter, it is recognised that to carry out activities within the Recreation Zone, permits, concessions and approvals may be required from the relevant landowner or administrator.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH - Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M - Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard

D6.1 Recreation Zone Rules

D6.1.1 Permitted Activities

Any one or more of the following are permitted activities:

- (i) Recreation activities, which do not contravene any permitted activity standards.
- (ii) Community activities, which do not contravene any permitted activity standards.
- (iii) Community clean-up and planting days.
- (iv) Filming for up to 30 days in duration per production, which do not contravene any permitted activity standards.
- (v) Ancillary maintenance and operational activities, including activities such as, but not limited to, earthworks, stream bank maintenance works and vegetation clearance, which do not contravene any permitted activity standards.
- (vi) The operation of nursery facilities on Porirua Park, which do not contravene any permitted activity standards.
- (vii) Boat maintenance & repair on Ngati Toa Domain, which do not contravene any permitted activity standards.

- (viii) Harvesting of production forestry where the area being harvested is less than or equal to 1 hectare in any 12-month period, and which does not contravene the permitted activity standard for Disturbance within an Ecological Site.
- (ix) The construction, relocation, extension and maintenance of buildings and structures, including temporary structures, film sets, tents and marquees, which do not contravene any permitted activity standards.
- (x) The construction and maintenance of boardwalks, walkways, footpaths, cycle ways, access ways and car parks, which do not contravene any permitted activity standards.
- (xi) Buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that meet all the permitted activity standards and are not being used for a Sensitive Activity.
- (xii) Earthworks within a National Grid Yard that:
 - a. are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; or
 - b. complies with the permitted activity standards for earthworks within a National Grid Yard.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

D6.1.2 Controlled Activities

Any one or more of the following are controlled activities:

- (i) Harvesting of production of forestry, exceeding 1 hectare in any 12 month period.
- The matters over which Council reserves control for the purposes of assessment are:
- (a) The method and timing of the year of the harvesting.
 - (b) The hours of operation of the harvesting.
 - (c) The location of access to the site.
 - (d) The imposition of financial contributions in accordance with Part E of this Plan.
 - (e) Earthworks.

- (f) Adverse effects on an Ecological Site.

D6.1.3 Restricted Discretionary Activities

Any one or more of the following are Restricted Discretionary activities:

- (i) Any activity, otherwise permitted, that fails to comply with one or two permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) The environmental effects (including cumulative effects) of the non-compliance with the permitted activity standards;
 - (b) Whether as a consequence of the environmental effects considered in (a) the proposed activity is consistent with the relevant District Plan objectives and policies;
 - (c) Any environment effects on a Landscape Protection Area; and
 - (d) The imposition of financial contributions in accordance with Part E of this Plan.
- (ii) *Repealed by Plan Change 15, refer to Part HH of the Plan for relevant rules relating to Historic Heritage.*
- (iii) Filming for longer than 30 days per production.

The Council restricts the exercise of its discretion to the following matters:

- (a) Access and car parking for the proposed filming activity;
 - (b) The hours of operation;
 - (c) Impact on traffic circulation in the vicinity of the filming activity;
 - (d) Potential visual effects, including the ability to screen the proposed activity;
 - (e) Noise effects associated with the proposed activity;
 - (f) The loss of public access to the recreation area or public open space; and
 - (g) the imposition of financial contributions in accordance with Part E of this Plan.
 - (h) The environmental effects of any non-compliance with the permitted activity standards.
- (iv) New buildings and structures and additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent:

- (a) Any risk to the structural integrity of the transmission line;
- (b) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
- (c) The proximity of buildings and structures to electrical hazards;
- (d) Operational risks relating to health or public safety, and the risk of property damage;
- (e) Amenity effects; and
- (f) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

- (v) Earthworks within a National Grid Yard that do not comply with permitted activity standard D6.2.1 Maximum Earthworks Limits (vii)(i) but comply with standard (ii).

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

D6.1.4 Discretionary Activities

Any one or more of the following are discretionary activities

- (i) Any activity, otherwise permitted, that fails to comply with more than two permitted activity standards.
- (ii) All subdivision not otherwise provided for.

D6.1.5 Non-complying Activities

Any one or more of the following are non-complying activities

- (i) Activities which emit an objectionable odour.
- (ii) Offensive trades (these are already defined in the District Plan).
- (iii) All activities which are not permitted, controlled, restricted discretionary or discretionary.
- (iv) The construction and use, establishment, or change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.
- (v) Earthworks within a National Grid Yard that do not comply with permitted activity standard D6.2.1 Maximum Earthworks Limits (vii)(ii).

D6.1.6 Prohibited Activities

There are no prohibited activities.

D6.2 Recreation Zone Standards**D6.2.1 Permitted activity standards****Minimum car parking requirements**

The number of car parks on site shall be:

- | | | |
|-----|-------------------------------------|--------------------------------|
| (a) | Recreation and community facilities | 5 per 100m ² GFA |
| (b) | Sports fields | 10 per individual sports field |
| (c) | Court sports | 6 per court |
| (d) | Bowling greens | 2 per rink |

Car parks shall be located outside of a minimum riparian setback of 20 metres.

All car parks are to be located within the site. Where the assessment of the number of car parks results in a fractional space being involved, the fraction shall be rounded to the nearest whole number. Every car park shall comply with the technical standards in Part H of this plan.

Where a car park area containing more than 5 car parks abuts a front yard, that part of the yard abutting the car park shall contain, at a minimum, a 2 metre wide landscaping strip comprising a mix of trees, shrubs and ground cover. Trees may be grouped but when averaged over the length of the landscaping strip shall equate to at least one specimen tree per 10 metres of landscape strip length. The landscaping strip shall be maintained in a healthy condition and free of litter.

Building height limits

The maximum height of a building or part of a building or structure (including any sign) on a site shall be 8 metres.

The maximum height of a light pole or part of a light pole on a site shall be 18 metres.

Marquees and tents, erected temporarily, are exempt from this standard.

Height recession planes

All buildings must be within a building envelope of 3m height and a vertical angle of 45 degrees into the site, measured from any point along the boundary of the site with any other site.

Maximum Building size

The maximum gross floor area for any building on a site shall be 300m².

Children's play equipment, boardwalks, temporary structures, film sets, marquees and tents are exempt from this standard.

Site coverage

The maximum area of any site covered by buildings shall be 10%.

Children's play equipment, boardwalks, temporary structures, film sets, marquees and tents are exempt from this standard.

Yard requirements

Front yard: Minimum front yard – 5m

Other yards: minimum other yards – 5m from the boundary of any site within the Suburban, Rural, Public Open Space and Recreation Zones.

Riparian setback

The minimum riparian setback is 20m.

Maximum earthwork limits

The following shall apply to earthworks on a site

- (i) Within a riparian setback of 20m, earthworks, in a 12 month period, shall not exceed 25m² in area or 0.5 m in height or depth.
- (ii) In all other areas earthworks, in a 12 month period, shall not exceed 100m² in area or 1.5 metres in height or depth. Clause (ii) does not apply to:
 - (a) excavations for foundations which do not extend further than 2 metres beyond the exterior walls of any building when measured in plan view;

- (b) earthworks required for the construction and maintenance of walkways, footpaths, bridle paths and cycle ways;
 - (c) topdressing of grassed areas with top soil;
 - (d) earthworks associated with the laying of a safety surface for children's play equipment;
- (iii) Earthworks associated with walkways, footpaths, bridle paths and cycleways shall not exceed 6 metres in width or 1.5 metres in height or depth.
- (iv) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees.
- (v) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.
- (vi) Erosion and sediment control measures shall be installed and maintained for all earthwork activity in accordance with "The Erosion and Sediment Control Guidelines for the Wellington Region – September 2002".
- (vii) Any earthworks within a National Grid Yard:
 - (i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm
 - (ii) shall not result in a ground to conductor clearance of less than:
 - 6.5m (measured vertically) from a 110kV National Grid transmission line; or
 - 8m (measured vertically) from a 220kV National Grid transmission line.

Note: Earthworks may also require consent under the Regional Soil Plan and the Regional Freshwater Plan.

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Light Spill

The use of artificial lighting shall comply with the following:

- (i) The spill of light onto any site in the Suburban Zone shall not exceed 8 lux (lumens per square metre) measured horizontally or vertically. The measurement shall be taken on the Suburban Zone site and shall not exceed the standard at any point within the site which is at a distance equal to or greater than 1.5 metre from the site boundary.

- (ii) The restriction of light spill in this rule shall not apply to any light which is a legal street light, navigation light or traffic signal.

Disturbance within an ecological site

Within any ecological site disturbance of any vegetation shall be limited to:

- a) The preparation for, completion of and maintenance of restoration planting;
- b) The thinning, pruning, trimming and removal of exotic vegetation;
- c) Actions necessary for the avoidance of imminent danger to human life;
- d) Actions necessary for the current operation and maintenance of existing infrastructure, including roads, tracks, drains, stream or river access, fire water points, network utilities, structures, fencelines and firebreaks;
- e) The removal of a plant pest listed in the Greater Wellington Regional Pest Management Strategy 2002-2022 (as operative at 30 September 2007).
- f) The removal of diseased vegetation;
- g) Flax harvesting;
- h) Seed gathering.
- i) Thinning, pruning, trimming and removal of any vegetation where it is in accordance with either:
 - i. A management plan for the land approved pursuant to Section 41 of the Reserves Act 1977 or Section 619 of the Local Government Act 2002, or
 - ii. a written commitment made by Porirua City Council to any party prior to 1 July 2009.

Noise

- a) The maximum noise levels from any activity, excluding crowd noise and Temporary Noise Events, on any site within the Recreation Zone when measured at or within the boundary of any site within a Suburban Zone or within 20 m of any dwelling in the Rural Zone shall not exceed the following limits:

L_{10} 55 dBA day time (7am-10pm),

L_{10} 45 dBA night time (10pm-7am)

L_{max} 75 dBA night time (10pm-7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards shall be used.

- b) The maximum noise levels from any activity, excluding crowd noise and Temporary Noise Events, on any site within the Recreation Zone when measured at or within the boundary of any site within the City Centre Zone, the Industrial Zone or the Business Park Zone shall not exceed L10 60 dBA at all times.

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards shall be used.

- c) The maximum noise level from a temporary noise event within the Recreation Zone when measured at the boundary of any site within the Suburban Zone, the City Centre Zone, the Industrial Zone or the Business Park Zone or within 20 m of any dwelling within the Rural Zone shall not exceed the following limits:

L_{\max} 90dBA

L_{10} 85dBA

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound".

- d) Within the Recreation Zone, a temporary noise event shall not be held on any one site on more than 2 occasions in any calendar month. A temporary noise event is defined as a noise generating activity which:
- i) exceeds the limits in (a) and (b) above for not more than a total of seven (7) hours on any single day;
 - ii) does not occur for longer than 3 days; and
 - iii) occurs between the hours of 7 am and 10 pm, except on Te Rauparaha Park where in any 12 month period 4 temporary noise events may continue beyond 10 pm, provided that they have concluded by 1 am the following morning.
- e) Noise from a fireworks display on a site within the Recreation Zone is exempt from the requirements of (a) – (d) above, providing that no site within the Recreation Zone is used to hold more than 6 displays in any 12 month period.
- f) Noise from construction, maintenance and demolition activities, including those associated with the urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using NZS6803: 1999 – 'Acoustics Construction Noise'.

Accessways

The access to any car parking area shall meet the technical standards in part H1 of the District Plan, with the exception of clause H1 (vi), and the following standards:

No. of car parks served	Min. formed carriage-way width	Min. berm width
< or = 15	2.7 m¹	1 m on one side
> 15	5 m	1 m on one side

Accessways shall be located outside of a minimum riparian setback of 20 metres

Where an access way serves < or = 15 car parks and is longer than 50 m, passing bays need to be provided at 50 m intervals. The carriageway should have a minimum total width of 4.5m at the passing bays, with each designed with a length of 5 m and start and end tapers of 4 m. Other intermediary passing bays should be provided in the event that there is not full visibility available between the passing bays.

Screening of refuse and storage areas

Any refuse, packaging or other recyclable material shall be screened from view from the ground floor level of any adjoining site or road.

Hazardous substances

No activity shall exceed a Hazardous Facility Threshold of 0.1.

Signage limits

- a) Within the front yard of any site, there shall be no more than
 - i. 1 free-standing sign per 50 metres of front yard length; or
 - ii. 1 free-standing sign for each front yard

whichever is the greater. Each free-standing sign must not exceed 8 m² in area and 4 metres in height.
- b) Elsewhere on a site
 - i. The total area of signage attached to, or painted on any building shall not exceed 5 m².
 - ii. Free-standing signs shall not exceed 4 m² in area and 3 metres in height.
 - iii. Scoreboards are permitted.
 - iv. Temporary signs associated with an event or activity on a site shall not exceed more than 1 sign per road frontage. Each temporary sign shall not exceed 2 metres in height and 2 m² in area. A temporary sign shall not be erected more than 4 weeks prior to the event advertised, and must be removed within 1 week of the completion of the event.

- v. Advertising hoardings which face into a sports field are permitted, providing that they do not exceed 1.5 metres in height.
- vi. All signs, except advertising hoardings permitted in (v) above, shall relate to the activities on the site.
- vii. No sign which is visible to drivers on a State Highway shall be the shape or colours of any traffic control signal.
- viii. No sign shall be sited in a manner which restricts visibility to and from intersections and vehicular access points.
- ix. No sign shall be flashing.

Note: Unless otherwise specified, refer to the height standard to determine the maximum permitted height of signs.

Time limits for temporary structures

On any site, temporary structures, film sets, tents and marquees shall not be erected for longer than 1 month in any 12 month period. The 1 month period includes the time required for the construction and dismantling. All materials used for a temporary structures, film sets, tents and marquees shall be removed from the site or stored within a building on site within 24 hours of being dismantled.

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D7 PUBLIC OPEN SPACE ZONE RULES AND STANDARDS

The majority of the rules and standards apply to the whole Public Open Space Zone as defined on the planning maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary or non-complying.

Notwithstanding the rules and standards provided in this chapter, it is recognised that to carry out activities within the Public Open Space Zone, permits, concessions and approvals may be required from the relevant landowner or administrator.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D7.1 Public Open Space Zone Rules

D7.1.1 Permitted Activities

Any one or more of the following are permitted activities:

- (i) Recreation activities, which do not contravene any permitted activity standards.
- (ii) Community activities, which do not contravene any permitted activity standards.
- (iii) Community clean-up and planting days.
- (iv) Filming for up to 30 days in duration per production, which do not contravene any permitted activity standards.
- (v) Primary production activities on Battle Hill Farm Forest Park, Belmont Regional Park and Whitireia Park, which do not contravene any permitted activity standards.
- (vi) Conferences and training at Gear Homestead, which do not contravene any permitted activity standards.
- (vii) Ancillary maintenance and operational activities, including activities such as but not limited to earthworks, stream bank maintenance works and vegetation clearance, which do not contravene any permitted activity standards.

- (viii) Harvesting of production forestry where the area being harvested is less than or equal to 1 hectare in any 12-month period, which does not contravene the permitted activity standard for Disturbance within an Ecological Site.
- (ix) The construction, relocation, extension and maintenance of buildings and structures, including temporary structures, film sets, tents and marquees, which do not contravene any permitted activity standards.
- (x) The construction and maintenance of boardwalks, walkways, footpaths, cycle ways, access ways and car parks, which do not contravene any permitted activity standards.
- (xi) Buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that meet all the permitted activity standards and are not being used for a Sensitive Activity.
- (xii) Earthworks within a National Grid Yard that:
 - a) are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; or
 - b) complies with the permitted activity standards for earthworks within a National Grid Yard.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

D7.1.2 Controlled Activities

Any one or more of the following are controlled activities:

- (i) Harvesting of production of forestry, exceeding 1 hectare in any 12 month period.
- The matters over which Council reserves control for the purposes of assessment are:
- (a) The method and timing of the year of the harvesting.
 - (b) The hours of operation of the harvesting.
 - (c) The location of access to the site
 - (d) The imposition of financial contributions in accordance with Part E of this Plan.
 - (e) Earthworks.

- (f) Adverse effects on an Ecological Site.

D7.1.3 Restricted Discretionary Activities

Any one or more of the following are Restricted Discretionary activities:

- (i) Any activity, otherwise permitted, that fails to comply with one or two permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) The environmental effects (including cumulative effects) of the non-compliance with the permitted activity standards;
 - (b) Whether as a consequence of the environmental effects considered in (a) the proposed activity is consistent with the relevant District Plan objectives and policies;
 - (c) Any environment effects on a Landscape Protection Area; and
 - (d) The imposition of financial contributions in accordance with Part E of this Plan.
- (ii) *Repealed by Plan Change 15, refer to Part HH of the Plan for relevant rules relating to Historic Heritage.*
- (iii) Filming for longer than 30 days per production.

The Council restricts the exercise of its discretion to the following matters:

- (a) Access and car parking for the proposed filming activity;
 - (b) The hours of operation;
 - (c) Impact on traffic circulation in the vicinity of the filming activity;
 - (d) Potential visual effects, including the ability to screen the proposed activity;
 - (e) Noise effects associated with the proposed activity;
 - (f) The loss of public access to the recreation area or public open space; and
 - (g) the imposition of financial contributions in accordance with Part E of this Plan.
 - (h) The environmental effects of any non-compliance with the permitted activity standards.
- (iv) New buildings and structures and additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent:

- (a) Any risk to the structural integrity of the transmission line;
- (b) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
- (c) The proximity of buildings and structures to electrical hazards;
- (d) Operational risks relating to health or public safety, and the risk of property damage;
- (e) Amenity effects; and
- (f) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting **near** any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

- (v) Earthworks within a National Grid Yard that do not comply with permitted activity standard D7.2.1 Maximum Earthworks limits (ix)(i) but comply with standard (ii).

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

D7.1.4 Discretionary Activities

Any one or more of the following are discretionary activities

- (i) Any activity, otherwise permitted, that fails to comply with more than two permitted activity standards.
- (ii) All subdivision not otherwise provided for.

D7.1.5 Non-complying Activities

Any one or more of the following are non-complying activities

- (i) Activities which emit an objectionable odour.
- (ii) Offensive trades (these are already defined in the District Plan).
- (iii) All activities which are not permitted, controlled, restricted discretionary or discretionary.
- (iv) The construction and use, establishment, or change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.
- (v) Earthworks within a National Grid Yard that do not comply with permitted activity standard D7.2.1 Maximum Earthworks limits (ix)(ii).

D7.1.6 Prohibited Activities

There are no prohibited activities.

D7.2 Public Open Space Zone Standards**D7.2.1 Permitted activity standards****Building height limits**

Within all Public Open Space Zone areas other than Battle Hill Farm Forest Park and Belmont Regional Park, the maximum height of a building or part of a building or structure (including any sign) on a site shall be 5 metres.

Within Battle Hill Farm Forest Park and Belmont Regional Park the maximum height of a building or part of a building or structure (including any sign) on a site shall be 8 metres.

The maximum height of a light pole or part of a light pole on a site shall be 18 metres.

Marquees and tents, erected temporarily, are exempt from this standard.

Height recession planes

All buildings must be within a building envelope of 3m height and a vertical angle of 45 degrees into the site, measured from any point along the boundary of the site with any other site.

Maximum building size

Within all Public Open Space Zone areas other than Battle Hill Farm Forest Park and Belmont Regional Park, the maximum gross floor area for any building on a site shall be 50m².

Within Battle Hill Farm Forest Park and Belmont Regional Park the maximum gross floor area for any building on a site shall be 100m².

Children's play equipment, boardwalks, temporary structures, film sets, marquees and tents are exempt from this standard.

Site coverage

The maximum area of any site covered by buildings, car parking areas and accessways shall be 5%.

Children's play equipment, boardwalks, temporary structures, film sets, marquees and tents are exempt from this standard.

Yard requirements

Front yard: Minimum front yard – 5m

Other yards: minimum other yards – 5m from the boundary of any site within the Suburban, Rural, Public Open Space and Recreation Zones.

Riparian setback

The minimum riparian setback is 20m.

Maximum earthwork limits

The following shall apply to earthworks on a site

- (i) Within a riparian setback of 20m, earthworks, in a 12 month period, shall not exceed 25m² in area or 0.5 m in height or depth.
- (ii) Excluding earthworks with a riparian setback, earthworks within Battle Hill Farm Forest Park and Belmont Regional Park, in a 12 month period, shall not exceed 500m² in area or 1.5 m in height or depth.
- (iii) In all other areas earthworks, in a 12 month period, shall not exceed 100m² in area or 1.5 metres in height or depth.
- (iv) Clauses (ii) and (iii) do not apply to:
 - (a) excavations for foundations which do not extend further than 2 metres beyond exterior walls of any building when measured in plan view;
 - (b) earthworks required for the construction and maintenance of walkways, footpaths, bridle paths and cycle ways;
 - (c) topdressing of grassed areas with top soil;
 - (d) earthworks associated with the laying of safety surface for children's play equipment;
- (v) Earthworks associated with walkways, footpaths, bridle paths and cycleways shall not exceed 6 metres in width or 1.5 metres in height or depth.
- (vi) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees.

- (vii) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.
- (viii) Erosion and sediment control measures shall be installed and maintained for all earthwork activity in accordance with "The Erosion and Sediment Control Guidelines for the Wellington Region – September 2002".
- (ix) Any earthworks within a National Grid Yard:
 - (i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm
 - (ii) shall not result in a ground to conductor clearance of less than:
 - 6.5m (measured vertically) from a 110kV National Grid transmission line; or
 - 8m (measured vertically) from a 220kV National Grid transmission line.

Note: Earthworks may also require consent under the Regional Soil Plan and the Regional Freshwater Plan.

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Light Spill

The use of artificial lighting shall comply with the following:

- (j) The spill of light onto any site in the Suburban Zone shall not exceed 8 lux (lumens per square metre) measured horizontally or vertically. The measurement shall be taken on the Suburban Zone site and shall not exceed the standard at any point within the site which is at a distance equal to or greater than 1.5 metre from the site boundary.
- (ii) The restriction of light spill in this rule shall not apply to any light which is a legal street light, navigation light or traffic signal.

Disturbance within an ecological site

Within any ecological site disturbance of any vegetation shall be limited to:

- a) Preparation for, completion of and maintenance of restoration planting;
- b) Thinning, pruning, trimming and removal of exotic vegetation;
- c) Actions necessary for the avoidance of imminent danger to human life;

- d) Actions necessary for the current operation and maintenance of existing infrastructure, including roads, tracks, drains, stream or river access, fire water points, network utilities, structures fencelines and firebreaks;
- e) The removal of a plant pest listed in the Greater Wellington Regional Pest Management Strategy 2002-2022 (as operative at 30 September 2007);
- f) The removal of diseased vegetation;
- g) Flax harvesting;
- h) Seed gathering.
- i) Thinning, pruning, trimming and removal of any vegetation where it is in accordance with either:
 1. A management plan for the land approved pursuant to Section 41 of the Reserves Act 1977 or Section 619 of the Local Government Act 2002, or
 2. A written commitment made by Porirua City Council to any party prior to 1 July 2009.

Noise

- a) The maximum noise levels from any activity, excluding crowd noise and Temporary Noise Events, on any site within the Public Open Space Zone when measured at or within the boundary of any site within a Suburban Zone or within 20 m of any dwelling in the Rural Zone shall not exceed the following limits:

L_{10} 55 dBA day time (7am-10pm),

L_{10} 45 dBA night time (10pm-7am)

L_{max} 75 dBA night time (10pm-7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards shall be used.

- b) The maximum noise levels from any activity, excluding crowd noise and Temporary Noise Events, on any site within the Recreation Zone when measured at or within the boundary of any site within the City Centre Zone, the Industrial Zone or the Business Park Zone shall not exceed L_{10} 60 dBA at all times.

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards shall be used.

- c) The maximum noise level from a temporary noise event within the Public Open Space Zone when measured at the boundary of any site within the Suburban Zone, the City Centre Zone, the Industrial Zone or the Business Park Zone or within 20 m of any dwelling within the Rural Zone shall not exceed the following limits:

L_{\max} 90dBA

L_{10} 85dBA

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics - "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound"

- d) Within the Public Open Space Zone, a temporary noise event shall not be held on any one site on more than 1 occasion in any 3 calendar month period. A temporary noise event is defined as a noise generating activity which
- i. exceeds the limits in (a) and (b) above for not more than a total of seven (7) hours on any single day;
 - ii. does not occur for longer than 3 days; and
 - iii. occurs between the hours of 7 am and 10 pm
- e) Noise from a fireworks display on a site within the Public Open Space Zone is exempt from the requirements of (a) – (d) above, providing that no site within the Public Open Space Zone is used to hold more than 6 displays in any 12 month period.
- f) Noise from construction, maintenance and demolition activities, including those associated with the urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using NZS6803: 1999 – 'Acoustics Construction Noise'.

Accessways

The access to any car parking area shall meet the technical standards in part H1 of the District Plan, with the exception of clause H1 (vi), and the following standards:

No. of car parks served	Min. formed carriage-way width	Min. berm width
<i>< or = 15</i>	<i>2.7 m¹</i>	<i>1 m on one side</i>
<i>> 15</i>	<i>5 m</i>	<i>1 m on one side</i>

Accessways shall be located outside of a minimum riparian setback of 20 metres

Where an access way serves ≤ 15 car parks and is longer than 50 m, passing bays need to be provided at 50 m intervals. The carriageway should have a minimum total width of 4.5m at the passing bays, with each designed with a length of 5 m and start and end tapers of 4 m. Other intermediary passing bays should be provided in the event that there is not full visibility available between the passing bays.

Screening of refuse and storage areas

Any refuse, packaging or other recyclable material shall be screened from view from the ground floor level of any adjoining site or road.

Hazardous substances

No activity shall exceed a Hazardous Facility Threshold of 0.05.

Signage limits

- a) Within the front yard of any site, there shall be no more than
 - i. 1 free-standing sign per 50 metres of front yard length; or
 - ii. 1 free-standing sign for each front yardwhichever is the greater. Each free-standing sign must not exceed 3 m² in area and 2.5 metres in height.
- b) Elsewhere on a site
 - i. The total area of signage attached to, or painted on any building shall not exceed 3 m².
 - ii. Free-standing signs shall not exceed 2.5 m² in area and 2.5 metres in height.
 - iii. Temporary signs associated with an event or activity on a site shall not exceed more than 1 sign per road frontage. Each temporary sign shall not exceed 2 m in height and 2m² in area. A temporary sign shall not be erected more than 4 weeks prior to the event advertised, and must be removed within 1 week of the completion of the event.
 - iv. All signs shall relate to the activities on the site.
 - v. No sign which is visible to drivers on a State Highway shall be the shape or colours of any traffic control signal.
 - vi. No sign shall be sited in a manner which restricts visibility to and from intersections and vehicular access points.
 - vii. No sign shall be flashing.

Note: Unless otherwise specified, refer to the height standard to determine the maximum permitted height of signs.

Time limits for temporary structures

On any site, temporary structures, film sets, tents and marquees shall not be erected for longer than 1 month in any 12 month period. The 1 month period includes the time required for the construction and dismantling. All materials used for a temporary structures, film sets, tents and marquees shall be removed from the site or stored within a building on site within 24 hours of being dismantled.

Size of Community Activities

The maximum number of people at any community activity at Battle Hill Farm Forest Park, Whitireia Park and Belmont Regional Park is unlimited.

In all other locations the maximum number of people at any community activity at any one time shall not exceed 200.

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D8 Aotea Supermarket ZONE RULES AND STANDARDS**D8.1 Aotea Supermarket Zone Rules**

The status of activities in the Aotea Supermarket Zone is shown in tabular form as follows:

Rule Number	Activity	Status	Standards	Matters of Control and Assessment Criteria	Notification
D8.1.1(i)	Operation of supermarkets.	Permitted	D8.2.1		Not applicable.
D8.1.2(i)	Construction of a building used for a supermarket in general accordance with the Structure Plan, including subdivision, to enable such activity	Controlled	D8.2.1 D8.2.2	D8.3	Non-notified.
D8.1.2(ii)	Alterations and additions to a building.	Controlled	D8.2.1 D8.2.2	D8.3	Non-notified.
D8.1.2(iii)	Formation of Eskdale Road and its connection to Whitford Brown Avenue.	Controlled	D8.2.2	D8.3	Non-notified.
D8.1.3	Any permitted or controlled activity that that does not comply with an Activity Standard in D8.2 or is not generally in accordance with the Structure Plan except for supermarkets that exceed 3,160m ² gross floor area.	Restricted Discretionary		The exercise of discretion is restricted to the following matters: a) Effects on the environment of not complying with the relevant permitted or controlled activity standards; and b) imposition of financial contributions in accordance with part E of this plan c) the assessment criteria in Rule D8.3	Notification decision required.

Rule Number	Activity	Status	Standards	Matters of Control and Assessment Criteria	Notification
D8.1.4(i)	All activities which are ancillary to a supermarket but which are not permitted, controlled, restricted discretionary or non-complying and are not specified in D8.1.5.	Discretionary			Notification decision required.
D8.1.4(ii)	Supermarkets that exceed 3,160m ² gross floor area.	Discretionary			Notification decision required.
D8.1.5	All activities that are not a permitted, controlled, restricted discretionary or a discretionary activity. Activities which emit an objectionable odour. Offensive trades.	Non-complying			Notification decision required.

D8.1.1 Permitted activities

Any one or more of the following are permitted activities where these comply with Permitted Activity Standards in Rule D8.2.1:

- (i.) The operation of supermarkets.

D8.1.2 Controlled activities

Any one or more of the following are controlled activities where these are in general accordance with the structure plan and the controlled activity standards for bulk and location in Rule D8.2.2:

- (i.) The construction of any building to be used as a supermarket with a maximum gross floor area of 3,160 square meters and any associated car-parking, landscaping and signage.
- (ii.) External alterations or additions to any building used as a supermarket.

The matters over which the Council reserves control for the purpose of assessment related to (i) and (ii) above are:

- (a) Design and external appearance.
- (b) Active street frontages.
- (c) Building wall and façade treatment.
- (d) Site layout and setbacks from boundaries.
- (e) Pedestrian amenity, safety and access.
- (f) Vehicle access, manoeuvring, parking, loading, and associated landscape treatment.
- (g) Noise.
- (h) Lighting.
- (i) The extent, type, nature and maintenance of landscaping and screening.
- (j) Signage, including free standing signs.
- (k) The imposition of financial contributions in accordance with Part E of this plan.
- (l) Earthworks and stormwater detention and treatment.
- (m) The requirement for an accidental discovery protocol related to historic heritage.
- (n) The scope and preparation of a cultural impact assessment.
- (o) Hours of operation.

- (p) Construction effects.
- (q) The imposition of monitoring and review conditions to address significant consequent effects on the road network.
- (iii.) The formation of Eskdale Road and its connection to Whitford Brown Avenue.

The matters over which the Council reserves control for the purpose of assessment are:

- (a) the provision of sufficient land – including within the supermarket site – to ensure safety and an appropriate level of service for all road users (motor vehicles, pedestrians and cyclists);
- (b) the nature of the intersection;
- (c) the route of the road;
- (d) earthworks;
- (e) on site stormwater treatment; and
- (f) the imposition of financial contributions in accordance with Part E of this plan.

Non-Notification

Applications for any Controlled Activity will be considered without notification or the need to obtain approval from affected persons.

D8.1.3 Restricted discretionary activities

Any one or more of the following are restricted discretionary activities:

- (i.) Any permitted or controlled activity that does not comply with an activity standard in Section D8.2. except for supermarkets that exceed a gross floor area of 3,160m².
- (ii.) Any permitted or controlled activity that is not generally in accordance with the Structure Plan except for supermarkets that exceed the GFA a gross floor area of 3,160m².

The Council restricts the exercise of its discretion to the following matters:

- (a) the effects of not complying with any permitted or controlled activity standard; and
- (b) the imposition of financial contributions in accordance with part E of this plan;
- (c) the assessment criteria in Rule D8.3.

D8.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i.) All activities which are ancillary to a supermarket but which are not permitted, controlled, or restricted discretionary.
- (ii.) Supermarkets that exceed a gross floor area of 3,160m².

D8.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

- (i.) All activities that are not a permitted, controlled, restricted discretionary or a discretionary activity.
- (ii.) Activities which emit an objectionable odour.
- (iii.) Offensive trades.

D8.2 Aotea Supermarket Zone Standards**D8.2.1 Permitted activity standards****D8.2.1.1 Noise**

- (a) Activities conducted on the site shall be undertaken so that the following noise limits are not exceeded at any point within any boundary of a Suburban or Public Open Space Zone site;

Daytime [7am to 10pm] $L_{Aeq [15 \text{ min}]}$ 55dB

Night time [10pm to 7am] $L_{Aeq [15 \text{ min}]}$ 45dB

Night time [10pm to 7am] L_{AFmax} 75dB

Noise shall be measured in accordance with NZS 6801:2008 *Acoustics – Measurement of Environmental Sounds* and assessed in accordance with NZS6802:2008 *Acoustics – Environmental Noise*. L_{Aeq} means energy average.

- (b) All construction activities shall be managed and controlled to ensure noise emission levels do not exceed the limits set out in NZS6803:1999 'Acoustics – Construction Noise' when measured and assessed in accordance with that Standard.
- (c) Any application made for building consent for any building housing non-residential activities on the site shall be accompanied by an Acoustic Design Certificate prepared by a suitably qualified and experienced acoustic consultant and submitted to the Council. This acoustic design certificate shall certify that the activity-related noise sources proposed

incorporate sufficient mitigation and have been appropriately designed, laid out, constructed, and screened to ensure compliance with the permitted noise standard for the zone.

D8.2.1.2 Construction of Eskdale Road

Eskdale Road, from its intersection with Whitford Brown Avenue to at least the entry to Lot 2 (a subdivision of Lot 11 DP 81969) shall be formed in accordance with the Porirua City Council Code of Land Development and Subdivision Engineering prior to commencement of operation of any supermarket within the Aotea Supermarket Zone.

D8.2.2 Controlled activity standards

D8.2.2.1 Bulk and Location

- (i) Height
 - (a) The maximum height of any building or part of a building on a site shall be 12m, with the exception of rooftop plant platforms.
 - (b) The maximum height limit of any building or part of a building on a site shall be 10.5m within the first 10m of the front boundary (including the 5m setback).
- (ii) Height Recession Plane
 - (a) All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured at right angles from any point along the boundary of the site with the Suburban Zone.

For avoidance of doubt, this standard does not apply to any part of the boundary of the site with legal road.
- (iii) Site Coverage
 - (a) The maximum site coverage shall be 45% of the net site area.
- (iv) Yards
 - (a) Front yards – 5m
 - (b) Other yards – 1.5m
- (v) Active Street Frontage
 - (a) All buildings with a façade to Whitford Brown Avenue shall be provided with a minimum of 35% glazing along the wall that fronts to this street.
 - (b) All buildings with a façade to Whitford Brown Avenue shall provide the main pedestrian access point to the building out to this street.
- (vi) Canopies and Verandas
 - (a) All buildings with a façade to Whitford Brown Avenue shall be provided with a canopy over the main pedestrian access point to the building that is a minimum of 3 metres wide.

D8.2.2.2 Transport, Parking and Loading**(i) Car Parks**

- (a) The number of car parks for a supermarket of 3,160m² gross floor area shall be no less than 145.
- (b) Supermarkets of lesser gross floor area shall provide car parks at the same proportionate rate.
- (c) All car parks are to be located within the site.
- (d) All car parks shall comply with the technical standards in Part H of this plan.

Note: Where the assessment of the number of car parks results in a fractional space the fraction shall be rounded to the nearest whole number.

(ii) Transport, loading and access

- (a) All loading and unloading of goods shall take place within the site, with access from Eskdale Road.
- (b) The loading dock area is to be of sufficient size to handle the manoeuvring of a B-train type truck within the site in compliance with NZTA guidelines: RTS 18 New Zealand On Road Tracking Curves for Heavy Vehicles 2007
- (c) A transport management plan shall be provided that shall address the matters referred to in assessment criterion D8.3(e)(viii)-(x).

(iii) Road access to the Aotea Supermarket Zone

- (a) Roads and access to the Aotea Supermarket Zone shall be formed in accordance with the Porirua City Council Code of Land Development and Subdivision Engineering prior to commencement of operation of any supermarket within the Aotea Supermarket Zone.
- (b) The type and design of intersection between Eskdale Road and Whitford Brown Avenue shall reflect its status as the intersection of a Major Urban Arterial Road and a Principal Street and shall be consistent with implementation of the Porirua City Council Transportation Strategy 2012, especially with regard to safety and levels of service.
- (c) The design standard for Eskdale Road shall be as a Principal Street, and shall be designed for peak flow as if Eskdale Road was linked through to the Papakowhai portion of Eskdale Road. Formation of the road shall meet the Council's Code of Land Development and Subdivision Engineering including with respect to property access.

D8.2.2.3 Outdoor Amenity

- (i) Screening

Any outdoor storage area or rubbish collection area visible from other sites or roads shall be screened from view by landscape planting and / or a closed boarded fence or solid fence a minimum height of 1.8 metres.
- (ii) Signs
 - (a) A single free standing sign with no more than two sides that is located on either the Whitford Brown Avenue or Eskdale Road frontage of the Aotea Supermarket Zone shall have a maximum height of 8m, and a maximum sign face area of 20m² on each side of the sign. For the purpose of this rule, the sign face area excludes the sign's supporting frame, but includes any part of the sign occupied by words or other symbols and graphics.
 - (b) Signs shall not move and, if illuminated, shall not flash. Illuminated signs are subject to the controlled activity lighting standard.
 - (c) Signs on each façade of the building that are contained totally within the profile of the building with a maximum area of 30m² and a maximum length of 15m for each façade.
- (iii) Landscaping
 - (a) All street frontages except points of access shall incorporate landscape planting to a minimum depth of 5m in accordance with the structure plan.
 - (b) Other yards to a depth of 1.5m shall incorporate landscape planting except where retaining walls are to be erected in accordance with the structure plan.
- (iv) Lighting
 - (a) All external lighting shall be shaded or directed away from adjoining sites or roads, and shall be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.

D8.2.2.4 Subdivision

All subdivision within the Aotea Supermarket Zone shall be a Controlled Activity where the subdivision:

- (a) is either integrated with a resource consent for supermarket buildings or follows the completion of buildings; and
- (b) ensures the location of the boundaries of all lots complies with the permitted and controlled activity standards.
- (c) has a design and layout which maintains the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site; and

- (d) has regard to the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

D8.3 Assessment Criteria: Controlled & Restricted Discretionary Activities

When assessing an application for Controlled or Restricted Discretionary activity resource consents for the construction, or erection or relocation of any building for a supermarket, or external alterations or additions to any building used as a supermarket and any associated car-parking, landscaping and signage, the Council shall have regard to the following assessment criteria:

(a) Structure Plan

- (i) The extent to which the proposal is generally in accordance with the Structure Plan.

(b) Design and external appearance

- (i) The extent to which the building is visually attractive and interesting.
- (ii) The extent to which the building is reasonably harmonious and compatible with other land uses in the neighbourhood, in particular through the use of subdued colours and materials sympathetic to the surrounding character of the neighbourhood.
- (iii) The extent to which active frontage with Whitford Brown Avenue is being provided.
- (iv) The manner in which blank walls and façades are being treated.
- (v) The extent to which the signage has effects on residential amenity and traffic safety.
- (vi) The extent to which a positive contribution is made to neighbourhood amenity.

(c) Site layout and setbacks from boundaries

- (i) The extent to which the yard requirements provide appropriate setbacks to maintain the amenity outcomes for the zone.
- (ii) The extent to which the site layout appropriately provides for stormwater detention and/or treatment.

(d) Pedestrian amenity, access and safety

- (i) Whether the development, including associated roading changes, will enhance safety for pedestrians and cyclists.
- (ii) Whether pedestrian routes to the buildings are direct, convenient, legible, attractive and safe.
- (iii) Whether level pedestrian access is provided at the main entrances to the buildings.

- (iv) Whether the design approach for the buildings promotes an integrated pedestrian network that seamlessly joins the existing framework of pedestrian routes.
- (v) Whether the design approach for the buildings incorporates a high standard of pedestrian provision including canopies, generous pavement widths and street furniture.
- (vi) Whether the practice of integration of pedestrian movement and landscaping gives the opportunity to appropriately consider Crime Prevention Through Environment Design (CPTED) principles to ensure a safe environment is created.
- (vii) Whether the noise disturbance is acceptable for amenity and public health reasons.
- (viii) Whether the provision of artificial lighting has been carefully considered to ensure safety for pedestrians after dark.

(e) Roading, Vehicle access and parking

- (i) Whether the vehicle access to the site provides for safe and convenient access of vehicles in a manner that maintains the efficient operation of the adjoining road network.
- (ii) Whether the vehicle access to the site has been suitably designed to minimise disruption of pedestrian movement and safety.
- (iii) Whether the location and design of the car parking area provides for a convenient, safe and efficient circulation pattern.
- (iv) Whether the level of on site carparking is adequate including for taxis.
- (v) Whether the loading area is of adequate size and purpose to avoid disturbance to traffic and amenity.
- (vi) The extent of wheelchair and cycle access.
- (vii) The extent of integration with public transport in terms of access, safety and efficiency.
- (viii) Whether access to the site by service and delivery vehicles minimises the use of non-arterial routes.
- (ix) Whether the management of access to the site by service and delivery vehicles maximises the use of off-peak traffic and pedestrian periods, while minimising the potential for disruption to nearby residential properties.
- (x) Whether there is sufficient onsite parking for staff, and/or management measures that will avoid or minimise the risk of them using street-side parking on local roads.

(f) Lighting, glare and privacy

- (i) Whether the design of light fittings and light poles (including placement, direction, height and shielding) minimises light spill and glare to the surrounding area as far as practicable.
- (ii) Whether the design of the parking area and associated landscaping minimises the risk of headlights being directed onto houses opposite the site, or compromising the safety of pedestrians, cyclists and road users in general.
- (iii) Whether the materials and surface treatments used on roofs and walls (including glazing) will, as far as practicable, minimise the risk of glare affecting the surrounding area.
- (iv) The degree to which the supermarket lighting can be regulated to reduce light output outside of opening hours in a way that minimises adverse effects on neighbouring residential properties.
- (v) Whether appropriate design treatment has been undertaken on the Whitford Brown Avenue frontage of the building to prevent overlooking onto neighbouring residential properties.

(g) The extent, type and nature of landscaping and screening

- (i) Whether specimen trees are included in the landscape proposal that are capable of achieving a minimum height of 8 metres or more at maturity and a planting grade of PB150 or larger.
- (ii) Whether the landscape proposal is designed to create visual interest and contribute to the visual amenity of the surrounding suburban area.
- (iii) Whether the landscape proposal relates appropriately to and is designed to further enhance the existing streetscape and landscape character of the surrounding area.
- (iv) Whether the landscape proposal will soften the visual impact of structures and minimise conflicts of scale.
- (v) Whether the landscape proposal provides for an appropriate level of visual screening of parking areas, service and loading areas and outdoor storage areas.
- (vi) Whether opportunities have been taken to introduce high quality surface materials and street furniture where practicable.
- (vii) Whether a landscape design including planting that is required as a matter for control} will appropriately give effect to matters covered by other assessment criteria.

(h) The maintenance of landscaping and plantings.

Whether the landscape design and planting proposal adequately provides for the maintenance of landscape elements and plantings.

(i) The design and construction of Eskdale Road

Whether the design and construction of Eskdale Road in order to provide access to the Aotea Supermarket Zone, provides for:

- (i) An appropriate level of service and intersection performance.
- (ii) Consideration of the safety of vehicle traffic, pedestrians and cyclists.
- (iii) Suitable servicing of existing residential properties that have access to Eskdale Road.
- (iv) An appropriate standard of functional and design relationship to the adjoining Conclusion Walkway reserve.
- (v) Growth potential.
- (vi) Consideration of traffic management measures for the surrounding road network.

(j) Signs

- (i) Whether the sign is in scale with the building development.
- (ii) Whether larger signs are detrimental to the visual character of nearby residential or open space areas.
- (iii) Whether signs detract from the architecture of the building to which they are attached.
- (iv) Whether additional signs will result in clutter.
- (v) Whether in respect of the freestanding signs they are compatible with the landscaping plan for the site.
- (vi) Whether the location, size, number, illumination or movement of a sign or signs will compromise traffic or pedestrian safety.

(k) Noise

- (i) Whether construction activities will be managed and controlled to ensure that noise emission levels do not exceed the limits in the applicable New Zealand Standard.
- (ii) Whether an Acoustic Design Certificate has been prepared, to certify that activity related to noise sources associated with the proposed supermarket incorporate sufficient mitigation and have been appropriately designed, laid out, constructed, and screened, to ensure compliance with the permitted activity noise standard.

- (iii) Whether noise management procedures (such as an operations management plan) are proposed as a means of minimising noise generation at source.
- (iv) Whether proposed hours of operation are appropriate in relation to effects on residential amenity.



PART E

FINANCIAL CONTRIBUTIONS

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E FINANCIAL CONTRIBUTIONS

This section deals with the requirements for financial contributions either as a condition of a permitted activity, or as a condition of a resource consent.

Where a financial contribution is required as a condition of a permitted activity the purpose, circumstance and amount are specified.

Where a financial contribution may be required as a condition of a resource consent for a subdivision or development, the purpose, circumstances in which a contribution may be required, and maximum amount of that contribution are stated.

Notwithstanding any other provision of this plan no financial contributions provided for in Part E of this plan shall be required before this plan becomes operative.

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E1 RECREATION AND CIVIC DEVELOPMENT CONTRIBUTION

E1.1 Purpose

To provide for the acquisition and development of Reserves and public open space for recreational purposes, in response to the growth of Porirua City through subdivision and development.

E1.2 Contributions as a Condition of a Permitted Activity

E1.2.1 Circumstances in which a contribution is required as a condition of a permitted activity

- (a) Prior to commencement of construction of each second or subsequent dwelling, on any site where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.
- (b) Prior to commencement of construction of an industrial building on an allotment where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.
- (c) Prior to commencement of construction of any other building on an allotment where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.

E1.2.2 Amount of contribution as a condition of a permitted activity

- (a) Dwellings:
A contribution of \$3700.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan).
- (b) Industrial buildings:
A contribution of \$4.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per m² gross floor area.
- (c) Other buildings, excluding buildings accessory to the principal use of a dwelling:
A contribution of \$8.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per m² gross floor area.

E1.3 Contributions as a Condition of a Resource Consent

E1.3.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

- (a) As a condition of a subdivision consent.
- (b) As a condition of a land use consent for any development.

E1.3.2 Maximum amount of contribution required as a condition of a resource consent

- (a) Residential allotments and dwellings:
- (i) \$3700.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per additional allotment created in the Suburban Zone where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.
 - (ii) \$3700.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per dwelling in the Rural Zone where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.
 - (iii) \$3700.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per dwelling built on any allotment in the Suburban Zone except that where a Recreation and Civic Development contribution (whether in land or in cash) has been made at the time of the subdivision creating that allotment the first dwelling shall be exempt.
 - (iv) This provision sets the **maximum** contribution that is required. In respect of each residential allotment or dwelling, Council may reduce or waive this contribution. In considering whether to reduce or waive this contribution, Council shall refer, amongst other things, to the matters set out in Policy C3.2.4.
- (b) Industrial buildings:
- \$4.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per m² gross floor area, where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.
- (c) Other buildings, excluding buildings accessory to the principal use of a dwelling:
- \$8.00 plus GST (adjusted in accordance with changes to the Consumer Price Index from the date of notification of this plan) per m² gross floor area where a Recreation and Civic Development contribution (whether in land or in cash) has not been made at the time of the subdivision creating that allotment.

E1.3.3 Form of Contribution

Cash.

E2 ROADS AND ACCESS

E2.1 Purpose

To provide for the safe and convenient movement of motor vehicles, bicycles and pedestrians along roads and to and from every allotment, site or building.

E2.2 Contributions as a Condition of a Permitted Activity

E2.2.1 Circumstances in which a contribution is required as a condition of a permitted activity

Muri Road Upgrading Levy. Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), which has access from Muri Road.

E2.2.2 Amount of contribution

A contribution of \$800.00 plus GST.

E2.3 Contributions as a Condition of a Resource Consent

E2.3.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

- (a) As a condition of a subdivision consent.
- (b) As a condition of a land use consent for any development.

E2.3.2 Maximum amount of Contribution required as a condition of a resource consent

- (a) The full actual cost of providing a road to the subdivision or land concerned, and
- (b) the full actual cost of all necessary roads and access within the subdivision or development for each allotment or development, and
- (c) the full actual cost of crossings between the allotments, sites or buildings in the subdivision or development and the road or access, and
- (d) the full actual cost of upgrading the roads and access to provide for the expanded effects of the subdivision, development or building on the roads and access, and
- (e) a share of the cost of the existing roads and access where additional capacity has been created in anticipation of future subdivision or development. The share will be calculated on the proportion of that additional capacity which is to serve the subdivision or development.
- (f) a share of the cost of the new or upgraded roads or access where additional capacity is necessary to accommodate the cumulative effects of the development within an area. The share will be calculated on the proportion of the additional capacity necessary to serve the subdivision or development.

- (g) the full and actual costs of a standard road sufficient to meet the needs of public transport within the subdivision, including bus stops and lay-bys.

E2.3.3 Form of Contribution required as a condition of a resource consent

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

E2 ROADS AND ACCESS

E2.1 Purpose

To provide for the safe and convenient movement of motor vehicles, bicycles and pedestrians along roads and to and from every allotment, site or building.

E2.2 Contributions as a Condition of a Permitted Activity

E2.2.1 Circumstances in which a contribution is required as a condition of a permitted activity

Muri Road Upgrading Levy. Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), which has access from Muri Road.

E2.2.2 Amount of contribution

A contribution of \$800.00 plus GST.

E2.3 Contributions as a Condition of a Resource Consent

E2.3.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

- (a) As a condition of a subdivision consent.
- (b) As a condition of a land use consent for any development.

E2.3.2 Maximum amount of Contribution required as a condition of a resource consent

- (a) The full actual cost of providing a road to the subdivision or land concerned, and
- (b) the full actual cost of all necessary roads and access within the subdivision or development for each allotment or development, and
- (c) the full actual cost of crossings between the allotments, sites or buildings in the subdivision or development and the road or access, and
- (d) the full actual cost of upgrading the roads and access to provide for the expanded effects of the subdivision, development or building on the roads and access, and
- (e) a share of the cost of the existing roads and access where additional capacity has been created in anticipation of future subdivision or development. The share will be calculated on the proportion of that additional capacity which is to serve the subdivision or development.
- (f) a share of the cost of the new or upgraded roads or access where additional capacity is necessary to accommodate the cumulative effects of the development within an area. The share will be calculated on the proportion of the additional capacity necessary to serve the subdivision or development.

- (g) the full and actual costs of a standard road sufficient to meet the needs of public transport within the subdivision, including bus stops and lay-bys.
- (h) The full actual cost of providing lights to control or enable the safe and efficient movement of traffic (including bicycles) or pedestrians, where an intersection or crossing is necessitated by a development.

E2.3.3 Form of Contribution required as a condition of a resource consent

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

E3 EARTHWORKS**E3.1 Purpose**

To ensure land stability to safeguard people, property and the environment.

To ensure that all sites have a practicable building site.

To ensure that all sites have drive-on capability.

E3.2 Contributions as a Condition of a Resource Consent

E3.2.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

(a) As a condition of a subdivision consent.

(b) As a condition of a land use consent for any development.

E3.2.2 Maximum amount of Contribution as a condition of a resource consent

The full actual cost of the earthworks necessary to achieve the purposes stated above, including all subsoil drainage, silt and run-off control, surface drainage and related works.

E3.2.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

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E4 LANDSCAPING
E4.1 Purpose

To protect and restore the actual and potential visual amenity of the area of the subdivision and development.

To avoid, remedy or mitigate the adverse visual effect of development on the natural landscape.

E4.2 Contributions as a Condition of a Resource Consent

E4.2.1 Circumstances in which a contribution may be imposed as a condition of a resource consent

(a) As a condition of a subdivision consent.

(b) As a condition of a land use consent for any development.

E4.2.2 Maximum amount of contribution as a condition of a resource consent

The full actual cost of contouring land to mitigate the effects of subdivision or development,

The full actual cost of topsoiling land,

The full actual cost of amenity planting with hardy species,

The full actual cost of any irrigation systems or access required for the ongoing maintenance and operation of any landscaped area.

E4.2.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

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E5 WATER SUPPLY**E5.1 Purpose**

To provide a supply of potable water for the estimated domestic and commercial/industrial consumption, and for fire fighting.

E5.2 Contributions as a Condition of a Permitted Activity

E5.2.1 Circumstances in which a contribution is required as a condition of a permitted activity

(a) Plimmerton/Mana Water Storage Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Plimmerton/Mana Water Storage Levy Area.

(b) Papakowhai/Harbour Heights/Ascot Park Water Supply Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Papakowhai/Harbour Heights/Ascot Park Water Supply Levy Area.

E5.2.2 Amount of a contribution as a condition of a permitted activity

(a) Plimmerton/Mana Water Storage Levy.

A contribution of \$290.00 plus GST except that where a contribution for this purpose has been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt.

(b) Papakowhai/Harbour Heights/Ascot Park Water Supply Levy.

A contribution of \$484.00 plus GST except that where a contribution for this purpose has been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt.

E5.3 Contributions as a Condition of a Resource Consent

E5.3.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

(a) As a condition of a subdivision consent.

(b) As a condition of a land use consent for any development.

E5.3.2 Maximum amount of Contribution as a condition of a resource consent

(a) The full actual cost of the water supply system to the subdivision or development, and

(b) the full actual cost of all necessary water supply system reticulation within the subdivision or development for each allotment, site or building, and

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- (c) the full actual cost of connections between the water supply system reticulation in the subdivision or development and the water supply system, and
 - (d) the full actual cost of upgrading of any existing water supply system to the extent that it is necessary to serve the subdivision or development, and
 - (e) a share of the cost of the existing water supply system where additional capacity has been created in anticipation of future development. The share will be calculated on the proportion of the additional capacity required to serve the subdivision or development.
 - (f) a share of the cost of new water supply system or upgraded water supply system where additional capacity will be required by the cumulative effects of the development of an area. The share will be calculated on the proportion of the additional capacity required by the subdivision or development.

E5.3.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

E6 SANITARY DRAINAGE AND TRADE WASTE DISPOSAL
E6.1 Purpose

To maintain the health and amenity of inhabitants or occupants and to protect the natural environment from indiscriminate disposal of sanitary waste.

E6.2 Contributions as a Condition of a Permitted Activity**E6.2.1 Circumstances in which a contribution is required as a condition of a permitted activity and the amount of that contribution****(a) Old Man Point Scheme Levy.**

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Old Man Point Scheme Levy Area.

(b) Pukerua Bay Sewer Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Pukerua Bay Sewer Levy Area.

(c) Plimmerton to Paremata Sewer Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Plimmerton to Paremata Sewer Levy Area.

(d) Paremata to Porirua Sewer Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Paremata to Porirua Sewer Levy Area.

(e) Camborne Sewer Levy.

Prior to the commencement of construction of a new dwelling or other building (excluding buildings accessory to the principal use of a dwelling), in the Camborne Sewer Levy Area.

E6.2.2 Amount of contribution as a condition of a permitted activity**(a) Old Man Point Scheme Levy.**

A contribution of \$1050 plus GST, in 1994, reducing by \$50 plus GST in each subsequent year, except that where a contribution for this purpose had been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt.

(b) Pukerua Bay Sewer Levy.

A contribution of \$850.00 plus GST except that where a contribution for this purpose had been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt.

(c) Plimmerton to Paremata Sewer Levy.

A contribution of \$170.00 plus GST in part of the Levy Area and 50% of this amount in the remainder of the Levy Area, except that where a contribution for this purpose had been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt. The areas to be levied each of these amounts are shown on the Permitted Activity Levies Map.

(d) Paremata to Porirua Sewer Levy.

A contribution of \$150.00 plus GST in part of this Levy Area, and a contribution of 50% of this amount in the remainder of the Levy Area except that where a contribution for this purpose had been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt. The areas to be levied each of these amounts are shown on the Permitted Activities Levies Map.

(e) Camborne Sewer Levy.

A contribution of \$809.00 plus GST except that where a contribution for this purpose had been made in respect of that allotment upon the subdivision of that allotment, the first dwelling shall be exempt. The area to be levied is shown on the Permitted Activities Levies Map.

E6.3 Contributions Required as a Condition of a Resource Consent

E6.3.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

- (a) As a condition of a subdivision consent.
- (b) As a condition of a land use consent for any development.

E6.3.2 Maximum amount of contribution required as a condition of a resource consent

- (a) the full actual cost of providing a sanitary drainage and trade waste disposal system for the subdivision, development or building, and
- (b) the full actual cost of all necessary sanitary drainage and trade waste reticulation within the subdivision or development for each allotment, site or building, and
- (c) the full actual cost of connections between the reticulation in the subdivision or development and the sanitary drainage and trade waste disposal system, and
- (d) the full actual cost of any upgrading to the existing sanitary drainage and trade waste disposal system that are required to provide for the expected effects of the subdivision, development or building on that sanitary drainage and trade waste disposal system, and
- (e) an equitable share of the cost of the existing sanitary drainage and trade waste disposal system where additional capacity has been created in anticipation of future development. The share will be calculated on the proportion of the additional capacity required by the subdivision or development.

- (f) an equitable share of the cost of the new sanitary drainage and trade waste disposal system or upgraded sanitary drainage and trade waste disposal systems where additional capacity will be required by the cumulative effects of the development of an area. The share will be calculated on the proportion of the additional capacity required by the subdivision or development.

E6.3.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

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E7 STORMWATER DRAINAGE
E7.1 Purpose

To prevent damage to or loss of property or amenity from the indiscriminate and uncontrolled run off of stormwater during subdivision and later development of the land.

E7.2 Contributions as a Condition of a Resource Consent

E7.2.1 Circumstances in which a contribution may be imposed as a condition of a resource consent

- (a) As a condition of a subdivision consent.
- (b) As a condition of a land use consent for any development.

E7.2.2 Maximum amount of contribution as a condition of a resource consent

- (a) The full actual cost of providing a stormwater drainage system for the disposal of stormwater, and
- (b) the full actual cost of all necessary stormwater drainage reticulation within the subdivision or development, including a stormwater drainage system connection for each allotment, site or building, and
- (c) the full actual cost of connections between the stormwater drainage system reticulation in the subdivision or development and the existing stormwater drainage system, and
- (d) the full actual cost of upgrading the existing stormwater drainage system where additional capacity has been created in anticipation of future subdivision or development.
- (e) a share of the cost of the existing stormwater drainage system where additional capacity has been created in anticipation of future development. The share will be calculated on the proportion of the additional capacity required to serve the subdivision or development.
- (f) a share of the cost of the new stormwater drainage system or upgraded stormwater drainage system where additional capacity will be required by the cumulative effects of the development of an area. The share will be calculated on the proportion of the additional capacity required to serve the subdivision or development.

E7.2.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

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E8 SCREENING**E8.1 Purpose**

To mitigate the adverse visual effect of development by screening unsightly areas from public view.

E8.2 Contributions Required as a Condition of a Resource Consent

E8.2.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

As a condition of a land use consent for any development.

E8.2.2 Maximum amount of Contribution as a condition of a resource consent

The full actual cost of a permanent structure or planting which screens an area or activity from public view.

E8.2.3 Form of Contribution

The contribution may be required in the form of cash, land, works, services or any combination thereof.

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E9 BUSH PROTECTION**E9.1 Purpose**

To ensure the protection and health of significant native vegetation.

E9.2 Contributions Required as a Condition of a Resource Consent

E9.2.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

(a) As a condition of a subdivision consent.

(b) As a condition of a land use consent for any development.

E9.2.2 Maximum amount of Contribution as a condition of a resource consent

The full actual cost of preserving any area of native vegetation including the full actual cost of any fencing necessary to protect the vegetation from stock damage.

E9.2.3 Form of Contribution

The contribution may, at Council's discretion, be required in the form of cash, land, works, services or any combination thereof.

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E10 ESPLANADE RESERVES**E10.1 Purpose**

To contribute to the protection of conservation values,

To enable public access to or along any sea, river or lake,

To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake where the use is compatible with conservation values.

E10.2 Contributions Required as a Condition of a Resource Consent

E10.2.1 Circumstances in which a Contribution may be imposed as a condition of a resource consent

As a condition of a land use consent for any development where the land includes or abuts:

- (a) a river, or
- (b) mean high water springs.

E10.2.2 Maximum amount of Contribution as a condition of a resource consent

The vesting in the Council of an esplanade reserve not exceeding 20m in width, along the side or sides of any river which includes or abuts the site, and inland from the mark of mean high water springs.

E10.2.3 Form of Contribution

The contribution will be in the form of land.

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PART F
INFORMATION TO BE SUPPLIED

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F RESOURCE CONSENT APPLICATIONS - INFORMATION TO BE SUBMITTED

The following sections detail the information required to be submitted with an application for the various categories of resource consent. An application shall not be considered to have been received by the Council until such time as all the information requirements set out below have been met. If the Council considers that the information supplied, including any additional information requested under section 92 of the Act, is inadequate it may, commission or undertake such investigation, in accordance with section 92(2)(c) as it deems necessary to rectify this. Where provision has been made for this in accordance with section 36 such investigations will be at the applicant's expense.

F1 CERTIFICATES OF COMPLIANCE

All applications for a certificate of compliance shall include information on all matters contained in schedule F7.1, F7.4, F7.5 and F7.7 to the extent that the matters in the Schedules are applicable.

F2 CONTROLLED ACTIVITIES (EXCLUDING SUBDIVISION)

All resource consent applications for a controlled activity (excluding subdivision) shall include information on all matters contained in schedule F7.1, F7.4 and F7.5 to the extent that the matters in the Schedules are applicable.

F3 SUBDIVISION

All resource consent applications for a subdivision shall include information on all matters contained in schedule F7.1, F7.2, F7.5 and F7.7 to the extent that the matters in the Schedules are applicable.

F4 RESTRICTED DISCRETIONARY ACTIVITIES

All resource consent applications for a restricted discretionary activity shall include information on all matters contained in schedule F7.1 and F7.3 to the extent that the matters in the Schedules are applicable.

F5 DISCRETIONARY AND NON-COMPLYING ACTIVITIES (EXCLUDING SUBDIVISION)

All resource consent applications for a discretionary or non-complying activity shall include information on all matters contained in schedule F7.1, F7.4, F7.5, F7.6 and F7.7 to the extent that the matters in the Schedules are applicable.

F6 PRIVATELY INITIATED CHANGE TO THE DISTRICT PLAN

Where any party other than the Council seeks a change to the Plan, the request for that change shall include information on all the matters set out in schedules F7.1, F7.3, F7.4, F7.5, F7.6 and F7.7 to the extent that the matters in the Schedules are applicable.

F7 SCHEDULES OF INFORMATION

F7.1 Information Schedule 1

Information requirements for all resource consent applications

The information required by section 88 of the Resource Management Act 1991, in the form set out in Form 5 as prescribed in the Resource Management Act (Forms) Regulations 1991.

F7.2 Information Schedule 2

Information requirements for subdivision applications

Title information

Address and legal description of the property, and a copy of certificates of title for the land to be subdivided.

Site information

All abutting and underlying title boundaries, and identification of all existing easements, rights of way, covenants and building line restrictions.

Existing buildings and network utility structures.

Existing water supply, electricity, gas and telephone services within or adjacent to the proposed subdivision, and indicative servicing proposals.

Existing and proposed sewer and stormwater systems with invert and manhole levels.

A description and evaluation of any existing native flora and fauna and natural landscape features.

Any areas of the site that have the potential for flooding, inundation, erosion, landslip or subsidence.

The numbers, areas, and dimensions of all proposed lots.

Proposed roads, accessways, service lanes, access lots, and private ways with relevant width, areas, and proposed gradients.

Proposed reserves with suggested classifications and improvements (pathways, rest areas, play areas, landscaping, etc).

Proposed esplanade reserves and esplanade strips.

Existing and proposed easements (drainage, rights of way etc) with suitable memorandum and/or schedule shown on a survey plan, which also demonstrate provision for access for maintenance and upgrading purposes.

Proposed areas of excavation and filling, together with proposed finished contours where earthworks involving cuts and/or fills in excess of 1 metre are proposed.

Watercourses having an average normal width greater than 1 metre.

In the case of subdivision in the Rural Zone, information on water supply and waste water disposal, identification of house/building sites, and evidence that the proposed building sites are suitable for buildings in relation to the stability of the land and the proposed waste water disposal system.

In the case of subdivision in the City Centre, Industrial and Suburban Zones, outline plans of proposed development of sufficient quality and detail to demonstrate that it is practicable to construct on all allotments, as a permitted activity, a dwelling or other buildings which do not contravene any permitted activity standard.

In the case of land:

- fronting a State Highway,
- fronting a railway line,
- located within a National Grid Yard and/or National Grid Corridor
- located within 20m of a gas transmission or distribution line
- located within proximity of the Radio New Zealand's transmission facilities at Titahi Bay identified on the Planning Maps as K0201,

evidence that the proposed subdivision has been discussed with the relevant network utility provider and the outcome of the discussions. For the balance area of the subdivided property, where there is potential for further, future subdivision which may have implications for future services, roading and development, indicative information relating to all of the above matters.

Refer to Section F8.1 to determine the further information that may be required in certain circumstances. Where possible, and to avoid potential delays in processing the application, this information should be provided with the initial application.

F7.3

Information Schedule 3

Additional information requirements relating to applications for restricted discretionary activities

As appropriate to the nature of the activity:

Height

All applications must include site elevation plans at a scale of not less than 1:100, showing all existing and proposed buildings, and the contours of the site, plus the following information:

Elevations to show the relationship of the proposed building with its immediate vicinity, including a side elevation of adjacent buildings; and

One or more perspectives of the proposed building from appropriate vantage points.

Natural hazards – seismic, geological and flooding

For any site identified in the Plan within a Seismic Hazard Area, applications must provide a site plan identifying the proposed activity (including all buildings and other facilities) at an appropriate scale, on which the precise location and nature of the hazard is identified. A written description of the hazard must also be supplied. For other sites where a geological hazard (such as rainfall induced slope instability) or flood hazard may be present, the same information must be provided.

Network utilities:

All applications relating to network utilities must provide relevant information to address all the relevant matters of discretion set out for the relevant activity.

Above ground lines

All applications relating to new above ground lines must provide:

A plan at a scale appropriate to define the location and route of the new lines.

A written description of the new lines. This shall describe details of the number and thickness of the lines to be erected, any associated equipment and supporting structures, and what height they are to be fixed to any supporting structures.

Any other appropriately scaled plans, elevations illustrations or report, including any visual assessment, mitigation measures, and best practices necessary to determine the actual and potential effects on the environment.

F7.4 Information Schedule 4

Additional information requirements for applications for certificates of compliance, controlled activities (except subdivisions), discretionary and non-complying activities and plan change requests.

Plans, views and elevations

A site plan or plans at a scale of not less than 1:100 showing:

All legal boundaries of the property, including dimensions of the property and area of the site.

All buildings existing and proposed.

Measurements of all yards for all buildings existing and proposed.

All existing and proposed rights of way and network utility service easements applying over the site or appurtenant to the site, with dimensions.

Road crossings, accessways, service lanes, privateways, with relevant widths and gradients, existing and proposed.

All existing and proposed utility services including sewer and stormwater drainage systems with invert and manhole levels.

Contours and ground levels in relation to a recognised datum, along with relative floor level information to enable the assessment of maximum height in relation to a boundary.

Elevations of the proposed building, as necessary, for the purposes of establishing maximum height in relation to the boundaries, and to indicate the design of the building.

The location of all car parks existing and proposed, including access, manoeuvring areas, road markings and other relevant information.

The location and design of all loading and unloading provisions for commercial vehicles existing and proposed.

Location and nature of any external storage of materials existing and proposed.

Location and nature of any storage of hazardous substance, existing and proposed.

The location and design of all signs, existing and proposed. In the case of properties fronting State Highways, any proposal involving new signs should be discussed with Transit New Zealand, and the application should include the outcome of those discussions.

Areas of the site that are subject to flooding, inundation, erosion, landslip or subsidence.

Watercourses having average normal waterway width greater than 1 metre.

A description and evaluation of any existing native flora and fauna and natural landscape features.

Any resource consent application involving earthworks that do not meet the permitted activity standard for earthworks shall be accompanied by an earthworks management plan/assessment. The plan/assessment shall include the location and extent of the proposed cuts and fills, the location in relation to any water body (if relevant), the area of vegetation to be removed (where that extends beyond the area of proposed cut and fill), and sediment and erosion control measures to be used.

Note: Council Officers will use the principles and guidelines contained in the "Greater Wellington Regional Council's Small Earthworks, Erosion and Sediment Control for Small Sites" (June 2006) and/or "Greater Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region" (reprinted 2003) or any successors to these guidelines, when assessing the appropriateness of the submitted earthworks management plan/assessment.

Calculations

Calculations or other statements are required for the following:

Site coverage.

Noise.

Vehicle movements.

The extent of earthworks, including filling and excavation, dimensioned horizontally and vertically.

The storage of any hazardous substance.

Refer to Sections F8.1, F8.3 and F8.4 to determine the further information that may be required in certain circumstances. Where possible, and to avoid potential delays in processing the application, this information should be provided with the initial application.

Network Utilities:

Permitted Activities: Plans and information that demonstrate compliance with the permitted activity standards.

Controlled Activities: All applications relating to network utilities must provide relevant information to address all the relevant matters of control.

Discretionary Activities: All applications relating to network utilities must provide relevant information to address all the matters of discretion that apply to restricted discretionary activities.

F7.5 Information Schedule 5

Information requirements for applications and plan change requests affecting Historic Heritage (including Areas of Significance to Māori) identified in Appendices 10.1, 10.2 or 10.3.

All applications relating to historic heritage that is listed in Appendices 10.1, 10.2 or 10.3 must provide a site plan, at an appropriate scale, showing the location of any historic building, and any other information necessary to indicate any actual or potential effects on the heritage values associated with the building or site.

For any application that involves historic heritage that is listed in Appendices 10.1, 10.2 or 10.3 and is also on the Register of Historic Places, Historic Areas, Wahi Tapu and Wahi Tapu Areas or replacement documents administered by the New Zealand Historic Places Trust or replacement organisation brought about by legislative changes, applicants are required to consult with the Trust and to note the outcome of this consultation in their application.

For applications involving historic heritage buildings listed in Appendices 10.1 and 10.2, a heritage assessment prepared by a conservation architect or other suitably qualified heritage practitioner shall be submitted with the application and be approved by the Council.

For applications involving the restoration of historic heritage buildings listed in Appendices 10.1 and 10.2, a conservation plan prepared by a conservation architect or other suitably qualified heritage practitioner shall be submitted with the application and be approved by the Council.

For applications involving areas listed as historic heritage sites in Appendix 10.3, an archaeological assessment prepared by an archaeologist shall be submitted with the application and be approved by the Council.

For applications involving areas with cultural significance listed as A or B buildings in the Historic Heritage Schedule in Appendices 10.1 or 10.2 or sites in the Historic Heritage Schedule in Appendix 10.3, a cultural impact assessment prepared, in consultation with Te Rūnanga o Toa Rangatira Inc, by a suitably qualified person shall be submitted with the application and be approved by the Council.

For all applications on land within a wāhi tūpuna area and/or for historic heritage with Māori cultural values, applications must indicate what, if any, consultation with Ngati Toa Rangatira Inc. has occurred along with the outcome of any consultation.

Assessments of effects should adopt a precautionary approach. That is, a lack of information on any matter should be acknowledged as not precluding the possibility of potentially adverse effects.

The objectives, policies and rules in Section HH of the plan outline the reasons why this information is required.

F7.6

Information Schedule 6

Information to be supplied for any activity which fails to meet the hazardous facility threshold in the permitted activity standards.

- 1 Site location
- 2 Name of Hazardous substances to be stored, used or produced on the site.
- 3 The attributes of each hazardous substance:
 - Form (solid, liquid, gas)
 - Characteristics (explosive, oxidising, other)
 - Handling/storage conditions (storage pressure, flash point, boiling point, automatic ignition point)
 - Separation distances from site boundary
 - Type of activity (processing, above ground storage, below ground storage)
- 4 Whether any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be effectively sealed with materials which are resistant to the substance(s).
- 5 Whether any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be sealed and bunded so that the equivalent of the maximum of the largest container within the bunded area can be contained and excluded from the storm water system when a spill occurs. In areas where drums are stored, the bunded area shall be able to contain half of the maximum substances stored.

-
- 6 Whether bunds have been constructed from materials which are resistant to the substance that the bund is designed to contain, so as to prevent the substance entering the soil.
 - 7 Whether all storm water grates shall be clearly marked.
 - 8 Whether any storage of petroleum products in underground tanks complies with the most recent version of the Code of Practice for "Design, Installation, and Operation of Underground Petroleum Systems".
 - 9 Whether any part of the site where solid or liquid hazardous or environmentally damaging substances are used, manufactured, mixed or repackaged is roofed.
 - 10 Whether any part of the site where liquid or solid hazardous or environmentally damaging substances are loaded or unloaded is sealed, bundled, and drained to the trade waste sewer, subject to any relevant statutes, regulations and by-laws.
 - 11 Whether all vehicle access ways onto that part of a hazardous facility site where hazardous and environmentally damaging substances are loaded or unloaded shall have cut-off drains installed which are not directly connected to the storm water system.
 - 12 Whether any part of the site where vehicles, equipment or containers that have or may have become contaminated with hazardous or environmentally damaging substances are washed, have been sealed, bundled and drained so that process effluent (run-off) from the wash-down area is discharged into the trade waste sewer, subject to any relevant statutes, regulations or by-laws, or collected and stored in tanks for removal by a suitable trade waste contractor.
 - 13 Whether all hazardous facilities are adequately signposted according to the most recent version of the Code of Practice for "Warning Signs for Premises Storing Hazardous Substances" of the New Zealand Chemical Industry Council.
 - 14 Risk Assessment

A qualitative or quantitative risk assessment, as specified by the council, will be required as part of the information to be supplied with the consent application. This assessment should place particular emphasis on those issues not addressed in the HFSP, including:

 - Identification of potential exposure pathways.
 - The separation distance to neighbouring activities, with emphasis on people-sensitive activities, eg. schools, rest homes, hospitals, shopping centres and residential areas.
 - The location of the facility in relation to the nearest aquifer, waterway, coast or other sensitive environment.
 - The nature of the sub-soil and the site geology.

- The distance to ecologically sensitive areas such as wildlife habitats or water catchments.
- Reference to cumulative and synergistic effects, and bioaccumulation of the hazardous and environmentally damaging substances stored and used.
- The transport of hazardous substances.
- The disposal of waste hazardous substances.

15 Emergency Planning

Information on any emergency plans, including the description of emergency procedures, available emergency equipment and clean-up materials, and relevant staff training.

16 Alternatives

A description of any possible alternative locations or methods for undertaking the activity should be submitted, where it is likely that an activity will result in any significant adverse effects on the environment.

17 Traffic Safety

An assessment of any adverse effects on the safety of the operation of the adjoining road network, and any use of secondary roads in the Suburban Zone by vehicles transporting hazardous and environmentally damaging substances.

18 Access

The accessibility of the site from a primary road and diagrams of the location of entry and exit points to the site, and their interaction with existing intersection and/or land constraints.

19 Monitoring

The nature and frequency of proposed monitoring is an important consideration in setting appropriate consent conditions.

F7.7 Information Schedule 7

Plan Change Information

All requests for a Plan change shall provide evidence of the applicant having fulfilled the following requirements:

The consultation requirements set out in clause 3 of Part One of the First Schedule to the Act,

An assessment of the implications of the change for the provisions made within the Plan for those matters specified in Part Two of the Act.

The obligations in regard to s32 of the Act.

F7.8 Information Schedule 8**Information to accompany resource consent applications relating to the Aotea Supermarket Zone**

A consent application for activity within the Aotea Supermarket Zone shall supply information of a standard that is sufficient to enable assessment against the relevant matters for control, standards and assessment criteria for the Aotea Supermarket Zone.

F8 CIRCUMSTANCES IN WHICH FURTHER INFORMATION MAY BE REQUIRED

Sections F1 to F7 set out the information which must be submitted before a resource consent will be received. Section F8 provides for the circumstance where the questions raised by the application cannot be readily resolved without further information.

Further information may be required from the applicant, by written request, up until the time of the hearing, in accordance with section 92 of the Resource Management Act 1991 including the following:

F8.1 Applications for a controlled activity

Further information may be required in the form of an assessment of the off-site effects of the development on Council services e.g. roads, water supply and sewage disposal. Further information may also be required in the event that any natural hazard, contamination of the site or unstable ground exists in the vicinity of the site.

F8.2 Applications for a restricted discretionary activity

Within a Seismic Hazard Area. Further information may be required to clarify the extent of the risk and the consequences of the hazard, including the risks to the post event operation of the activity from the effects of an event on other land in the area e.g. roads.

F8.3 Application for a Discretionary Activity

External storage of material. The strategy should clearly illustrate how the storage will be screened from the view of neighbours and the public. Plans and views from vantage points may be requested.

Storage of hazardous substances. The strategy should clearly state the manner in which they are to be stored, site management and any other relevant information regarding the use and management of the hazardous substances (including contingency responses). If requested, a risk assessment and a site management plan must be provided (including a contingency plan).

Natural hazards - earthquake. For any site identified in the Plan as likely to be subject to a seismic hazard an appropriately qualified and experienced consultant's report on the site, and any measures taken to mitigate against the effects of earthquakes may be requested.

Road crossings, rural roads. All applications must provide plans, at an appropriate scale, to indicate the location of the proposed road crossing in relation to the road, including other road crossings in the immediate vicinity, the

location of trees and other vegetation, sightline distances, and other relevant information, and, if requested, a traffic assessment undertaken by a qualified traffic specialist.

Earthworks and the removal of native vegetation in Landscape Protection Area. Further information may be required on the nature of the ecology of the area, the effect on the ecology of the proposal, the significance of the effect, and alternative locations for the activity.

Wind farms. All applications are to include relevant assessments undertaken by suitably qualified and/or experienced professionals in relation to the anticipated adverse effects of the proposal, in addition to any of the above requirements for discretionary activities. These assessments shall particularly address the Assessment Criteria listed in Rule D4.1.4(vii). Where necessary, a geotechnical investigation may also be required to be included.

F8.4 Application for a Non-complying Activity

In the case of any non-complying activity any or all of the additional information referred to for discretionary activities, and a detailed assessment of alternative locations may be required.

F8.5 Request for a Plan Change

Additional information may be requested on any matter where the exact implications or merits of the change are not entirely clear.

F9 INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS WITHIN THE JUDGEFORD HILLS ZONE

Earthworks Management Plan

Resource Consent applications to construct a road and or access from a road to a dwelling shall provide an earthworks management plan detailing sediment control, erosion protection and construction management. Council will not accept a resource consent application for the construction of a road that does not contain an earthworks management plan. Compliance with the earthworks management plan shall be enforced via consent conditions.

Note: The Greater Wellington Regional Council's guidelines on erosion and sediment control may be useful in producing or assessing an Earthworks Management Plan.

Building site

Any resource consent application for a building shall include a plan that clearly shows the accurate location of the building site within the allotment, and the proposed building in relation to the building site. Council will not accept a resource consent application for a building that does not clearly show the building site.

Building sites 1 and 28

Any resource consent application for a subdivision that will create an allotment containing building sites 1 or 28 shall be required to demonstrate the extent of any flood hazard in relation to these sites. This must be achieved by the

provision of a report by a suitably qualified and experienced professional engineer. This report must include:

- A suitably detailed hydraulic model for an appropriate return period storm
- Based on the information above, provide a determination as to whether the building site is subject to a flood hazard.

PART G

CROSS BOUNDARY ISSUES

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G CROSS-BOUNDARY ISSUES

The RMA requires that the process by which cross boundary issues will be resolved is stated in the Plan.

The City has boundaries with Wellington City Council, Hutt City Council, Upper Hutt City Council, Kapiti Coast District Council, and the Wellington Regional Council.

Cross-boundary issues refer to situations where an activity takes place on or near a territorial boundary e.g. residential subdivision, or where the effects of a particular activity impact on the territory of an adjacent authority e.g. where the principal effect is traffic on a road in another authority.

This does not include overall structural or development issues e.g. retail hierarchies, urban forms, where they are well removed from boundaries.

The cross-boundary issues take two forms. The first is ensuring that the overall policies and rules in the Plan take reasonable account of the effects on adjacent areas. An example of this occurs is where the Kenepuru Road area within Porirua City abuts a residential area within Wellington City. The Porirua City District Plan recognises the rights of the residential properties to a reasonable standard of amenity and requires development in the neighbouring industrial area to meet these standards e.g. noise.

The second category of cross-boundary issues concern the consideration of the effect of development proposals in one Region, City or District, on the adjacent Region, City or District.

The following procedure will be followed for cross-boundary issues:

- (i) By seeking to determine, before a resource consent application is received, whether any resource consents are required from any other consent authorities.

Section 102 of the RMA sets out the circumstances and procedures for joint hearings where an activity requires consent from two or more authorities.

- (ii) By encouraging applicants for resource consent for activities which might have effects on an adjoining territory to consult with that authority,
- (iii) By including the adjacent authority in the requirements for neighbours consent where applicable,
- (iv) By notifying the adjacent authority of proposals for which an application has been received where it is considered that a cross-boundary effect is likely.

Where a resource consent application is received by the Porirua City Council and deemed to fall into the classification of being a cross-boundary issue, Council will seek to adopt the following process (subject to the particular circumstances, the approach adopted by the other consent agencies concerned, and any relevant matters relating to delegations):

- (i) Where the adjacent authority does not require a resource consent application for the proposed activity, the application will proceed as provided for in this District Plan.
- (ii) Where both the Porirua City Council and the adjacent authority require a resource consent application, and that application is provided for as a non-notified application, the consent and any conditions be decided by the authorities with a single decision being issued.
- (iii) Where at least one authority requires a resource consent to be notified, all authorities will notify the application and the consent and any conditions be decided by the authorities jointly with a single decision being issued.

PART H

CAR PARKING, VEHICLE MOVEMENTS AND ROADS

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H CAR PARKING, VEHICLE MOVEMENTS AND ROADS

This Part of the Plan sets out the Technical Standards relating to car parking, vehicle movements and roads. It is an integral part of the Rules and Standards contained in Part D of the Plan, and the financial contribution provisions in Part E of the Plan.

H1 CAR PARKING, PRIVATE WAY AND DRIVEWAY TECHNICAL STANDARDS

The Council requires all car parks, private ways and driveways to meet the following standards:

- (i) Maximum gradient of 1 in 5;
- (ii) Except in the Rural Zone, each car park including aisles, turning circles, driveways and accessways shall be formed and surfaced with an all weather surface such as concrete, bitumen or seal, before use of the site or building (as appropriate) commences.
- (iii) Minimum car manoeuvring and parking dimensions shall be in accordance with the dimensions specified in Figure 5, Figure 5a and Table 2 below.
- (iv) Parallel parking spaces shall be 6.0m long, except where one end of the space is not obstructed, in which case the length of the space may be reduced to 5.0m.

Minimum car manoeuvring and parking dimensions shall be in accordance with the dimensions specified in Figure 5 and Table 2 below.

- (v) Car parks are to be clear of front yards.
- (vi) Minimum carriageway widths shall be in accordance with the dimensions specified in Table 4 below.

CAR PARK LAYOUT

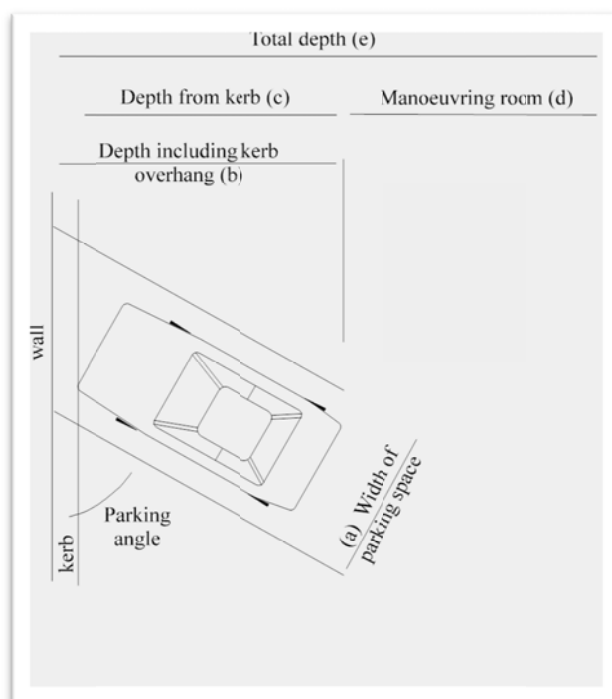
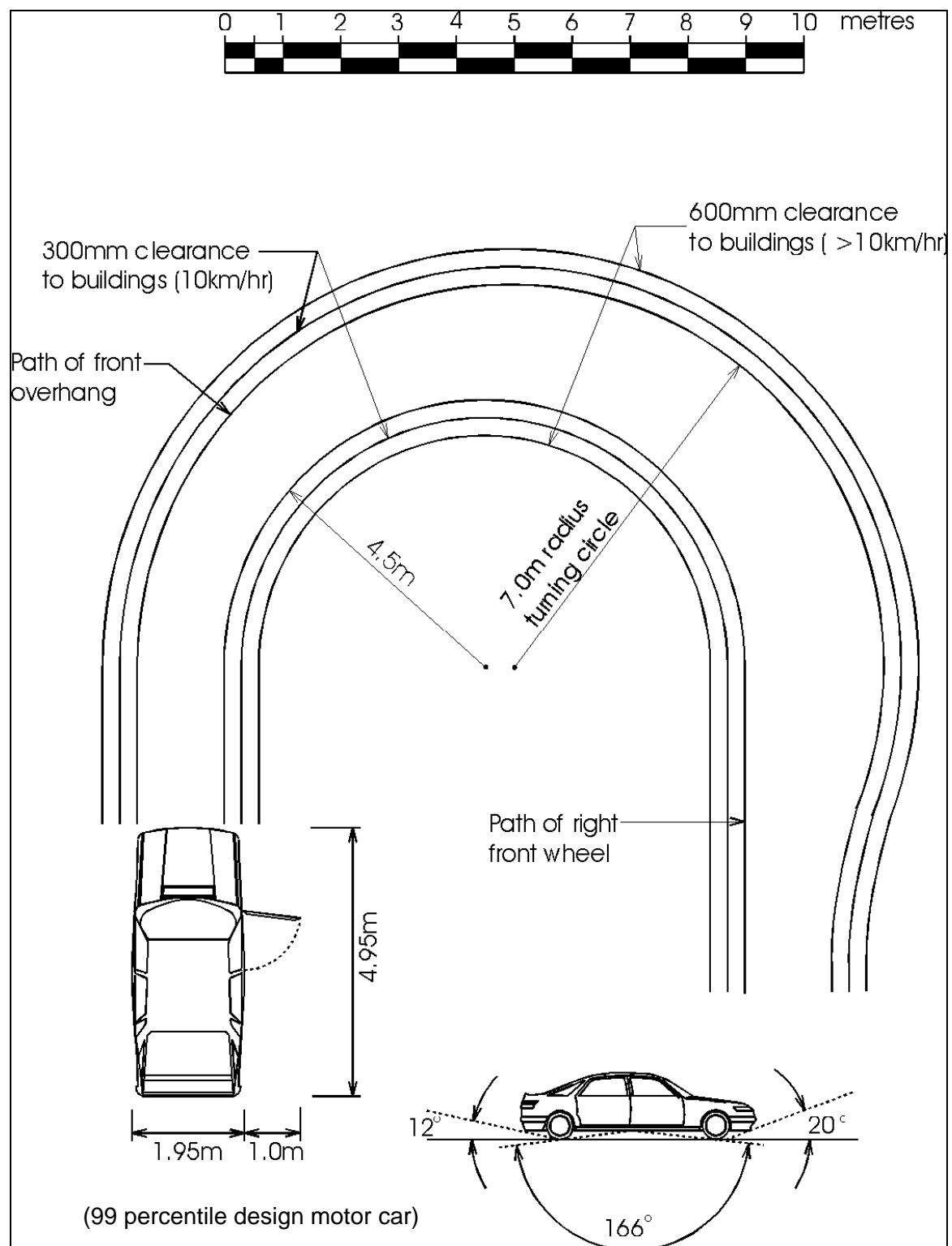


FIGURE 5.

STANDARD CAR PARK MEASUREMENTS

Type of parking	Stall width (a)	Stall Depth		Aisle Width (d)	Total Depth (e)	
		from wall (b)	From kerb (c)		One row	two rows
	ALL MEASUREMENTS ARE IN METRES					
Parallel	2.5m	see clause (v) above.				
Angled	2.5m	5.5m	5m	4.5	10.0m	15.5
90°	2.5m	5.0m	4.6m	7.5m	12.5m	17.5

TABLE 2.

FIGURE 5a **VEHICLE TURNING CIRCLES**

H2 VEHICLE MOVEMENTS

In meeting the non-residential requirements of the "vehicle movements" activity standard specified in D3.2.1 the following shall be used as the method for calculating vehicular movements:

- (i) The number of vehicle movements permitted by an activity standard shall be calculated over a 24 hour period.
- (ii) In assessing the number of vehicle movements, the Council shall require that all vehicles parked on the road which are associated with a particular site shall, as well as the number of vehicles entering and exiting the site, be included in the calculation of vehicle movements.

In this context, the term "associated" refers to vehicles used by persons residing and working at the site, and persons visiting the site including those unable to park their vehicle within the confines of the site.

- (iii) A vehicle arriving and leaving a site within a 24 hour period is counted as two vehicle movements.

H3 ROADING CLASSIFICATION

The Roading Classification sets the technical standard for the overall size and relationship of new roads and private ways and driveways. It is also the basis of the standards for Noise, and for the consideration of the effects of activities on the transportation network.

Primary Roading Classification and Technical Standards

The City's primary roads have been classified on the following basis:

- (i) **Motorway:** This provides the main spine of the network, usually multi-lane, with full control of access and grade separation at junctions and intersections. Traffic volumes in the range 10,000 to 30,000 v.p.d. Motorway implies a statutory definition limiting both access and traffic.
- (ii) **Arterial roads (Major/Minor):** These roads provide inter-connection between major sectors of a large area, provide a link with important external areas. Access is provided at a limited number of intersections usually at grade. Traffic volumes are typically 7,000-15,000 v.p.d. for Minor arterials while Major implies planning for four lanes and volumes typically 10,000 - 25,000 v.p.d.
- (iii) **Principal Streets:** These roads have a dominant through-traffic movement and provide a network of public transport routes. Land use and access may be restricted at important intersections and rear servicing facilities may be required. Volumes are typically 2,500 - 10,000 v.p.d. The equivalent Table is on the following page.

Note: These are also defined in the Code of Practice - Design for Urban Streets (NRB 1975) and include the National or Regional State Highway routes and the City's major/minor arterials and principal streets.

Table 3 below contains key technical standards for each category of primary road. These standards form part of the rules of the Plan.

Road Type	Typical Traffic vpd	Design Speed kph	Min Width (m)	Typical Carriageway Width		
				Park (m)	Traffic (m)	Total (m)
Principal Street	2,500 - 10,000	60	20	2 x 3	2 x 3.5	13
Minor Urban Arterial	7,000 - 15,000	70	20	2 x 3	2 x 3.5	13
Major Urban Arterial	10,000 - 25,000	70	30	2 x 3	4 x 3.5	20
Minor Rural Arterial	1,000 - 8,000	120	20	N/A	2 x 3.5	11
Major Rural Arterial	3,000 - 10,000	120	30	2x2	4 x 3.5	20
Motorway	10,000 - 30,000	120	Up to 200 m	N/A	N/A	N/A

TABLE 3.

Secondary Roading Classification and Technical Standards

The City's secondary roads and private ways have been classified into the categories stated in Table 4 below. In addition, Table 4 contains key technical standards for each category of road. These standards form part of the rules of the Plan.

Classification	Sub - Classification	Type	Traffic volume (vpd)	Dwellings served or length in metres	Design Speed (kph)	Minimum legal road width (m)	Minimum Carriageway width (m)		
							Parking	Traffic	Total
PRIVATE WAYS & DRIVE WAYS	Residential	Private Way & Drive Way		up to 3		3.5		2.7	2.7
		Private Way & Drive Way		4-6		6		5	5
	Medium density Policy Areas ^a	Private Way & Drive Way		Dwellings: ≤ 3		3.5m	Note 1	2.7m	2.7m
		Private Way & Drive Way		Dwellings: 4-9 (a) Accessway length: ≤ 50m		7.0m for the first 8m, tapering to 3.5m by 12m ^b and 3.5m thereafter Note 2	Note 1	6.0m for the first 8m. tapering to 2.7m by 12m ^b and 2.7m thereafter	6.0m for the first 8m. tapering to 2.7m by 12m ^b and 2.7m thereafter
				(b) Accessway length: >50m ^b		7.0m for the first 8 metres, tapering to 3.5m by 12m ^b and 3.5m thereafter with provision for passing bays every 50m ^c Note 2	Note 1	6.0m for the first 8m. tapering to 2.7m by 12m ^b and 2.7m thereafter with provision for passing bays every 50m ^c	6.0m for the first 8m. tapering to 2.7m by 12m ^b and 2.7m thereafter with provision for passing bays every 50m ^c
		Private Way & Drive Way		Dwellings: 10-19		7.0m for the first 8m, tapering to 6, by 12m ^b , and 6m thereafter. Note 2	Note 1	6.0m for the first 8m tapering to 4.5m by 12m ^b , and 3.5m thereafter PLUS 1m footpath ^d	6.0m for the first 8m tapering to 4.5m by 12m ^b , and 3.5m thereafter PLUS 1m footpath ^d
	Rural	Private Way & Drive Way		up to 3		4		3m metalled	4m metalled

Classifica tion	Sub - Classificati on	Type	Traffic volume (vpd)	Dwellings served or length in metres	Design Speed (kph)	Minimum legal road width (m)	Minimum Carriageway width (m)		
							Parking	Traffic	Total
			(Allow passing bays as required and @ max 200m)					½ m shoulders	
		Private Way & Drive Way		4-6		6		3m sealed	4m sealed
			(Allow passing bays as required and @ max 200m)					1/2 m shoulder	
LOCAL	Residential	Short cul- de-sac		<20 <100m		12		2 x 3	6
		Long Cul- de-sac		>20 >100m		15		2 x 3.5	7
		Minor access		<100	20			2 x 3.5	7
	Industrial	Minor Access	<200	na	40	17	2 x 2.5	1 x 3	8
	Rural	Medium	100 - 250	<30	70	20			7.5
		Low	30 - 100	<12		20			5/7.5
		Low	<30	<4		15			5
COLLECT OR	Sub-collector	Suburban	200- 1000	<150	40	17	2 x 2.5	1 x 3	8
		Industrial							
		Rural	<1000	<100	80	20			7.5
	Collector	Suburban	800- 3000	150-450	50	20	2 x 2.5	2 x 3	11
		Industrial	>1000						
		Rural	500- 2000	<200	100	20			9-11

TABLE 4.

- a All private ways/driveways serving Medium Density Residential developments shall provide a turning head or bay which enables vehicles to manoeuvre in accordance with the vehicle turning circle and/or car park layout manoeuvring room requirements shown in Figures 5 and 5a.
- b The first 8m length of the legal private way width extending from the road shall be 7m in width. Between 8m and 12m length it shall taper to a 3.5 m width where it serves less than 10 dwellings, or a 6m width where it serves 10 –19 dwellings. The first 8 m length of the carriageway extending from the road shall be 6m in width. Between 8m and 12m length it shall taper to a 2.7m width where it serves less than 10 dwellings, or a 4.5 m width (including a 1m width footpath) where it serves 10-19 dwellings.

- c Where private ways serve between four and nine dwellings and are longer than 50m, passing bays need to be provided at 50m intervals. The carriageway should have a minimum total width of 4.5m at the passing bays, with each bay designed with a length of 5m and start and end tapers of 4m. Other intermediary passing bays should be provided in the event that there is not full visibility available between the passing bays.
- d The carriageway is intended to be designed with an integrated footpath that is suitably delineated from the carriageway but which vehicles can also share. This can include the provision of mountable kerbs between the footpath and carriageway.

Note 1 The carriageway standards do not provide for any parking within the length of private way.

Note 2 Additional widening should be provided on bends in the event that the access ways are not straight.

H4 SCHEDULE OF PRIMARY ROADS WITHIN THE CITY

Primary Roads

(i) Motorways

- (a) State Highway 1 (Linden boundary to Paremata)

(ii) Major Rural Arterial

- (a) State Highway 1 (Plimmerton to Pukerua Bay)
- (b) State Highway 58 (Pauatahanui to Haywards)

(iii) Minor Rural Arterial

- (a) Grays Road (Plimmerton to Paekakariki Hill Road)
- (b) Paekakariki Hill Road (Pauatahanui to hill top)
- (c) State Highway 58 (Browns Bay to Pauatahanui)

(iv) Major Urban Arterial

- (a) Kenepuru Drive (Titahi Bay Road to City boundary)
- (b) Mungavin Avenue (Mungavin Interchange to Champion Street)
- (c) Paremata Road State Highway 58 (Paremata Roundabout to Browns Bay)
- (d) State Highway 1 Mana Esplanade (Paremata Roundabout to Plimmerton)
- (e) State Highway 1 Pukerua Bay (Grays Street to Pa Road)
- (f) Te Whaka Whitianga O Ngatitoa (Parumoana Street to State Highway 1)

- (g) Titahi Bay Road
- (h) Whitford Brown Avenue (State Highway 1 to Warspite Avenue)
- (v) Minor Urban Arterial
 - (a) Champion Street
 - (b) Lyttelton Avenue, Kenepuru Drive to Parumoana Street
 - (c) Main Road Titahi Bay
 - (d) Raiha Street and Prosser Street
 - (e) Semple Street, Parumoana Street
 - (f) Steyne Avenue to Beach Road
 - (g) Warspite Avenue
- (vi) Principal Streets
 - (a) Airlie Road
 - (b) Awarua Street
 - (c) Awatea Street
 - (d) Bay Drive
 - (e) Broken Hill
 - (f) Castor Crescent
 - (g) Conclusion Street
 - (h) Dimock Street
 - (i) Discovery Drive
 - (j) Driver Crescent
 - (k) Eskdale Road
 - (l) Gloaming Hill
 - (m) Hagley Street
 - (n) James Cook Drive
 - (o) Lyttelton Avenue
 - (p) Mana View Road
 - (q) Moana Road Plimmerton
 - (r) Mungavin Avenue

- (s) Niagara Street
- (t) Norrie Street
- (u) Omapere Street
- (v) Papakowhai Road
- (w) Paremata Crescent (Part near Kahu Road)
- (x) Postgate Drive
- (y) Spinnaker Drive
- (z) Sunset Parade
- (aa) Te Hiko Street
- (ab) Te Pene Avenue
- (ac) Te Puke Street
- (ad) Thornley Street
- (ae) Truro Road and part of Pope Street
- (af) Tweed Road

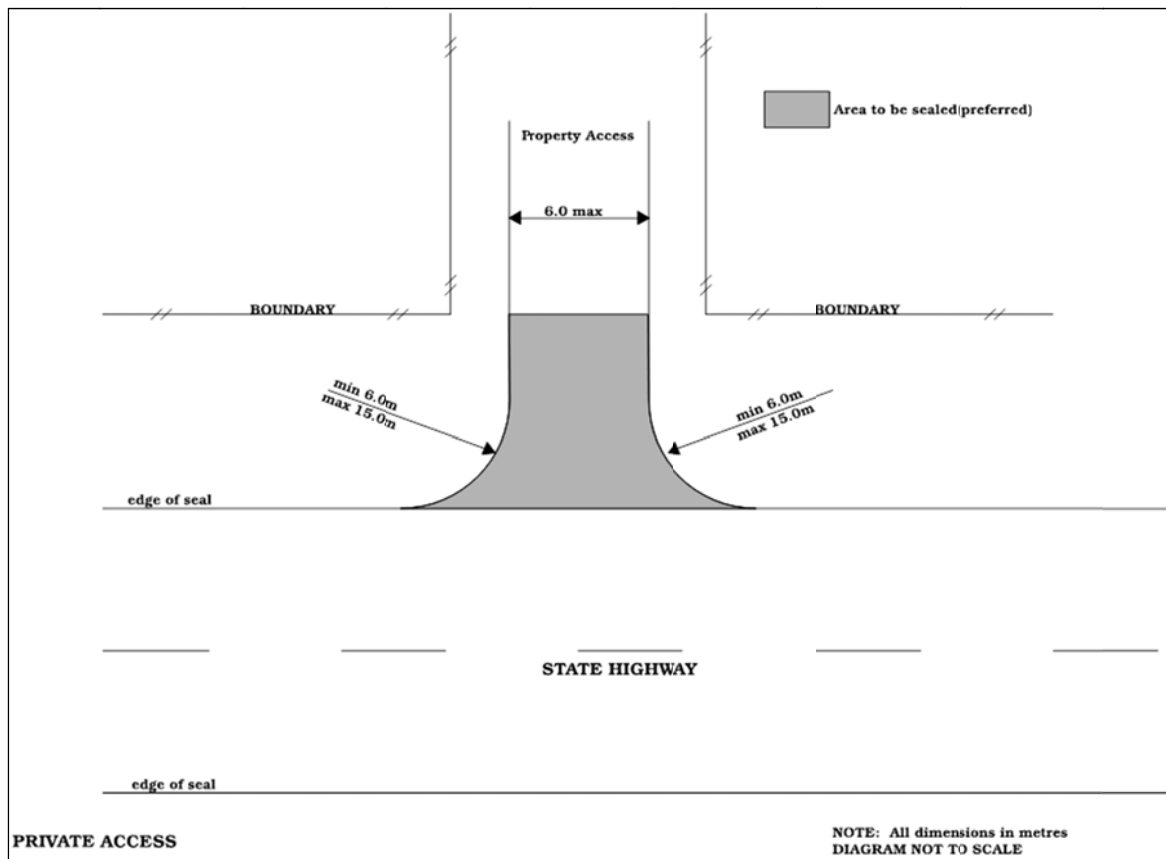


FIGURE 6: PRIVATE ACCESS ONTO STATE HIGHWAYS

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PART HH HISTORIC HERITAGE

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HH HISTORIC HERITAGE

HH1 INTRODUCTION

The District Plan manages the natural and physical resources of Porirua City in accordance with the Resource Management Act 1991. Historic Heritage is one of Porirua City's physical resources, and Section 6(f) of the Resource Management Act requires the Council to recognise and provide for the protection and management of historic heritage as a matter of national importance.

This chapter outlines the provisions of the District Plan that relate to historic heritage within Porirua City. These provisions apply to all historic heritage recorded in Appendices 10.1, 10.2 and 10.3.

Historic heritage is not only part of our inheritance from the past; it is also a part of our contemporary identity and sense of place.

The physical environment constitutes a vital aspect of people's sense of community and belonging. Historic heritage, including cultural connections and associations with places, makes an important contribution to the physical environment. In particular, historic heritage is an essential part of what makes a place unique or important to the people who live there.

The New Zealand Urban Design Protocol, for example, identifies that successful towns and cities have a strong and locally distinctive identity that builds on the unique strengths and characteristics of each place and the cultural identity of New Zealand. They reflect our heritage and culture in their built form, in the landscape, and in the way spaces are organised and used.

An important part of recognising the importance of historic heritage in creating a sense of place is recognising that at times heritage values may extend beyond a specific site to include a collection of sites that reflect an important aspect of the city's historical growth and development.

Historic heritage also provides a tangible insight into our past and can be an important source of knowledge. Historic heritage buildings and sites provide a context for community identity as well as visible evidence of the continuity between past, present and future. They can also provide valuable information about the past and the cultures of those who came before us.

As well as contributing to a sense of place historic heritage buildings can, for example, provide useful information about the tools, technology and materials available at specific points in time. Equally, archaeological site investigations provide us with an opportunity to gather information about how people previously lived, and what their environment was like at that time. The accidental or inadvertent destruction or damage of these buildings and sites can therefore result in the loss of this knowledge and the links to the past they provide.

The Māori approach to protection of their unique heritage involves the concept of Kaitiakitanga. In the Porirua City context this means that Te Rūnanga o Toa Rangatira assumes responsibility for managing information about wāhi tapu or other areas within their tribal area, including associated scientific and spiritual/indigenous knowledge and related oral histories.

To reflect the respective significance of the Māori cultural values within the city, areas have been classified as either wāhi tapu (associated with places of death or birth); or wāhi tūpuna (associated with traditional uses).

Regardless of the important role that historic heritage assumes in defining a place, and its significance as a link to the past, there is also a need to recognise that its long term viability depends on the extent to which it can be adaptively reused and sensitively altered to meet contemporary needs and requirements. In particular, many historic heritage sites are privately owned and are used for a range of activities such as: private residences, business, and farming. Further, societal changes can also place different demands on land use which may have a consequential impact on heritage values (i.e. the modernisation of a heritage building, or residential development/intensification in or around historic heritage sites).

NOTE 1:

HERITAGE MANAGEMENT STRATEGY

Porirua City Council's Heritage Management Strategy was used as a guiding document, and heavily informed the development of this Plan.

CONSIDERATION OF ENTIRE DISTRICT PLAN

If development is proposed, all provisions within this chapter are to be read in conjunction with the Objectives, Policies and Rules of the relevant zone within which the development is located, and other Objectives and Policies contained in Part C of the Porirua City District Plan that may be relevant to the proposal.

BUILDING ACT 2004

Historic heritage buildings are not exempt from the Building Act 2004.

RELATIONSHIP WITH NEW ZEALAND HISTORIC PLACES TRUST

Recognition and management of historic heritage through the Porirua City District Plan complements the statutory regime administered by the New Zealand Historic Places Trust under the Historic Places Act 1993. Where a resource consent is required for any building or site entered on the Historic Heritage Schedule the New Zealand Historic Places Trust will be notified as an affected party.

HH2

RESOURCE MANAGEMENT ISSUES

Within Porirua City there are a number of key issues or challenges that need to be addressed to ensure that historic heritage is sustainably managed

HH2.1 Identification, awareness and understanding

Effective historic heritage protection and management relies on understanding the historic heritage values that apply to buildings and sites in the city and identifying those places of significance to the community. Owners, occupiers and users of historic heritage buildings and sites also need to be engaged and made aware of the significance of these places if they are to be effectively managed into the future.

HH2.2 Kaitiakitanga

Te Rūnanga o Toa Rangatira Inc. is recognised as Mana Whenua within Porirua City and is Kaitiaki for the district. They exercise kaitiakitanga over historic heritage sites and places with Māori cultural values. This responsibility needs to be recognised through the heritage management regimes administered by Porirua City Council.

HH2.3 Loss of heritage value through inappropriate use, development or subdivision

Historic heritage can be directly threatened through modification, damage or destruction associated with the use or development of a site. Equally, unsympathetic development in close proximity to a historic heritage building or site can also adversely affect its values.

HH2.4 Facilitating heritage use, maintenance, restoration and protection

Threats such as fire, earthquake damage, vandalism, off roading and demolition by neglect can result in the destruction or dilution of the value of historic heritage buildings and sites. Provision needs to be made to encourage and facilitate the continued use or adaptive reuse of historic heritage buildings and sites, along with the appropriate protection, maintenance and restoration of the heritage values associated with these buildings and sites. This includes enabling works required for fire protection and appropriate earthquake strengthening.

HH3 OBJECTIVES & POLICIES**Objective****HH3.1 To recognise historic heritage that reflects Porirua City's diverse history.****Policies**

HH3.1.1 Identify historic heritage that contributes to an understanding and appreciation of the history and cultures of Porirua City, the Wellington Region and/or New Zealand that is significant in terms of one or more of the following values:

- a. Historic values;
- b. Social values;
- c. Setting and group values;
- d. Architectural values;
- e. Scientific and technological values;
- f. Māori cultural values;
- g. Archaeological values

HH3.1.2 Record significant historic heritage buildings and sites identified in accordance with Policy 3.1.1, and group these buildings and sites according to their relative significance into one of the following categories:

- a. Historic Heritage Group A: Buildings that have outstanding national or regional significance due to their "rarity" and/or level of "integrity".
- b. Historic Heritage Group B: Buildings that have regional or local significance.
- c. Historic Heritage Sites: Places and areas that are of national, regional and/or local significance.

Explanation

Objective 3.1 seeks to identify and recognise buildings and sites within Porirua City that have significant local, regional and national historic heritage value. The identification and recognition of buildings and sites with these associated heritage values will directly contribute to raising awareness of these sites, their values and their relative management needs.

In support of Objective 3.1, Policy 3.1.1 seeks to ensure that important buildings and sites that reflect the history and cultures of Porirua City, the Wellington Region and/or New Zealand, and that contribute towards our understanding and appreciation of this rich past, are identified for inclusion in the District Plan. The policy emphasises that the contribution to New Zealand's history and cultures can occur at a local, regional and national level.

The assessment criteria aligned with Policy 3.1.1 are intended to establish the nature, extent, and significance of the relevant heritage values. They are also consistent with the policies contained within the Wellington Regional Policy Statement 2010. The purpose of the assessment is to enable heritage values associated with a building or site to be identified and recorded in the District Plan as a "Statement of Significance". This information, in turn, can help to inform the development of appropriate building and site specific management responses.

Policy 3.1.2 relates to the manner in which historic heritage buildings and sites identified in the course of implementing Policy 3.1.1 are differentiated, recorded and presented in the District Plan. Some historic buildings in Porirua City have outstanding heritage values due to their rarity and/or integrity at a national or regional level. Due to their outstanding values these buildings are separately identified from other buildings that are notable due to the heritage values they exhibit at a regional or local level. Historic heritage sites are also separately identified from buildings, due to their differing management needs and requirements. Regular monitoring and review of the historic heritage buildings and sites included in the Plan will be undertaken to ensure that their values are appropriately acknowledged and presented. Where existing entries are proposed to be elevated in status (i.e. from Group B to Group A) or new entries are proposed for inclusion such amendments will be progressed by way of a formal plan change.

Objective

- HH3.2 That tangata whenua are able to exercise kaitiakitanga in relation to sites and places in Porirua City that have identified Māori cultural value.**

Policies

- HH3.2.1 Identify, in consultation with Te Rūnanga o Toa Rangatira Inc, areas within Porirua City that are wāhi tapu and wāhi tūpuna due to associations with tangata whenua ancestors.**
- HH3.2.2 Consult with Te Rūnanga o Toa Rangatira Inc. on development proposals that affect historic heritage buildings or sites with identified Māori cultural values in Appendices 10.1, 10.2 or 10.3 to enable these values to be appropriately protected or managed.**
- HH3.2.3 Ensure that Te Rūnanga o Toa Rangatira Inc. is consulted on development proposed in identified wāhi tapu and wāhi tūpuna areas.**

Explanation

Te Rūnanga o Toa Rangatira Inc. is recognised as Mana Whenua within Porirua City.

The importance of tangata whenua involvement in decision making about natural and physical resources that have importance to Māori is clearly expressed within Part II of the Resource Management Act. Within Porirua City the role of exercising kaitiakitanga in relation to sites and places that have identified Māori cultural values rests with Te Rūnanga o Toa Rangatira Inc in its capacity as Mana Whenua.

Some significant wāhi tapu sites are identified in the District Plan and listed as historic heritage sites in Appendices 10.1, 10.2 and 10.3. Resource consent may be required for works in these areas. Other larger areas of wāhi tūpuna are identified on District Plan maps.

Objective 3.2 therefore seeks to enable the exercise of kaitiakitanga by Tangata Whenua when buildings or sites with Māori cultural values are potentially affected by development proposals.

In support of Objective 3.2, Policy 3.2.1 seeks to enable Te Rūnanga o Toa Rangatira Inc to identify wāhi tūpuna areas for inclusion in the District Plan. There are large areas of the city that have historically been occupied by Tangata Whenua. The identification of these areas is important as they are considered to be wāhi tūpuna due to their ancestral associations, and the importance of these associations for tangata whenua. Identification will also assist with raising awareness, understanding and appreciation of these areas and any associated values that may require a specific management response.

Policy 3.2.2 seeks to ensure that Te Rūnanga o Toa Rangatira Inc. can exercise Kaitiakitanga over sites with identified Māori cultural values that are included in Appendix 10.3 of the Historic Heritage Schedule. This will be achieved by requiring consultation with Te Rūnanga o Toa Rangatira Inc. when development proposals occur on these sites in order to ensure that their associated heritage values are appropriately acknowledged and considered.

Policy 3.2.3 identifies that where development proposals occur on wāhi tūpuna areas, Te Rūnanga o Toa Rangatira Inc will be consulted.

While it is recognised that the destruction or modification of, or damage to, an archaeological site is regulated by the Historic Places Act 1993, tangata whenua awareness of such development and early consultation forms part of enabling the exercise of kaitiakitanga.

NOTE 2:

TREATY OF WAITANGI AND REMAINDER OF DISTRICT PLAN

Objective 3.2 and its corresponding policies are to be read in conjunction with Treaty of Waitangi Issues and other matter of concern to Māori outlined in Section B2, and other objectives and policies relating to Responding to the Treaty of Waitangi contained in section C5 of the Plan.

Objective

- HH3.3 To ensure that the values associated with Porirua City's historic heritage are not lost due to inappropriate modification, subdivision, use and development.**
- HH3.3.1 Encourage the compatible use of buildings and sites included in Appendices 10.1, 10.2 and 10.3 of the Historic Heritage Schedule.**
- HH3.3.2 Enable the maintenance, restoration and adaptive reuse of buildings and sites included in Appendices 10.1, 10.2 and 10.3 of the Historic Heritage Schedule.**

- HH3.3.3** **Avoid or appropriately mitigate any adverse effects of activities on significant heritage values associated with buildings or sites in Appendices 10.1, 10.2 and 10.3 of the Historic Heritage Schedule.**
- HH3.3.4** **Unless there are exceptional circumstances, avoid the demolition or destruction of buildings and sites included in Appendices 10.1 and 10.3 of the Historic Heritage Schedule.**
- HH3.3.5** **Discourage the demolition or destruction of buildings included in Appendix 10.2 of the Historic Heritage Schedule.**
- HH3.3.6** **Protect the historic heritage values of buildings and sites identified in Appendices 10.1, 10.2 and 10.3 of the Heritage Schedule from inappropriate subdivision.**

Explanation

Buildings and sites that have identified heritage values are at risk from unsympathetic or inappropriate modification, use or development. Consequently, Objective 3.3 seeks to avoid the loss of these heritage values due to the inability to practically utilise a building or site or inappropriate modification, use and development. The associated policies attempt to balance the dual risks of under-utilisation and unsympathetic change by enabling activities that do not pose significant risk to heritage values, whilst requiring the assessment and appropriate management of activities that do pose a risk to heritage values.

In support of Objective 3.3, Policies 3.3.1 and 3.3.2 seek to ensure that identified historic heritage buildings and sites can be successfully and sustainably managed in an on-going and active fashion by:

- encouraging regular maintenance and repair;*
- enabling sensitive and informed restoration, including the reinstatement of original building features; and*
- enabling work to be undertaken that will encourage their continued use (e.g. earthquake strengthening, fire protection).*

Policy 3.3.3 requires the avoidance or appropriate mitigation of adverse effects of activities on significant heritage values associated with a historic heritage building or site.

Policy 3.3.4 seeks to avoid the unnecessary total or partial demolition or destruction of buildings or sites included in Appendix 10.1 and 10.3 of the Historic Heritage Schedule. The aim of this policy is to avoid the total or partial loss of these buildings or sites, unless exceptional circumstances can be demonstrated. Exceptional circumstances could include total or partial demolition that is considered necessary due to significant and irreversible damage from fire or natural hazards.

Policy 3.3.5 seeks to discourage the unnecessary total or partial demolition or destruction of buildings included in Appendix 10.2 of the Historic Heritage Schedule.

Policy 3.3.6 seeks to ensure historic heritage buildings and sites are protected from inappropriate subdivision. The aim of this policy is to ensure the setting of a historic building or site is not unduly compromised or its value diminished by inappropriate or incompatible subdivision activity and associated development.

HH4 METHODS

The following methods will give effect to the above objective and its policies:

- HH4.1** Heritage Inventory Database that comprises buildings that were "nominated" for assessment, and from which the buildings and sites warranting direct management through the District Plan were identified. It includes information about the identified historic heritage, details of their assessment results, and their relative heritage significance. The database is held at the Porirua City Council offices. The associated reports can be used as a guide to prepare and assess resource consent applications.
- HH4.2** Historic Heritage Schedule that records historic heritage buildings and sites in Porirua City and differentiates identified Group A and B buildings. It forms the basis of a tiered assessment approach that is specific to the nature of the historic heritage building or site being protected.
- HH4.3** Statements of significance included in Appendices 10.1, 10.2 and 10.3 of the Historic Heritage Schedule that provide a brief outline of the heritage values associated with identified buildings or sites and their relative significance. The statements of significance provide a summary of the significant heritage values recorded in the Heritage Inventory Database. They assist with raising awareness and appreciation of the specific and significant heritage values associated with these places. The information contained within the statements of significance is an essential guide to the heritage values that must be considered and provided for in preparing and assessing resource consent applications relating to a specific heritage building or site.
- HH4.4** Planning Maps that ensure that the location of historic heritage buildings and sites is accurately noted and recorded.
- HH4.5** Regulatory Assessment Framework that includes rules and criteria to guide assessment of the proposed modification, use, development or subdivision of historic heritage buildings or sites. The framework utilises permitted, controlled, restricted discretionary and non-complying activity status to manage activities associated with these buildings and sites, and associated criteria to assess the potential impact that modification, use, development or subdivision activities might have on their integrity or value.

-
- HH4.6** Information requirements for resource consents that outline information that must accompany a resource consent application affecting a historic building or site. This also includes circumstances where consultation with Te Rūnanga o Toa Rangatira Inc. is required.
- HH4.7** Advice Notes identifying consultation requirements with Te Rūnanga o Toa Rangatira and/or the New Zealand Historic Places Trust in the event of an accidental discovery, or circumstances when an Accidental Discovery Protocol will be attached to resource consents relating to development affecting pre-1900 archaeological sites and areas of significance to Māori.
- HH4.8** Monitoring and review of the District Plan provisions, particularly when used in combination with other methods identified in the Heritage Management Strategy, to assist in assessing the effectiveness of the historic heritage provisions in the plan. An early review of these provisions will be undertaken if a need is identified.
- HH4.9** Heritage Management Strategy that complements the regulatory assessment framework through producing an integrating non-regulatory framework for promoting and encouraging the maintenance, protection and enhancement of the city's historic heritage. This includes the use of non-regulatory support mechanisms to assist and guide sustainable heritage management.
- HH4.10** Statutory Information that increases awareness of statutory processes and matters such as statutory acknowledgement areas.
- HH4.11** Iwi Management Plans that have been prepared by Te Rūnanga o Toa Rangatira Inc.

NOTE 3:**HERITAGE MANAGEMENT STRATEGY**

Porirua City Council, working in collaboration with the Greater Wellington Regional Council, the New Zealand Historic Places Trust, the Porirua Historical Association and Te Rūnanga o Toa Rangatira Inc. has developed a Heritage Management Strategy for Porirua City. This is a non-regulatory document which sits alongside the District Plan and includes, amongst other matters, an inventory of historic heritage sites within the city that extend beyond those included in the Plan.

HH5 ANTICIPATED ENVIRONMENTAL OUTCOMES

The following environmental outcomes are anticipated:

- HH5.1 A consistent methodology used to determine the historic heritage value of buildings and sites within Porirua City.**
- HH5.2 Robust identification of buildings and sites within the city that are of historic heritage value.**
- HH5.3 Accurate information on the value of historic heritage is publicly available through the District Plan and the Heritage Inventory Database.**
- HH5.4 Increased public and community awareness regarding the location and associated values of significant historic heritage buildings and sites within Porirua City.**
- HH5.5 Te Rūnanga o Toa Rangatira Inc. is appropriately empowered to exercise Kaitiakitanga over buildings and sites with identified Māori cultural values.**
- HH5.6 Historic heritage buildings and sites are used in a manner that does not compromise their identified heritage values.**
- HH5.7 Historic heritage buildings are able to be sensitively maintained and restored and to be appropriately strengthened.**
- HH5.8 Identified heritage values of significant historic heritage buildings and sites are well understood and are retained when modification, use, development or subdivision of historic heritage buildings and sites occurs.**
- HH5.9 The demolition or destruction of significant historic heritage buildings and sites is avoided.**

HH6

RULES

HH6.1

Historic Heritage Buildings

The following rules apply to historic heritage buildings identified in Appendix 10.1 and 10.2, and are **additional to any other relevant zone rules and standards that apply.**

Rule Number	Rule	Zone	Status	Matters of Control or Discretion	Assessment Criteria
Historic Heritage Buildings A and B (included in Appendix 10.1 and 10.2)					
6.1.1	Maintenance, redecoration and repair of the interior and/or exterior of a Group A or B building listed in Appendix 10.1 or 10.2.	All	Permitted		
6.1.2	Any other permitted activity that is not listed as a controlled, restricted discretionary or non-complying activity in section HH of the District Plan.	All	Permitted		
6.1.3	Any internal alteration to a Group B building listed in Appendix 10.2.	All	Permitted		
6.1.4 (also see Note 4)	Earthworks associated with preparing a burial plot in an existing recognised burial site such as a graveyard or urupā.	All	Permitted		
6.1.5	Restoration of a Group A or B building listed in Appendix 10.1 or 10.2. (Note: there shall be no resource consent fees for proposals that only require a consent under this	All	Controlled	7.1	

Rule Number	Rule	Zone	Status	Matters of Control or Discretion	Assessment Criteria
	rule)				
6.1.6	Any alteration or relocation of a Group A or B building listed in Appendix 10.1 or 10.2 that is not a permitted activity in section HH of the District Plan.	All	Restricted Discretionary	8.1	9.1 9.2 9.3 9.4 9.5 9.6 9.7 9.8 9.9 9.10 9.11 9.14
6.1.7	The demolition of a Group B building listed in Appendix 10.2.	All	Restricted Discretionary	8.1	9.1 9.2 9.3 9.5 9.8 9.11 9.14
6.1.8	Any subdivision within the heritage setting of a Group A or B building listed in Appendix 10.1 or 10.2.	All	Restricted Discretionary	8.1	9.1 9.2 9.3 9.11 9.12 9.14
6.1.9	Any new building or additions to any existing unlisted building located within the heritage setting of the Group A or B building listed in Appendix 10.1 or 10.2.	All	Restricted Discretionary	8.1	9.1 9.2 9.3 9.4 9.9 9.10 9.11 9.14
6.1.10 (also see Note 4)	Any earthworks within the Heritage Setting of the Group A or B building listed in Appendix 10.1 or 10.2, that exceed the relevant zone's permitted activity standard for earthworks.	All	Restricted Discretionary	8.1	9.1 9.2 9.3 9.11 9.13 9.14
6.1.11	The demolition of a Group A building listed in Appendix 10.1.	All	Non-Complying		

HH6.2

Historic Heritage Sites

The following rules apply to historic heritage sites identified in Appendix 10.3, and are additional to any other relevant zone rules and standards that apply.

Rule Number	Rule	Zone	Status	Matters of Control or Discretion	Assessment Criteria
Historic Heritage Sites (included in Appendix 10.3)					
6.2.1	Maintenance and repair of existing lawns, gardens, structures (including fences), buildings and signage on a historic heritage site listed in Appendix 10.3 that is not listed as a controlled, restricted discretionary or non-complying activity in section HH of the District Plan.	All	Permitted		
6.2.2	Removal of vegetation on a historic heritage site listed in Appendix 10.3 that is not listed as a controlled, restricted discretionary or non-complying activity in the relevant zone provisions.	All	Permitted		
6.2.3	Primary production activities, excluding new buildings on a historic heritage site listed in Appendix 10.3.	Rural	Permitted		
6.2.4	Any other permitted activity occurring on a historic heritage site listed in Appendix 10.3 that is not listed as a controlled, restricted discretionary or non-complying activity in section HH of the District Plan.	All	Permitted		

Rule Number	Rule	Zone	Status	Matters of Control or Discretion	Assessment Criteria
6.2.5 <i>(also see Note 4)</i>	Earthwork trenching 600mm in width or less, directly above existing services located on a historic heritage site listed in Appendix 10.3.	All	Permitted		
6.2.6 <i>(also see Note 4)</i>	Earthworks associated with preparing a burial plot in an existing recognised burial site such as a graveyard or urupā.	All	Permitted		
6.2.7 <i>(also see Note 4)</i>	Earthworks on a historic heritage site listed in Appendix 10.3 that are not a permitted activity under rule 6.2.5 or 6.2.6 and that comply with the permitted activity standards of the relevant zone. <i>(Note: there shall be no resource consent fees for proposals that only require a consent under this rule)</i>	All	Controlled	7.2	
6.2.8	Any new building or extension of the footprint of an existing building/structure on a historic heritage site listed in Appendix 10.3.	All	Restricted Discretionary	8.2	9.1 9.2 9.3 9.4 9.10 9.11 9.13 9.14
6.2.9 <i>(also see Note 4)</i>	Erection of new fencing on a historic heritage site listed in Appendix 10.3. <i>(Note: there shall be no resource consent fees for proposals that only require a consent under this rule)</i>	All	Restricted Discretionary	8.2	9.1 9.2 9.3 9.4 9.13 9.14
6.2.10	Earthworks on a listed historic heritage site in	All	Restricted Discretionary	8.2	9.1 9.2 9.3

Rule Number	Rule	Zone	Status	Matters of Control or Discretion	Assessment Criteria
(also see Note 4)	Appendix 10.3 that are not a controlled activity.				9.4 9.11 9.13 9.14
6.2.11	Any subdivision of land that relates to a historic heritage site listed in Appendix 10.3 that is not a controlled activity under rule D4.1.2 (vii).	All	Restricted Discretionary	8.2	9.1 9.2 9.3 9.4 9.11 9.13 9.14
6.2.12	The destruction of a historic heritage site listed in Appendix 10.3.	All	Non-complying		

NOTE 4:**GREATER WELLINGTON REGIONAL COUNCIL APPROVAL**

Earthworks may also require consent under the Wellington Regional Soil Plan.

Works on buildings located within the Coastal Marine Area will also require resource consent from Greater Wellington Regional Council.

NEW ZEALAND HISTORIC PLACES TRUST APPROVAL

Earthworks may also require an archaeological authority under the Historic Places Act 1993 if they will result in an archaeological site being damaged, modified or destroyed.

CONSULTATION WITH TE RŪNANGA O TOA RANGATIRA INC.

If works occur in a Wāhi Tūpuna Area and taonga is discovered, contact must be made with Te Rūnanga o Toa Rangatira Incorporated, the New Zealand Historic Places Trust and Porirua City Council. All work must cease until a site inspection is carried out by representatives for Te Rūnanga o Toa Rangatira Inc. and Council staff (these will be undertaken within 48 hours from date of notice) and approval to continue is given by the General Manager, Environment and Regulatory Services, Porirua City Council. Te Rūnanga o Toa Rangatira Inc. representatives shall be given access to the site for the purpose of monitoring at any time, subject to giving the landowner or developer's agent 24 hours notice.

HH7 MATTERS OF CONTROL (CONTROLLED ACTIVITIES)

Matters that the Council has limited the exercise control over are as follows:

HH7.1 Control is limited to:

- a. the extent of the works;
- b. the manner in which the works are undertaken; and
- c. the impact of the works on the heritage values identified in the Statement of Significance for the building in Appendix 10.1 or 10.2.

HH7.2 Control is limited to:

- a. the monitoring of earthworks;
- b. the extent of the earthworks;
- c. the manner in which the earthworks are undertaken;
- d. the avoidance of archaeological sites; and
- e. site restoration.
- f. the impact of the works on the heritage values identified in the Statement of Significance for the sites in Appendix 10.3.

HH8 MATTERS OF DISCRETION (RESTRICTED DISCRETIONARY ACTIVITIES)

Matters that the Council has restricted the exercise of discretion over are as follows:

HH8.1 The impact of the proposal on the building's heritage values, with particular regard to the specific values identified in the relevant Statement of Significance contained in Appendix 10.1 or 10.2.

HH8.2 The impacts of the proposal on the site's heritage values, with particular regard to the specific values identified in the relevant Statement of Significance contained in Appendix 10.3.

HH9 ASSESSMENT CRITERIA

HH9.1 The extent to which the proposal adversely impacts on the historic, social, setting and group, architectural, scientific and technological, Māori cultural, or archaeological values associated with the building or site.

HH9.2 The extent to which any adverse impacts on heritage values are either off-set by positive impacts, or are able to be mitigated.

HH9.3 The extent to which the proposal is consistent with the policies contained in any conservation plan relating to the building or site.

HH9.4 The extent to which any adverse impacts on heritage values are necessary to enable the long term, practical, or feasible use of the building or site.

- HH9.5** The extent to which there is the ability to economically use or develop the site without altering, relocating or removing the building.
- HH9.6** For an alteration, whether the proposal is reversible, compatible with the original architectural style, character and scale of the building and retains as much of the original fabric as possible.
- HH9.7** For relocation, the extent to which the original site and location are crucial to maintaining the significant heritage values of the building identified in Appendices 10.1 and 10.2.
- HH9.8** The extent to which any proposals involving the demolition or removal of a building have considered the rarity and integrity of the building, with particular regard to the extent to which the proposal has recognised and provided for the appropriate management of the heritage values identified in the relevant Statement of Significance in Appendices 10.1 and 10.2, and/or the Heritage Inventory Database.
- HH9.9** For a new building or additions to an unlisted building located within the heritage setting of an A or B building listed in Appendix 10.1 or 10.2, whether the proposal is compatible with the original architectural style, character and scale of the historic heritage building.
- HH9.10** Where a building presents or is threatened by an earthquake risk, fire risk safety risk, or exposed to any other hazard risk, and related remedial work (excluding demolition) is proposed:
- a. the degree of upgrade that is required to meet safety standards;
 - b. the extent of any adverse effect of the work on its identified heritage value; and
 - c. the cost of mitigating any adverse effects associated with such work.
- HH9.11** The extent to which there are any other means of achieving the same or similar ends with fewer adverse effects.
- HH9.12** For subdivision, whether the remainder of the site associated with the building is of a size that continues to provide it with a suitable setting.
- HH9.13** The extent to which any proposals involving the destruction or irreversible change to a site have considered the rarity and integrity of the site, with particular reference to the heritage values identified in the relevant Statement of Significance in Appendix 10.3.
- HH9.14** The extent to which any works may adversely affect identified Māori cultural heritage values associated with the site as identified in a cultural impact assessment prepared in consultation with Te Rūnanga o Toa Rangatira Inc by a suitably qualified person.

HH10 APPENDICES**HH10.1 Appendix: Historic Heritage Schedule – Buildings Group A**

Blackey's Woolshed	HHA009
F-Ward Building, Porirua Hospital	HHA004
Gear Homestead "Okowai"	HHA008
Mana Island Woolshed	HHA006
Papakowhai Homestead	HHA002
Paremata Barracks	HHA012
Pauatahanui WWI War Memorial	HHA011
St Albans Church	HHA 007
St Joseph's Church	HHA001
Taylor-Stace Cottage	HHA003
Thomas Hollis Stace Cottage	HHA010

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
HHA001	St Joseph's Church	85 Paremata Haywards Hill Road (PT SEC 63 PAUATAHANUI DIST)	The church building	1	NZHPT Category I: Register Number 25	Site
Statement of Significance Constructed in 1878 St Joseph's is one of the oldest Catholic Church buildings still in use in the region and was the first Catholic church in Porirua City. This well composed and Gothic style church was designed by Thomas Turnbull, a well-recognised Wellington-based architect. These factors all give the place high historic value. Its location on a gentle rise above a small bluff gives the building some prominence and setting value when approached. The church is located away from the village core but can be read within the wider village landscape and this provides it with high value as part of this group of buildings that remain from the establishment of Pauatahanui in the late 1800's. The long period of use of the site and associated use for burials gives it high archaeological value. The structure is authentic and little has been altered – the transfer windows are rare.						
HHA002	Papakowhai Homestead	1 Bowlers Wharf Lane (LOT 1 DP 80738)	The homestead building	6	NZHPT Category I: Register Number 2890	Site
Statement of Significance The homestead's address at Bowlers Wharf lane references the original owner of the farm and associated wharf – William Bowler. At least part of Bowler's modest farm cottage - built in 1848 - is thought to have been subsumed within the more substantial Italianate styled homestead structure when it was added to after 1888 and following the farm's acquisition by Anthony Wall. This association with a well-known family, the age, rarity and authenticity of the place give Papakowhai Homestead high historic value. It also has high archaeological value given the age of remnant structure. The building is of a well composed design and this, together with its representativeness, gives it high architectural value.						
HHA003	Taylor-Stage Cottage	470 Paremata Road (State Highway 58) (LOT 1 DP 50929)	The cottage building	9	NZHPT Category I: Register Number 4108	Site
Statement of Significance Taylor Stage Cottage is located on the west side of the Pauatahanui Stream, slightly apart from the rest of the village, but still legible as a part of this original settlement group of buildings. This setting contributes to its high value. Named for William and Anne Taylor who arrived in New Zealand in 1840 and moved to Pauatahanui in 1847 when they built the back portion of the cottage. In 1848 they moved to Tawa Flat and the house was sold to Alfred Stage – the other part						

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
<p>of the cottage's name. The cottage as it stands today consists of the north wing at the street front of the building (possibly dating from 1860) and the south wing which dates from 1847. The Taylor-Stace Cottage has high historic value for its association with early European settler families. As the oldest existing residence in the Pauatahanui district and possibly in the Wellington area it has high archaeological value. As a rare example of a building from this time it stands to have high scientific and technical value for what can be understood from its construction and use of materials. The building has seen changes including conversion to a craft gallery in the 1970's. However, it retains much of its original form, and its characteristic mid-19th century colonial cottage appearance gives it high architectural value.</p>						
HHA004	F-Ward building, Porirua Hospital	24 Upper Main Drive (PT SECS 57 SO 16849 PT SEC 62 SO 12701 SEC 1 SO 37141 OHARIU DISTRICT, PORIRUA HOSPITAL)	The former F-ward buildings	56	NZHPT Category I: Register Number 7444	Refer Appendix 10.4, Map 10.4.1
<p>Statement of Significance</p> <p>Formal provision for mental health care in the region began in 1844. In 1884 work began on a new asylum at Porirua, which opened three years later. F Ward was designed by the Public Works Department architect and constructed in 1910 as part of a new initiative in care - the introduction of occupational health. In 1942 two large earthquakes severely damaged the main hospital building, and in the following year it was demolished, leaving F Ward as the last surviving ward. Although much of its context has changed there is high group value given the site's legibility for its original purpose. The ward has high value as a rare and authentic example of this type of building. It is also of scientific and technical value for this. F Ward continued to provide accommodation for female patients until the 1970s when the ward closed. This long term residential use for the purpose of mental health provision to many people has given it high historic importance. The representativeness of this building type gives it high value architecturally. In 1987 F Ward was reopened as a museum, at the time of the hospital's centenary celebration.</p>						
HHA006	Mana Island woolshed	Mana Island Scientific Reserve (PT MANA ISLAND BLOCK XI PAEKAKARIKI SD)	Historic woolshed building	65		Refer Appendix 10.4, Map 10.4.2

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
<p>Statement of Significance</p> <p>Mana Island woolshed is a primitive building, constructed with material available on the island. It is located on flat land slightly elevated above the beach at Shingle Point.</p> <p>It is thought that Mana Island Woolshed was constructed between 1890 and 1897 by Mariano Vella. It appears that the woolshed has had 2 extensions (shearing area and machine room; and the wool room) although it is not known when the extensions were undertaken. The early part of the building is interesting for the use of kanuka/manuka rafters and posts, with some still having their bark on. It has scientific and technical value given this intactness and interesting structure. To the east and north there are remains of holding pens, fences and a sheep dip.</p> <p>Mana Island woolshed has an important high historic value associated with New Zealand farming. Mana Island produced the first wool to be exported from New Zealand. The woolshed is an interesting example of practical New Zealand "bush carpentry" and thus has excellent representative value in that it is a timber farm building clad in traditional corrugated steel. Repairs by Department of Lands and Survey in 1986 reduced this character. The woolshed design is unusual in having very low side walls and a steep pitched roof (36 degree slope).</p>						
HHA007	St Alban's Church	4 Paekakariki Hill Road (LOT 2 DP 311366)	St Albans Church building	2	NZHPT Category II: Register Number 1320	Site
<p>Statement of Significance</p> <p>St Alban's Anglican church and associated cemetery are located on the site of an abandoned pa of which there is still evidence in trenches and land-works. Preceded by a smaller chapel the church was designed by prominent architect Frederick de Jersey Clere. The foundation stone was laid in 1895 and Bishop Wallis consecrated the church in 1898 on St Alban the Martyrs Day. The Gothic Revival styled timber building is has a plain rectangle layout, but is distinctive for its dramatically sloped roof and tall bell-tower which can be seen from the wider Pauatahanui area. The cemetery extends around the church and is bounded by large trees - holly hedge separates the church and its cemetery from the Pauatahanui Public Cemetery. It is considered an excellent representative example of the architect's work and of this style of building and has high architectural value accordingly. Historic values are high given its associations with this community for over 100 years and it is a rare example of a country church with its authenticity still so intact. It also has scientific and technical value given this intactness and interesting structure. Its group and setting value is high and it is perhaps the most central and prominent of the historic places that can still be seen together within the village landscape. It retains its high social and cultural value as a church venue for special occasions such as weddings, christenings and funerals within the Porirua area.</p> <p>St Alban's church and cemetery sit on top of the historic site: Matai-taua Pa (reference HHS024)</p>						

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
HHA008	Gear Home-stead 'Okowai'	Okowai Road (LOT 1 DP 54351)	Homestead and ancillary buildings (including the woolshed)	3	NZHPT Category II – Register Number 1328	Refer Appendix 10.4, Map 10.4.3
Statement of Significance The Gear Homestead [Okowai] is named after James Gear – an early and major player in Wellington's industry. He established the Gear Meat Preserving and Freezing Company in Petone in 1882 and the activity continued at this site for some 100 years. The house was completed on the Porirua site in 1887 and it is assumed to have been designed by Robert Edwards in the Italianate style, popular at that time for grand homes. Its setting is prominent and contributes to its value. The building has high architectural value given its excellent representativeness of this style and the intactness of the building fabric and form. The building and its remaining grounds (substantial areas were lost for housing and road works) are now (from 1975) in public ownership (Porirua City Council) and it operates today as a regional function venue, and has high social amenity values accordingly. The association with Gear – an important industrialist of the time – gives the site and house high historic values as does its relative rarity and authenticity as a country house of this period in Porirua. Due to the age of the site's occupation it has high archaeological value and the building's intactness of structure gives it high scientific and technical value.						
HHA009	Blackey's Woolshed	850A Paekakariki Hill Road (LOT 2 DP 389851)	Historic Woolshed building	5	NZHPT Category II- Register Number 2883.	Refer Appendix 10.4, Map 10.4.4
Statement of Significance Blackey's woolshed is a primitive building, mainly constructed with materials that were available in the area at the time. It is still being used as a working shed for shearing, animal sorting and other farming related activities. It is built into/on a gently sloping rise adjacent to a large modern farm building. The setting of this woolshed, although now compromised by the large modern farm shed, still makes an important contribution to the heritage values of the building. It is not known when Blackey's woolshed was constructed, however, it's exterior appearance, construction materials and condition would suggest a build date potentially in the 1850s or 1860s. Due to the likely pre-1900 construction date the site has archaeological values registered by the Historic Places Trust. Significant earthworks have occurred around the building in recent years to remove contaminated soil and to form a level building platform and access to the modern shed. The woolshed is interesting due to the use of native timbers and is distinctively constructed with split and adzed totara posts and native poles as rafters (with bark largely intact, possibly totara or wineberry). The majority of the exterior walls and the roof are clad in corrugated material, some of which has been replaced by modern corrugated steel. It has high historic, scientific and technical value given this intactness, the authentic condition of the building and interesting structure. The woolshed is an interesting example of practical New Zealand "bush carpentry" and thus has excellent representative value in that it						

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
is a timber farm building clad in corrugated material. It is in need of repairs and maintenance to address rot and weather-tightness (April 2012).						
HHA010	Thomas Hollis Stace Cottage	2 Paekakariki Hill Road (LOT 1 DP 51888)	Cottage building	7	NZHPT Category II: Register Number 4106	Site
Statement of Significance This two-storey cottage was built in 1860 by Thomas Hollis Stace, one of the earliest Pakeha to settle in Pauatahanui. The cottage remains as one of the oldest buildings in Porirua. The age of the building and the use of the site from an early time in the district's colonial history give them high archeological values. The building's composition and construction represents a colonial style which is historically rare in the district. The back block extension has been appropriately designed and executed without detracting significantly from the original building although with other changes over time the authenticity of the building is reduced. Accordingly the building has medium to high architectural value. The age and rarity of a structure suggests high scientific and technical value can be gained from studying its construction. The historic associations of the place with one of the initial settlers in Porirua, its setting being read as it is within the context of the village, and its community role as a post office and store, give it high historic values.						
HHA011	Pauatahanui WWI War Memorial	Paekakariki Hill Road (LOT 1 DP 5672)	War memorial monument	8	NZHPT Category II: Register Number 4107	Site
Statement of Significance Built as a memorial to WW I, the monument is a tall square obelisk made of Kairuru marble and topped with an acanthus leaf finial. It is bounded by low walls and is chained off at the front. The memorial was unveiled by Governor-General Lord Jellicoe in January 1922, but the designer is not known. Memorials are by their nature of symbolic interest, and although often subsumed within our urban landscapes, they have high social and cultural value when considered in their own right. The Pauatahanui memorial is no exception. It is elegantly proportioned and representative of a neo-Classical style which in combination with its rare use of this type of marble and authentic condition give it high architectural and some scientific and technical value. The memorial has important local associations within the community and high historic value for this. It can be visually and historically linked with other historic structures in the Pauatahanui village and has high group value accordingly.						
HHA012	Paremata Barracks	Southern end of Ngati Toa Domain. GAZ 74-945 SEC 337 SO	Military Barracks Ruins	388		Refer Appendix 10.4, Map 10.4.5

Historic Heritage Schedule (Buildings) Group A						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
		30023 etc Rec Reserve				
Statement of Significance <p>Constructed between 1846 and 1847 this brick and stone fort was originally an imposing two-storied structure with towers. Governor Grey considered this site strategically well placed to protect settlers from Te Rangihaeata's movements into Wellington and Hutt Valley via Porirua Harbour. Although it had a relatively short functional life for military purposes – imperial troops left in 1852 – the structure has many high values. It is rare, even nationally, and the structure has high historic and archaeological values as an authentic trace of a time of physical combat between Māori and Pakeha. Despite being dilapidated it has high architectural value as its construction of local materials and essential form can still be read – this further contributes to its high scientific and technical value. The barracks' relationship to other military sites in the region gives it a high group value. The site is somewhat neglected and compromised by the quality of the immediate surroundings, but the associations of the place with a challenging and turbulent time in New Zealand's history give it high social and cultural value.</p>						

HH10.2 Appendix: Historic Heritage Schedule – Buildings Group B

Bradey's Grave, Pauatahanui	HHB032
Brick House	HHB031
Bromley Homestead	HHB001
Charles Gray Homestead	HHB017
Clifton Homestead	HHB004
Kerehoma Farm Homestead	HHB002
Mana Machine Gun Posts	HHB024
Mungavin Homestead and grounds	HHB026
Muri Station	HHB034
Plimmerton Pavilion	HHB013
Porirua Hospital Chapel	HHB033
Pukerua Bay Machine Gun Posts	HHB016
Pukerua Bay Scout Hall	HHB029
Radio NZ Transmission Station	HHB021
Railway Tunnel	HHB018
Riverdale	HHB005
Somme House	HHB015
St. Andrew's Anglican Church	HHB023
St. Luke's Pukerua Bay	HHB028
St. Timothy's	HHB022
The former US Marines Hall	HHB019
Tireti Hall	HHB006
Titahi Bay Boat Sheds	HHB020
Titahi Bay Machine Gun Posts	HHB030
Turville House	HHB003

4 Kenepuru Drive	HHB008
8 Kenepuru Drive	HHB009
10 Kenepuru Drive	HHB010
31 Huianui Street	HHB012
41 Huanui Street	HHB014
14 Steyne Avenue	HHB035

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
HHB001	Bromley Homestead	400A Paremata Road (PT LOT 1 DP 72726)	Original homestead (not the rear extension)	10	NZHPT Category II: Register Number 4964	Site
Statement of Significance Built in 1913 for Reginald Stace Wall, the grandson of prominent early settler Thomas Hollis Stace, Bromley is a strong representative example of a substantial farm homestead built for a family of means on a prime site at the edge of the Pauatahanui inlet. It is part of a significant collection of old houses around the inlet associated with the Stace family, and of other houses and buildings in the wider area associated with the Stace and Wall families. In that context it illustrates the settlement and development of the area from the time the first Europeans started farming to the present day. The building has considerable historic and group value for those associations. Bromley has high architectural values for its careful design and use of materials and retains a high level of authenticity in its form and appearance – the building can be understood much as it was when first built.						
HHB002	Kerehoma Farm Homestead	28 Muri Road (LOT 3 DP 88556)	Homestead	57		Site
Statement of Significance The Kerehoma Farm Homestead was completed in 1925 and is a large rectangular reinforced concrete house. Its appearance is of classic mid-1920s bungalow style with boxed windows, exposed rafter ends and a characteristic arch. Original outbuildings included a small whare, a farm shed, a tool shed, wood shed, cow bales and a harness room and outdoor lavatory. A garage was added in 1936 to house the family's Austin. This house has important historic associations as does this location for the Wall family. The house is rare and distinctive in its construction and style and has historic value for this.						
HHB003	Turville House	75 Motuhara Road (LOT 2 DP 59851)	House and open space setting, including tennis court and gardens	60		Site
Statement of Significance Located on Motuhara Road on a ridge overlooking Plimmerton, the house, of masonry construction with a plastered finish and tiled roof, was built sometime between 1904 and 1908. It sits with a modern garage fronting Motuhara Road, built in a sympathetic design to the house around 1989 - 1990. The extensive grounds with mature trees give it high landmark value and the garden setting is an important part of its value. The origin of the name "Turville House" is not						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
known, but it was acknowledged as such as early as 1925. The original designer and owner was NZ Railways architect George Troup, and who became Mayor of Wellington in 1927. The architectural value of the property is high due to the designer's association with well regarded railway buildings (such as Dunedin Railway Station) and the house's quality of construction and proportion. It has retained its authenticity despite changes and additions, is a rare building type in Porirua and with has qualities which give it high scientific and technical value. This association and Troup's later civic role also gives the place high historic value.						
HHB004	Clifton Homestead	450 Paremata Road, (LOT 1 DP 397438)	Homestead building	62		Site
Statement of Significance The homestead is located at the east end of the Pauatahanui Inlet, on a prominent flat site above a bluff, which gives it a sunny and open aspect with expansive views across the inlet to Pauatahanui and the hills beyond. The setting value is high. Clifton is one of several properties (Taylor Stace Cottage, Bromley and Riverdale) around the Inlet to be built for and occupied by descendants of the prominent Stace and Wall families, and the homestead has high historic values for these associations.						
HHB005	Riverdale	460 Paremata Road (LOT 4 DP 79271)	House	63		Refer Appendix 10.4, Map 10.4.6
Statement of Significance Built in 1915 for William Nathaniel Stace, one of eight children of prominent early settler Thomas Hollis Stace, Riverdale is a large farm homestead of an interesting transitional villa design set on a prime site at the side of the inlet. Although much modified over time, the original form of the building remains apparent and the building retains architectural value. Riverdale has very high historic value for its association with the Stace family and very high group value for its association with the important collection of Stace family houses around the Pauatahanui inlet. In that context it helps illustrate the settlement and development of the area from the time the first Europeans started farming to the present day.						
HHB006	Tireti Hall	29 Tireti Road (LOT 34 DP 19907)	Hall building	67		Site

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
Statement of Significance The hall is also known as the Old Golf House (opened in 1929) and stands on an elevated corner site in Titahi Bay enjoying commanding views out over the suburb. Now subsumed by suburban development, the hall was part of the original Titahi Bay golf course. The setting and group value in combination with the past uses of the area are significant and it has high value for this. The course itself closed in 1939-40 and was taken over for a United States Marines camp. When troops withdrew the hall area was taken over by the Ministry of Education and the building served as part of Porirua Side School. The larger part of the golf course land was developed for State Housing in the 1950s (including the current shopping centre). In 1957 the hall was purchased by Council for use as a community library and recreation centre (in conjunction with the nearby Marines hall). It remains in the ownership of Porirua City Council and in community use, and has high social amenity and public esteem for this. It has high architectural value for its representativeness and historic value for its association of place in local history.						
HHB008	4 Kenepuru Drive	4 Kenepuru Drive (Lot 1 DP 8266)	House	69		Site
Statement of Significance These three houses (part of a former group of five) are situated on the face of a small rise overlooking Kenepuru Drive and, constructed in the 1890's, are one of few remnants of the old Porirua Village, contributing a rare glimpse of the areas original settlement pattern. They have high archaeological value due to this age and high architectural representative value as the last known extant contiguous group of houses from this time. Although the straightening of the Kenepuru stream and construction of the motorway interrupted the connection between these houses and the city, the houses retain a setting value as a distinctive group of buildings in an elevated position in the townscape and have high value for this. The general arrangement and scale and form of the houses are essentially the same. The houses while they are typical small and modest houses of the period, are elegantly proportioned and arranged, and are finished with simple but stylish carpenter's details that strongly reflect their era. They have high architectural value for that.						
HHB009	8 Kenepuru Drive	8 Kenepuru Drive (Lot 3 DP 8266)	House	69		Site
Statement of Significance These three houses (part of a former group of five) are situated on the face of a small rise overlooking Kenepuru Drive and, constructed in the 1890's, are one of few remnants of the old Porirua Village, contributing a rare glimpse of the areas original settlement pattern. They have high archaeological value due to this age and high architectural representative value as the last known extant contiguous group of houses from this time. Although the straightening of the Kenepuru stream and construction of the motorway interrupted the connection between these houses and the city, the houses retain a setting value as a distinctive						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
group of buildings in an elevated position in the townscape and have high value for this. The general arrangement and scale and form of the houses are essentially the same. The houses while they are typical small and modest houses of the period, are elegantly proportioned and arranged, and are finished with simple but stylish carpenter's details that strongly reflect their era. They have high architectural value for that.						
HHB010	10 Kene-puru Drive	10 Kenepuru Drive (Lot 4 DP 8266)	House	69		Site
Statement of Significance These three houses (part of a former group of five) are situated on the face of a small rise overlooking Kenepuru Drive and, constructed in the 1890's, are one of few remnants of the old Porirua Village, contributing a rare glimpse of the areas original settlement pattern. They have high archaeological value due to this age and high architectural representative value as the last known extant contiguous group of houses from this time. Although the straightening of the Kenepuru stream and construction of the motorway interrupted the connection between these houses and the city, the houses retain a setting value as a distinctive group of buildings in an elevated position in the townscape and have high value for this. The general arrangement and scale and form of the houses are essentially the same. The houses while they are typical small and modest houses of the period, are elegantly proportioned and arranged, and are finished with simple but stylish carpenter's details that strongly reflect their era. They have high architectural value for that.						
HHB012	31 Huanui Street	31 Huanui Street (Lot 45 DP 1900)	House	70		Site
Statement of Significance The house was once prominent in the landscape due to its elevated position and the wide spaces between houses in the area. However, the growth of trees over time now means the house is relatively well screened from the street. A classic single-storey timber villa with a prominent front veranda spanning between bay windows the house was thought to have been constructed circa 1907 as the parsonage for the Porirua Methodist Church (located nearby, across the Porirua Stream). This makes it one of the oldest surviving buildings in the city. It is an excellent representative example of its type and has high architectural value for this. With the other few remaining examples of houses from this time in Ranui Heights it has high setting value. It was constructed at a time when house sites were formed in quite a different way than today and makes an important contribution to the understanding of settlement patterns within the city.						
HHB013	Plimmerton Pavilion	9 Sunset Parade (SEC 41 BLK VIII)	Historic pavilion building	123	R26/356	Site

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
		PAEKAKRIKI SD)				
Statement of Significance The Pavilion is located on a corner of Sunset Parade in Plimmerton, just north of the point that was the centre of the former Taupo pa. The setting is open to the sea to the west, with sweeping views out to Mana Island. The front of the site is a car-park and the buildings are set back. The Pavilion originally started in 1924 as an open side structure, which has grown as a series of joined halls to what it is today. Its setting beside the sea is important to its value and it continues to have high value for its social amenity. A low bluff rises to the east of the site and an urupā is located on top. The significance of the site for Ngati Toa as the former Taupo pa engenders significant archaeological and cultural value for tangata whenua.						
HHB014	41 Huanui Street	41 Huanui Street (LOT 1 DP 23264)	House	128		Site
Statement of Significance The house was once prominent in the landscape due to its elevated position and the wide spaces between houses in the area. However, the growth of trees over time now means the house is relatively well screened from the street. For the area, the site is comparatively small and the house is a quirky and elaborate version of a basic small four-room cottage, but with high architectural interest given its interesting features and authenticity including an elaborate and carefully detailed front porch. This house appears to one of the earliest houses surviving in Ranui Heights, being constructed about 1910 by Alfred Charles Coles, a farmer of Porirua. With the other few remaining examples of houses from this time it has high setting value. It was constructed at a time when house sites were formed in quite a different way than today and makes an important contribution to the understanding of settlement patterns within the city.						
HHB015	Somme House	34 Moana Road (LOT 79 DP 2242)	Front façade of house	132		Site
Statement of Significance Located on the coastal Moana Road at Plimmerton, Somme House is an early example of a seaside cottage and is a distinctive local landmark in Plimmerton. One of the larger old houses in the area it is a substantial-looking building, two storeys high with a gable-ended Marseille tile roof, roughcast stucco exterior (over mass concrete) and timber joinery. Somme House has elegant proportions and distinctive features that set it apart from other houses of the era in the area. Given its design, relative rarity, and representativeness as a sea-side cottage it is of high architectural value. There is some possibility the house was designed by noted architect George Troup which would serve to reinforce its architectural value if this could be established. The masonry construction gives						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
the building high technical and scientific value. The sea-side relationship and prominence of the cottage despite the intervening development of the suburb promote the high setting value of the building.						
HHB016	Pukerua Bay Machine Gun Posts	One on Ocean Parade, other on Brendan Beach	Machine gun post structures	137	R26/271	Refer Appendix 10.4, Map 10.4.7
Statement of Significance The 'pill boxes' [so named in WW1 by the British for a resemblance to the boxes chemists issued pills in] at Pukerua Bay, were built between 1942 and 43 and are two of 38 around Wellington's coastline which formed part of the wider coastal defence network. The two at Pukerua Bay are of the "arrow-head" type (referring to the basic plan shape) and with the firing slits ensured a good field of fire all-round the pillbox. They are constructed of heavy reinforced concrete with walls about 300mm thick. The No.2 structure, in the south of the bay, is the best preserved and remains accessible. There is a commemorative plaque set on the roof. Although utilitarian structures the pill boxes have an uncompromising aesthetic, purpose of form and use of materials and have high architectural value for this. They are a good representative example of their type and position relative to each other. They have high historic values for their association with the place and an important period in New Zealand and the region's history. The better preserved box has high scientific value given its authenticity. Their setting is important and they have high value for the ability to see the connection between the structures' function and the coast.						
HHB017	Charles Gray Homestead	7 State Highway 1, Pukerua Bay (PT PUKERUA 3C1A)	Homestead building	140		Refer Appendix 10.4, Map 10.4.8
Statement of Significance Set on a large site above the sea and accessed directly from the highway at Pukerua Bay the homestead includes the main house (circa 1923), a separate cottage (date unknown but likely at a similar time as the homestead), other outbuildings, and a three-bay garage and workshop has been added recently. There are substantial trees and regenerating coastal vegetation of ecological value and this strong treed landscape provides the homestead with a secluded feel. The combination of the site's expansiveness and landscape gives it high setting value. The main house was designed by King and Dawson Architects of Wellington. The cottage, the other principal building does not appear on still available plans for the main house. It is therefore unlikely to have been architecturally designed. The principal buildings were constructed in the transitional bungalow style with low-pitched roof, exposed rafters and wide eaves, but						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
with joinery typical of the villas and townhouses of late 1910s and early 1920s. The house has a complex plan and is of a grand scale and provides high architectural interest comparable to other homesteads of the district built for notable developers and pastoralists (Kerehoma and Mungavin for example). Charles Gray's association with the development of Pukerua Bay give the site and buildings high historic values.						
HHB018	Railway tunnels	Beneath Motuhara Road	Tunnel structure	142		Refer Appendix 10.4, Map 10.4.9
Statement of Significance This is a closed tunnel located beneath Motuhara Road. It is located on the track on the original alignment of the Manawatu Railway. It was constructed in 1883. The age of the tunnel makes it of archaeological interest. That it is located on an old railway line that services the Wellington Region for many years makes its location important historically. The tunnel is currently closed off, so there is little knowledge of its scientific importance or of its form. However, it is highly valued by the community and is held in high social public esteem.						
HHB019	The Former US Marines Hall	20 Whitehouse Road (SEC 254 PORIRUA DIST)	Marine hall structure	150		Site
Statement of Significance Contextually now somewhat at odds with its original setting (the old the American marines camp on the old Titahi Bay golf course land) the building now sits within the urban context of the Titahi Bay shopping centre. The land uses around this simple structure have changed over the intervening time since its construction in 1942, but the building's setting in combination with the nearby old golf clubhouse (also part of camp facilities) show a connection to the camp that once accommodated 1500 marines. This association with such a significant time in New Zealand's history give it high historic value. The Titahi Bay camp was one of three in the area that collectively were home to 5000 American marines. All the camp structures were designed by the Government Architect, prefabricated in the south island and shipped to these sites. The Titahi Bay hall is a rare remaining and representative example of these structures in New Zealand and it has high architectural value for this. The hall continues to function as place of social amenity in Titahi Bay and has high value for this. It also has cultural value reflecting a period of significant social change in New Zealand that saw new levels of interaction between the two cultures.						
HHB020	Titahi Bay Boat	All three groups located along Titahi Bay Beach	The form and scale of the boat shed	153		Refer Appendix

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
	Sheds	(Accessed off Vella Street, Bay Drive and South Beach Access Road)	buildings. The fabric of the buildings is not protected.			10.4, Map 10.4.10
Statement of Significance A series of three groups of boat storage sheds sit at the back of the sweeping Titahi Bay beach. They include the oldest sheds at the north end (dating from 1916) on rocks through to the most recent other two groups of buildings that date from the 1950's – the exact dates are not known. The sheds' regular and repeating linear form along the beach give them high architectural value which is far in excess of any of their individual value. They are very typical of this type of structure and so have high representative value. Their historical significance is high - there are very few other groups of structures like this within New Zealand - they are both rare and distinctive. They have long been associated with the bay and as a group and in this setting are of significant value. The sheds at the north end are relatively original and will hold scientific and technical value. The sheds tell a story of the settlement of Porirua's beach suburbs and they continue to provide the social amenity for which they were constructed, which keeps them in a place of high public esteem.						
HHB021	Radio NZ Transmission Station	Transmitter Street (PT LOT 1 DP 10900) (also known as 47 Thornley Street)	Transmission station and shed, not the aerials	159		Refer Appendix 10.4, Map 10.4.11
Statement of Significance Prominent on the Porirua skyline on the top of Whitirea peninsula the two transmitting masts and the main buildings were, in 1937 when opened by the Prime Minister Michael Joseph Savage, generating the largest medium frequency station output in the southern hemisphere. The site was established as part of the government of the day's commitment to a quality national broadcasting service. Prominent Wellington architects Crichton, McKay & Haughton were appointed to design the buildings which they did in the Moderne style. The complex has important associations with the early history of radio broadcasting nationally, which give it high historic value. The significance of radio as a communication media in New Zealand gives the site high social value. Although the original masts have been replaced and quarters removed, the remaining buildings and other elements are authentic and representative of the function, and have high architectural value accordingly. The complex is rare and distinctive and is a landmark which provides high setting value.						
HHB022	St. Timothy's	16 Te Pene Road (Lot 225 DP 19075 and	Church building	161		Site

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
		LOT 226 DP 19075)				
Statement of Significance Sitting within the Titahi Bay shopping centre, the buildings (hall and church) are set back from the street. The hall has a simple rectangle plan, and the church is two buildings joined across. The hall is the original Titahi Bay Presbyterian Church building (1939) but was moved to this site from its initial location at Te Hiko Street (now Thornley Street) in 1959. In 1966 the new church and hall were built at the rear of the original hall. Extensive renovations were carried out by the people in the parish to restore the historical character of the original hall building. The church and hall are of moderate value architecturally and historically. They continue to provide social amenity.						
HHB023	St. Andrew's Anglican Church	13 Steyne Avenue (LOT 25 DP 729)	Church building	162		Site
Statement of Significance This church on Plimmerton's main street, was designed by well-known architect Frederick de Jersey Clere. Fronted by a picket fence and a small lych-gate from the street, the church was dedicated as a "church room" rather than a church on Christmas Eve 1916. By the late 1950s there was a drive to improve and expand the church facilities to better serve the now large suburban area of Plimmerton and changes were completed in 1963 which provided sufficient facilities to finally elevate the building to "church" status. The church was formally consecrated as St. Andrew's, Plimmerton, in 1971. The church has undergone changes and most recently required significant rebuilding as a result of a fire, and its architectural value is only moderate. However, it plays an important role in the community and has high social esteem and amenity value accordingly. The adjacent hall was converted from an adjoining shop in 1929 and then extended in 1951. A covered passage connecting the hall to church was completed in 1967. By the 1990s, the hall had ceased to fulfil the necessary functions and was replaced in 2004, along with significant modifications to the linking structure to the church.						
HHB024	Mana Machine Gun Posts	Mana Esplanade	Machine Gun Post structures	163		Refer Appendix 10.4, Map 10.4.12

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
Statement of Significance The Mana Esplanade machine-gun pillbox was constructed in conjunction with other fixed defences which formed part of the wider coastal defence network, being one of 38 built around Wellington's coast. This pillbox can be found just off the side of Mana Esplanade, a short walk south along the beach from the railway crossing to Plimmerton. The significance of the post is historic as it is associated with an important period of the district's history. It is authentic in its condition and form so has high scientific and technical value. The location and setting value is high as it is situated in a strategic coastal position which relates to its function.						
HHB025	Plimmerton Railway Station	Steyne Avenue (PT LOT 2 DP 88697)	Railway station building (does not include the platform nor the seats/structures outside the building footprint)	164		Refer Appendix 10.4, Map 10.4.13
Statement of Significance The Station is located at the entrance to this seaside area and was completed in 1940 to a design by railway architect George Troup. It has significant historic value for its association with the director of the Wellington and Manawatu Railway Company - John Plimmer - after whom Plimmerton was named. The building is authentic and representative of this design (the only other being at Tawa) so has architectural value. This rarity and original condition contributes to its high historic and technical and scientific value. The station has high social amenity value for its continued function in the transport network.						
HHB026	Mun-gavin Homestead and grounds	1D Mungavin Avenue (LOT 2 DP 89503)	Home-stead building and gardens/ grounds	166		Site
Statement of Significance The Mungavin Homestead – built in 1915 - originally had an extensive and open pastoral setting with expansive views across the Porirua basin. Now largely subsumed by urban Porirua the site's prominence remains, albeit now represented by the scale of the remnant large trees that were planted as part of the once grand garden when the homestead was originally developed. The gardens were originally designed by landscape designer Alfred Buxton. The grounds/garden included a large orchard and many exotic specimen trees including a significant Golden Macrocarpa, Blue Atlas, Cedar and Evergreen Oak which still stand today. The house and site and adjoining bush area to the south between the house and motel should be considered as a single heritage area.						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
<p>The site has high setting value for this prominence. The Mungavin family lived in the house until compulsory acquisition of a large section of their farm for state housing development saw them eventually sell the house and grounds also. The house is significant for its longstanding association with this family. Porirua City Council purchased the house and in 1987 the homestead was moved to create space for a slip road to the Mungavin Interchange. The building was subsequently restored by PCC and then converted into a restaurant which opened in 1990. The house remains largely authentic to its original external appearance, but has been extensively rebuilt inside following arson attacks.</p>						
HHB028	St. Luke's Pukerua Bay	4 Pukerua Beach Road (LOT 38 DP 6670)	Church building	178		Site
<p>Statement of Significance</p> <p>Outwardly, the church is plain and unadorned except for a small cross on the western apex of the roof, and the interior is similarly straightforward. Its architectural heritage values are only moderate and the designer of the original building is not known. It was intended from the outset to be a multi-use building, and has had a variety of community uses over the years since its opening in 1952. It is the multiple roles the building has played within the Pukerua community that has ascribed it the social amenity as its strongest of its heritage values.</p>						
HHB029	Pukerua Bay Scout Hall	Kotipu Place (LOT 78 DP 24316) (otherwise known as Green-meadows Park)	Hall building	189		Refer Appendix 10.4, Map 10.4.14
<p>Statement of Significance</p> <p>The Scout Hall building was constructed in 1952 by the RSA using voluntary labour, and was called the Atlantic Hall in honour of its builders. The building was relocated in July 1965, with considerable assistance from the local community. The Scout Hall is in an attractive location nestled amongst native and exotic bush at the end of a driveway off Kotipu Place and adjacent to Greenmeadows Reserve. It has undergone a number of changes over the years. Its heritage value is ascribed to its historic significance within the local community, rather than its architectural merits. The building has strong associations for the community which in combination with its social amenity ensure that it is held in high esteem locally.</p>						
HHB030	Titahi Bay Machine Gun Post	Beach Road (At the back of the beach, Titahi Bay)	Machine Gun Post structures	353	R27/197	Refer Appendix 10.4, Map

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
						10.4.15
Statement of Significance The Titahi Bay pill box is similar to those at Pukerua Bay and is one of at least three originally, which formed part of the wider coastal defence network. This one at the north end is the only existing example today. The Titahi Bay pillbox is embedded in an embankment to the side of the beach access road and is substantially filled with sand and debris. There is a cairn with a commemorative plaque fixed to the roof. Titahi Bay was a major defence area during World War II due in large part to the radio transmission station. Defence measures included barbed wire and at least three machine gun posts. A Mounted Home Guard patrolled the beach. Although a utilitarian structure the pill box has an uncompromising aesthetic, purpose of form, and use of materials. It has high architectural value for this. The box is a good representative example of its type. It has high historic values for its association with the place, and an important period in New Zealand and the region's history. The box has high scientific value given its authenticity. The setting is important and it has high value for the ability to see the connection between the structure's function and the coast.						
HHB031	Brick House	16 Arawhata Street (LOT 42 DP 1900)	House	384		Site
Statement of Significance This house is set on the south side of the road, on a gentle slope that rolls down towards Porirua. In general form this house represents a conventional 1900s villa of modest size, but its proportions and veranda give it a surprisingly expressive external form and a high level of architectural interest. In 1908 Henry William Dear, a bricklayer of Porirua, purchased the land and it would appear the house was built shortly afterwards, probably by him given the construction material. The building is both rare and authentic, and for a building of this type there is scientific and technical value attributed. The house has high group and setting value as one of the few remaining houses of the era in Ranui Heights, and where more of the original topography remains intact.						
HHB032	Bradey's Grave, Duck Creek, Pauatahanui/Whitby	Polestar Lane, off Navigation Drive (LOT 2 A 3324)	Headstone /plinth of grave	385		Site
Statement of Significance The "Bradey Grave" is marked by a unique cast iron headstone in the shape of a cross with a two dimensional urn mounted on the top and a bronze plaque engraved with the names of Francis Bradey and Keturah Ross. This cross is inset into a concrete slab, surrounded by four concrete corner posts, joined by a						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
steel chain on its own half acre of land being part of the 100 acres purchased by Francis in London in 1839 from the N.Z Company. The headstone is remarkably well preserved as Francis was buried here on 29th October 1864 and his wife Keturah on the 5th of November 1888. Francis Bradey was a pioneer arriving in Wellington on the "Adelaide" in 1840. The family has a long association with the area including having farmed where Whitby is now built. The site has high archaeological value given the age of the burial and important setting value as it was chosen by Francis for its panoramic views. It also provides a visible link to our pioneering past, and is a rare and authentic site in that it has been untouched despite the development of the Whitby residential area surrounding it.						
HHB033	Porirua Hospital Chapel	Upper Main Drive (SEC 1 SO 37151)	Chapel building	389		Refer Appendix 10.4, Map 10.4.16
Statement of Significance Located in the former Porirua Hospital (opened in 1887) on Upper Main Drive, the chapel shares a large green space (also with F Ward – the hospital museum) bordered by mature trees. The building was moved to this site in 2007 from its original location in the middle of hospital complex where it was officially dedicated in 1966. Despite the move it remains a characteristic and highly representative example of a 1960s church building. With its carefully designed form and striking interior, the chapel has high architectural value. The move was carefully undertaken to retain its original features, and it has high value for its authenticity. Until the time when changes were made to the health care structure in New Zealand in the 1980s and facilities were downscaled and regionalised, Porirua Hospital was the biggest such institution in Australasia with 2000 patients. The chapel is rare as one of only two purpose-built separate chapels in mental health institutions in New Zealand and has high historic value for this, and continues to have social amenity value within the hospital.						
HHB034	Muri Station	Muri Road (NB: Adjacent to LOT 8 DP 50730)	Station building on the southern platform (does not include the platform)	187		Refer Appendix 10.4, Map 10.4.17
Statement of Significance This double-platform station was opened on 28 July 1952. The building is in a largely unmodified state, with original cladding lying underneath later re-cladding. The building is a good representative example of the most basic class of station buildings erected in the 1950s. Muri Station and its buildings were closed in 2010, with the building on the northern platform being removed from the site following closure. The remaining building has a high level of historic and scientific authenticity. The station is an important reference point for the post-war growth of Pukerua Bay and illustrates the development and settlement						

Historic Heritage Schedule (Buildings) Group B						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Setting
pattern of the suburb in that era. The building also forms part of a wider group of surviving old station buildings along the Wellington-Paekakariki Line.						
HHB035	14 Steyne Avenue	14 Steyne Avenue (LOT 32 DP 729)	House	61		Site
Statement of Significance This large two-storied house stands near the water's edge in Plimmerton. The main part of the house dates from 1901 and is a simple two-storied villa, with a prominent bay window on the street front (ironically facing away from the coast). It has high architectural value for its representativeness of a style. In the wider setting, the house is part of an important group of old houses at this end of Plimmerton that back to the beach and form an historic core to the area. This gives the house high value in terms of how it reads as part of the historic settlement pattern. It has high setting and group value for this also. This house is significant as one of the largest early houses in Plimmerton and for its location and association with the Vella family, early farmers of Mana Island and prominent in the area - the historic value is high due to this. The building has scientific and technical value associated with the condition of the buildings and the use of kauri panelling within the building.						

HH10.3 Appendix: Historic Heritage Schedule – Sites

Battle Hill Farm Forest Park	HHS003
Belmont Coach Road	HHS027
Bowlers Wharf	HHS020
Former Marine Camp & Motukaraka Point	HHS021
Former WWII American Camp Marker	HHS004
Gold Mine	HHS018
Green Point Area	HHS011
Haukoopua Urupā	HHS016
Hongoeka Urupā	HHS015
Mana Island	HHS005
Matai-taua Pa	HHS024
Mataiwhetu Street Urupā	HHS014
Mount Welcome Gold Mine Remnant	HHS023
Ngati Toa Domain	HHS001
Pa Site (Hongoeka Bay Road)	HHS008
Pikiwera Urupā	HHS009
Puaha Street Urupā	HHS013
Ration Point Area	HHS022
Round Point Area	HHS010
Taumaurangi Pa	HHS012
Taupo Pa and Urupā	HHS019
Te Ana-o-Hau	HHS017
Te Pa o Kapo	HHS002
Te Rauparaha's reserve	HHS026
Urupā (Onepu Road)	HHS006
Urupā (Pa Road)	HHS007
Whitireia Park	HHS025

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
HHS001	Ngati Toa Domain	West of Mana Esplanade (Pt Sec 337 Porirua DIST)	Archaeological site	4	NZHPT Category II: Register number 1329	Refer Appendix 10.5, Map 10.5.1
Statement of Significance The domain has many layers of history. It is linked to Kupe's movement. Moa bones have been excavated from the site. It was a Pa site, the site of a whaling station, military barracks have been established there, and for the last fifty years it has been a public recreational area. These layers of use give it high archaeological value, as there is significant potential to learn from the site through investigations. There are accordingly scientific values accredited. The site's multiple uses have also generated strong historic associations with the place for Māori and Pakeha. The historic location is important particularly to tangata whenua for its long association with Ngati Toa. The domain is rare and distinctive for its place in the history of the district.						
HHS002	Te Pa o Kapo	Terrace Road (located within Road Reserve)	Northern side of terrace road, feature is archaeological site R26/112	15	NZHPT Category II – Register Number 6122. Archaeological site R26/112	Refer Appendix 10.5, Map 10.5.2
Statement of Significance This Ngati Ira fortified pa was in use pre-1820. Its defensive bank and artificially narrowed causeway was once clearly visible, and archaeological evidence suggests that there was extensive settlement in the area. The pa site has high archaeological value for these reasons, and is recorded as archaeological site R26/112. This is one of the few unmodified pa in the region, which makes it rare, and its unique location and causeway make it distinctive. The pa was used by the Ngati Ira chief Whanake in the early 1800s due to its strategic location, and was re-coded by the early ethnologist Elsdon Best as one of the strongest fortified places in the district at that time. For these reasons, the site has high Māori cultural and historic value.						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
HHS003	Battle Hill Farm Forest Park	610a Paekakariki Hill (Lot 1 DP 8107)	All land within Lot 1 DP 8107 that is west of the Transmission Gully Motorway Designation (refer designation K0405) and includes archaeological site R26/246.	58	R26/246	Refer Appendix 10.5, Map 10.5.3
Statement of Significance A significant siege and battle between Government forces and Te Rangihaeata's Ngati Toa forces occurred here in August 1846. Battle Hill was the catalyst for the two pronged Crown attack to destabilise Ngati Toa and acquire lands within the Porirua Basin. Government forces had pursued Te Rangihaeata to the Horokiwi Valley and although the terrain was extreme he secured a position that was difficult for Crown troops to access. Te Rangihaeata and his troops were able to hold the position for 11 days before withdrawing, after which Te Rangihaeata lived out his final 10 years in exile with his Ngati Huia relations in Poroutawhao. Its historic significance and the involvement of important Ngati Toa leaders give this battle site high Māori cultural and historic value. Both the government and Te Rangihaeata's trenches are recorded as a part of archaeological site R26/246 giving the site high archaeological value, although bush clearance and subsequent pastoral use has impacted archaeological features. South of the battle site is a small graveyard which includes the graves of the Government militiamen killed in the battle and members of the Abbott family who owned the land from 1860 to 1975.						
HHS004	Former WWII American Camp and Marker	328 Paramata Haywards Road, State Highway 58 (Pt Sec 95 Pauatahanui AG RES)	Pt Sec 95 Pauatahanui AG RES	64		Refer Appendix 10.5, Map 10.5.4
Statement of Significance The Judgeford Golf Course was established in early 1930s. Up to 3,800 American soldiers were housed in the Judgeford Camp which was built in 1942. The original site spread across both sides of SH58. The golf course only occupies part of the total camp site. Following the war most of the camp was demolished. There are many abutments that remain. A three person toilet block is located in the course "bush" A Camp marker/plaque was placed on site at the main entrance to the golf club adjacent to the 16th green in 1993, commemorating the 50th anniversary of the American presence in NZ. Although not protected as a pre-1900 archaeological site, the site will be of some archaeological interest for the remnants of the Marines camp. The camp site has high historic place associations, and importance of its historic location at a local and national level as a result of the role the site played in providing essential military training and						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
a recreation base. The camp has high setting group values when considered with reference to the other 3 camps in Porirua and 11 camps in the Wellington Region. The golf course has high social amenity values for golfers in the Wellington region.						
HHS005	Mana Island	Mana Island Scientific Reserve (Pt Mana Island Block XI Paekakariki Survey District)	Entire Island, including former lighthouse site and archaeological sites: R26/135-7, 139, 141, 142, 144, 169, 242-4	65	(Listed as a Wāhi Tapu by the NZ Historic Places Trust)	Refer Appendix 10.5, Map 10.5.5
Statement of Significance Mana Island – or Te Mana o Kupe ki Aotearoa – has also been known as Table Island and Warspite Island. Māori occupation of the island began in the 14th century. Te Rangihaeata and Te Rauparaha signed the Treaty of Waitangi off Mana Island, and important Ngati Toa events occurred on the island. For many reasons Mana Island has high Māori cultural value. The island was later used by European settlers as a whaling station and a farm. One of New Zealand's first shipments of wool came from Mana Island, and it played a role in the agricultural development of the area. Mana Island's long history gives it high historic value, and its position makes it a landmark. The remnants of human uses of the island, including building foundations, gardens and storage pits, gives the island high archaeological value.						
HHS006	Urupā	Onepu Road (Pt Pukerua 3A6, and 10m west of Pt Pukerua 3A6 boundary into Pt Pukerua 3C1A.)	Urupā	73		Site
Statement of Significance This urupā forms a part of the former Waimapihi Pa complex. There are four marked graves and it is likely that there are other unmarked burials within, or possibly near, the site. The site has archaeological values due to the age of the burials and has high Māori cultural values.						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
HHS007	Urupā	Pa Road (Pt Pukerua 3A6)	Urupā	74		Site
Statement of Significance This urupā forms a part of the former Waimapihi Pa complex. It is likely that the burials are within the ridge immediately west of the burial reserve (Pt Pukerua 3A6). The site has archaeological values due to the age of the burials and has high Māori cultural values.						
HHS008	Pa Site	Hongoeka Bay Road (between Te Rewarewa Point and Wairaka. Access via Hongoeka Bay quarry road. Located about 1.5km north of Rewarewa Point	Ngati Ira Pa site	80	R26/129	Refer Appendix 10.5, Map 10.5.6
Statement of Significance The site was recorded by Best in 1914 as a small settlement near the first stream north of Te Rewarewa Point. The site is likely to be connected with the other pa sites and urupā located along Wairaka ridge. The site is located on private property and appears to be in pasture. The site is recorded in the NZAA Report as a midden and karaka. This pa has has high Māori cultural values, and archaeological values.						
HHS009	Pikiwera Urupā (Hongoeka)	Hongoeka Bay Road (Māori reservation see NZ Gazette, 9 July 1970, No 40, p 1201 - In and adjacent to Hongoeka 7 Block) Refer appendix 1	Urupā	82		Site
Statement of Significance The Pikiwera Urupā is located close to the Hongoeka Māori community and is accessible. It is a grassed and actively maintained urupā. This Toa Rangatira urupā has high Māori cultural values, and may have archaeological values due to the age of the burials.						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
HHS010	Round Point Area	Pikarere Street, Titahi Bay (Lot 1 DP 62407) Refer Appendix 1	Archaeological site	84	R27/13 R27/14 R27/147 R27/148 R27/149 R27/150	Refer Appendix 10.5, Map 10.5.7
Statement of Significance This is a small, low headland situated near the sewage treatment plant. The headland of Round Point was once a Ngati Ira stockade called Te Korohiwa. Directly north of Te Korohiwa the whaling station 'Coalheavers' was established in 1837. Evidence of human occupation, such as pits, terraces, middens, and ovens – which are recorded as archaeological sites R27/14-13 and R27.147-150 – gives this place archaeological value. The site has Māori cultural and historic values due to its association with past generations and the history of Porirua.						
HHS011	Green Point Area	Pikarere Street, Titahi Bay (LOT 2 DP 752)	Archaeological site	85	R27/3 R27/15 R27/16 R27/17 R27/117	Site
Statement of Significance The Green Point Area is located in a remote area that is accessible from the sea. There is no public road access and limited pedestrian access along the coastal edge. It is a natural and prominent headland covered in grass and used for grazing. The pa site (Komanga Rautawhiti) is on privately owned land and is in good condition. The burial ground covers approximately two acres of the area. The green point area is a composite of a number of sites which all have high Māori cultural values. Komanga Rautawhiri was a significant pa located on the natural headland with commanding views of the Cook Strait. During the 1800s this pa was the principle home of the Ngati Ira chief Whanake and his wife Tamairangi. It was occupied throughout the 19th century, and described in detail as a fortified pa by the early ethnographer Elsdon Best. The green point area also includes urupā from the time of its occupation, and near the pa is an important tauranga waka (waka landing site), particularly as it is one of Kupe's tauranga waka. The pa site itself and other nearby signs of human occupation mean that the green point area has high archaeological value, and includes archaeological sites R27/3, R27/15-17 and R27/117. The area also has historic values due to its association with the settlement of Porirua.						
HHS012	Tutamaurangi Pa	320-380 Pikarere Street (Wairere 1)	Archaeological site	87	R27/143	Refer Appendix 10.5, Map

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
						10.5.8
Statement of Significance This pa is located in an isolated area with no public road access and limited pedestrian access, which means that it is isolated and in good condition. The area is covered with grass and scrub. The pa itself was protected on three sides by cliffs and on the landward side was a deep trench. This trench was enhanced by the construction of a stone wall. In the early 1800s this Ngati Ira pa was the home to Te Kekerengu, Whanake's son. Archaeological site R27/43 records features associated with the pa, which gives the site high archaeological value. Its former use as a pa gives this site Māori cultural and historic value.						
HHS013	Puaha Street Urupā	24 Puaha Street (TAKAPUWAHIA K)	Urupā (Toa Rangatira burial ground)	88		Site
Statement of Significance Puaha Street Urupā is located in Takapuwahia village and adjoins a number of residential properties. The urupā has public access. This Toa Rangatira urupā has high Māori cultural values, and may have archaeological values due to the age of the burials.						
HHS014	Matai-whetu Street Urupā	11 Mataiwhetu Street (TAKAPUWAHIA TOWNSHIP 126)	Toa Rangatira burial ground	89		Site
Statement of Significance Mataiwhetu Street Urupā is located in Takapuwahia village. The Toa Rangatira urupā has public access This Toa Rangatira urupā has high Māori cultural values, and may have archaeological values due to the age of the burials.						
HHS015	Hongoeka Urupā	Hongoeka 3B1,3C1E & Hongoeka 3B1,3C1H	Toa Rangatira Burial Ground	90		Refer Appendix 10.5, Map 10.5.9
Statement of Significance						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
The Pikiwera Urupā is located close to the Hongoeka Māori community and is accessible. It is a grassed and actively maintained urupā. This Toa Rangatira urupā has high Māori cultural values, and may have archaeological values due to the age of the burials.						
HHS016	Haukōpua Urupā	Airlie Road (PT Haukōpua HAUKOPUA)	Toa Rangatira Burial Ground	91		Site
Statement of Significance The site is about 2 acres in area, covered with grass. Some signs of burial are apparent. The urupā was vested in the names of Ropata Hurumutu and Te Rapihana Te Otaota on 17 November 1873. Haukōpua is remotely located on a privately owned farm. While the site is surveyed there is no physical delineation of site boundaries. This Toa Rangatira urupā has high Māori cultural values, and may have archaeological values due to the age of the burials.						
HHS017	Te Ana-o-Hau	Adjacent to Centennial Highway	Cave/Rock shelter	92		Refer Appendix 10.5, Map 10.5.10
Statement of Significance Te Ana o Hau is located on the foreshore adjacent to Centennial Highway. The site is accessible by foot, however there is no formal vehicle access. This site is a part of the story of Hau and has Māori cultural value. It is located on the seaward side of centennial highway and was partially destroyed by the construction of the highway.						
HHS018	Gold mine	Below 50 Penryn Drive (LOT 34 DP 40074)	Sealed Gold Mine	98		Refer Appendix 10.5, Map 10.5.11
Statement of Significance This is a closed gold mine, whose mine shaft is plugged. No information is known about the historic or scientific authenticity of what is inside the mine shaft.						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
However, given the age of these works the site may have archaeological values.						
HHS019	Taupo Pa & urupā	9 Sunset Parade & 10 Sunset Parade (Pt Lot 45 DP 2555)	Ngati Toa Pa site and urupā	123	R26/356	Site
<p>Statement of Significance</p> <p>Taupo Pa was a fortified pa of Ngati Toa, occupied by prominent rangatira, including Te Rauparaha. It is located on a large terrace and is now occupied by residential housing. There is an absence of obvious surface evidence of settlement but likely to be subsurface features. There is a remnant of a larger burial ground within the area that is being affected by encroachment. Although there has been significant land modification to this area as it was developed for residential housing, artefacts are frequently discovered when works are undertaken in this area.</p> <p>Above the Pavilion, is a small reserve and burial ground. There have been koiwi, whenua, (human and animal bone) and cultural material uncovered in this area. Taupo Pa and urupā is an important historic location, has very high Māori cultural values, and archaeological values.</p>						
HHS020	Bowlers Wharf	Bowlers Wharf Lane	Wharf site	395		Site
<p>Statement of Significance</p> <p>Now located within a historic reserve which was created by the reclamation associated with the construction of the motorway, this was the site of a wharf associated with the nearby Papakowhai homestead. The wharf was damaged in the 1848 earthquake and then effectively destroyed by the 1855 earthquake. An earthwork ramp remains within the reserve, giving the site some archaeological value. The site's connection with early settlement and Papawohai Homestead give it historic value.</p>						
HHS021	Former Marine Camp & Motukaraka Point	1 Motukaraka Point (Lot 2 DP 52378)	Former Marine camp & Archaeological site	124	R26/261	Site
<p>Statement of Significance</p> <p>Motukaraka Point was occupied prior to 1820s by several Māori tribes including a Ngati Ira Pa. In early 1820's Ngati Toa expelled Ngati Ira. The New Zealand Company started acquiring land in the area in 1839 with the intention of establishing a village at Motukaraka. The company quickly became engaged in land disputes with Ngati Toa. Te Rauparaha and his nephew Te Rangihaeata led the dispute. A fighting pa was set up beside Motukaraka Point. Motukaraka Point</p>						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
<p>is an important historic location, has very high Māori cultural values, and archaeological values.</p> <p>The Pauatahanui Camp Site was built by public works department in 1942 for the United States Marine Corp. Grays Road now runs through the middle of the camp site. Before the Marines arrived the camp was occupied by three New Zealand Army Artillery Regiments before their departure for the Pacific. This place has high historic associations and is an important historic location. It accommodated 2000 marines. Camp buildings comprised timber buildings for cookhouses, messes, stores, and Recreation Halls with sleeping accommodation being tents on timber decks.</p>						
HHS022	Ration Point Area	479 Grays Road (Lot 2 DP 52379)	Tapu site and Archaeological site	125	R26/207 R26/105 R26/210 R26/211 R26/212 R26/213 R26/214 R26/215 R26/216 R26/217 R26/218 R26/219 R26/220 R26/222 R26/224	Site
<p>Statement of Significance</p> <p>Ration Point is located on privately owned horticulture and farm blocks. The original name of this area is Te Ewe o Whanake. It is thought that this area is the burial ground of Whanake's placenta. For this reason the area is considered tapu. Many chisels and adzes were found in this area when the Death family ploughed the land to grow crops. This area has a large number of middens. This area has high Māori cultural values, and archaeological values.</p>						
HHS023	Mount Wel-come Gold mine remnant	Paekakariki Hill Road (LOT 3 DP 77652)	Archaeological site	319		Refer Appendix 10.5, Map 10.5.12

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
Statement of Significance The remains of the Mount Welcome gold mine and a nearby shaft can be located by reference to a trig station east of Pukerua Bay. The mines are on a steep hillside with quartz outcrops. The Mount Welcome mine is described by investigations undertaken in the 1960's as being comprised of a 60 ft. shaft intersected by a drive at least 100 ft. long cut into the solid rock. The mine has only moderate values for its archaeological interest and potential to reveal scientific and technical knowledge of early mining techniques. It is also of moderate value for its place in the group of local heritage places which are representative of the early extractive industries in the district.						
HHS024	Matai-taua Pa	4 Paekakariki Hill Road (LOT 2 DP 311366) (Adjacent to St. Albans Church)	Ngati Ira Pa, Ngati Toa Pa and Archaeological site	342	R27/135	Site
Statement of Significance It is believed that this is the site of a Ngati Ira pa, which was a refuge for the undefended kainga around Pauatahanui inlet, and was abandoned during the musket wars in the 1820s. In 1845-6 in response to increasing tensions with colonists, Te Rangahaeata built a gun-fighter pa at this site. The site's association with tangata whenua and in particular Te Rangahaeata give it Māori cultural value. This was the only pa to be built in Porirua that was especially designed for gun fighting, which makes it rare and distinctive. It has historical value as it played an important role in Porirua's history and in the land wars. The site has been substantially modified, but some remnants of the pa and middens are recorded as site R27/135, giving the site archaeological value.						
HHS025	Whiti-reia Park	Whitireia Road (SEC 383 PORIRUA DIST) (Eastern end of Titahi Bay)	Archaeological site	392	R216/106 R216/107 R216/110 R216/111 R216/114 R216/115 R216/116 R216/117, R216/118 R216/119 R216/175 R216/176 R216/177 R216/178 R218/179 R216/240 R27/48 R27/49 R27/50 R27/51 R27/52	Refer Appendix 10.5, Map 10.5.13
Statement of Significance						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
Whitireia Park had been occupied by tangata whenua over a long period of time and includes many sites of significance including pa, kainga, burial area, middens, pits, terraces and tauranga waka, giving Whitireia Park Māori cultural and historic value. The boundaries of Whitireia are currently identified within the Whitireia Reserve, but are likely to have been associated with former coastal settlements to the south-west including Te Pa-o-Kapo. This area has been proposed to be registered with the Historic Places Trust as a wāhi tapu area. Up to the present day, the Whitireia coast remains an important sea-food gathering place. Whitireia forms a part of the Kupe tradition, and Kupe's anchor stone was located at Onehunga at one time. There are many recorded archaeological remnants of past uses of this site, giving it archaeological value.						
HHS026	Te Rau-paraha's reserve	Motuhara Road (LD LOT 51 DP 2555) (Located on west side of Motuhara Road, access is a 1m wide strip between two residential properties)	Reserve and pou	393		Site
Statement of Significance This small 40m2 reserve is located in the vicinity of the former Taupo pa complex. When the land was subdivided around 1910 the reserve was created around a large cabbage tree that is said to have been used by Te Rauparaha as a lookout. The original tree is now gone, and its location marked by a concrete plinth and plaque. In the 1970s a wooden carved pou of Te Rauparaha, carved by master carver Kohe Webster, was installed at the entrance to the reserve. Both the reserve and the pou have Māori cultural and historic value.						
HHS027	Belmont Coach Road	Belmont Road	Old Road over Belmont Regional Park	394	HPT Category II: Register Number 7711	Refer Appendix 10.5, Map 10.5.14
Statement of Significance The road (from south to north) runs from the end of the sealed section of the Normandale Road through Belmont Regional Park to the end of the sealed section of Belmont Road off the Paremata-Haywards Road (Sh58). The Belmont Coach Road was built in 1871-72 and was the first road built between the Hutt Valley and the west coast, giving it historic value. The road was the main route until the opening of the Haywards Road in 1890, had some military use during World War II, and is now a part of the track network at Belmont Regional Park. Portions of the road remain in largely original condition where you can						

Historic Heritage Schedule (Sites)						
Reference	Name	Location & legal description	Feature description	Heritage Inventory Database Number	NZHPT or NZAA listing	Heritage setting
see road formation, culverts, drains embankments and quarries, which make it rare and distinctive and give it archaeological value.						

HH10.4 Appendix: "Heritage Setting Maps" for specified Historic Heritage Buildings

HH10.4.1 HHA004: F-Ward Building, Porirua Hospital – 24 Upper Main Drive, Porirua Hospital Grounds



HHA10.4.2 HH006: Mana Island Woolshed – Mana Island Scientific Reserve

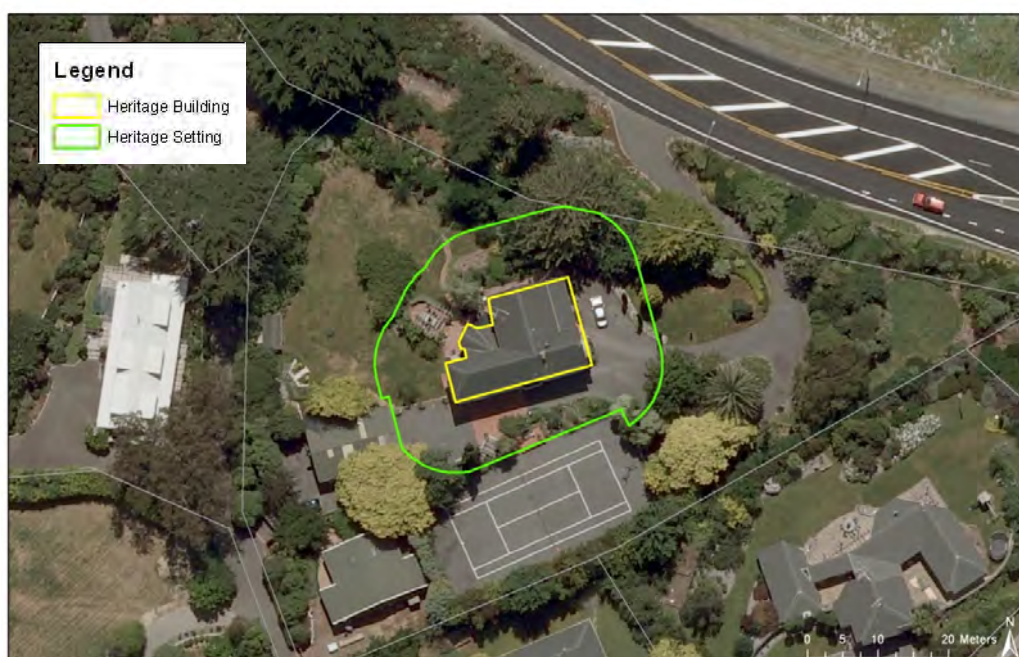


HH10.4.3 HHA008: Gear Homestead (Okowai) - Okowai Road, Porirua (LOT 1 DP 54351)



HH10.4.4 HHA009: Blackey's Woolshed – 850A Paekakariki Hill Road, Paekakariki (LOT 2 DP 389851)



HH10.4.5 HHA012: Paremata Barracks – Southern end of Ngati Toa Domain, Mana**HH10.4.6 HHB005: Riverdale – 460 Paremata Road, Paremata (LOT 4 DP 79271)**

HH10.4.7 HHB016:Pukerua Bay Machine Gun Posts – Ocean Parade and off the end of Brendan Beach Road, Pukerua Bay

HH10.4.8 HHB017: Charles Gray Homestead - 7 State Highway 1, Pukerua Bay (PT PUKERUA 3C1A)



HH10.4.9 HHB018: Railway tunnel (underground) beneath Motuhara Road, Plimmerton



HH10.4.10 HHB020: Titahi Bay Boat Sheds – accessed off Vella Street, Bay Drive and South Beach Access Road, Titahi Bay





HH10.4.11 HHB021: Radio New Zealand Transmission Station – Transmitter Street, Titahi Bay (PT LOT 1 DP 10900)



HH10.4.12 HHB024: Mana Machine Gun Posts – in Mana along the walkway from Mana to Plimmerton between the railway line and the coastline.



HH10.4.13 HHB025: Plimmerton Railway Station – off Steyne Avenue, Plimmerton (PT LOT 2 DP 88697)



HH10.4.14 HHB029: Pukerua Bay Scout Hall – off Kotipu Place in Greenmeadows Park, Pukerua Bay (LOT 78 DP 24316)

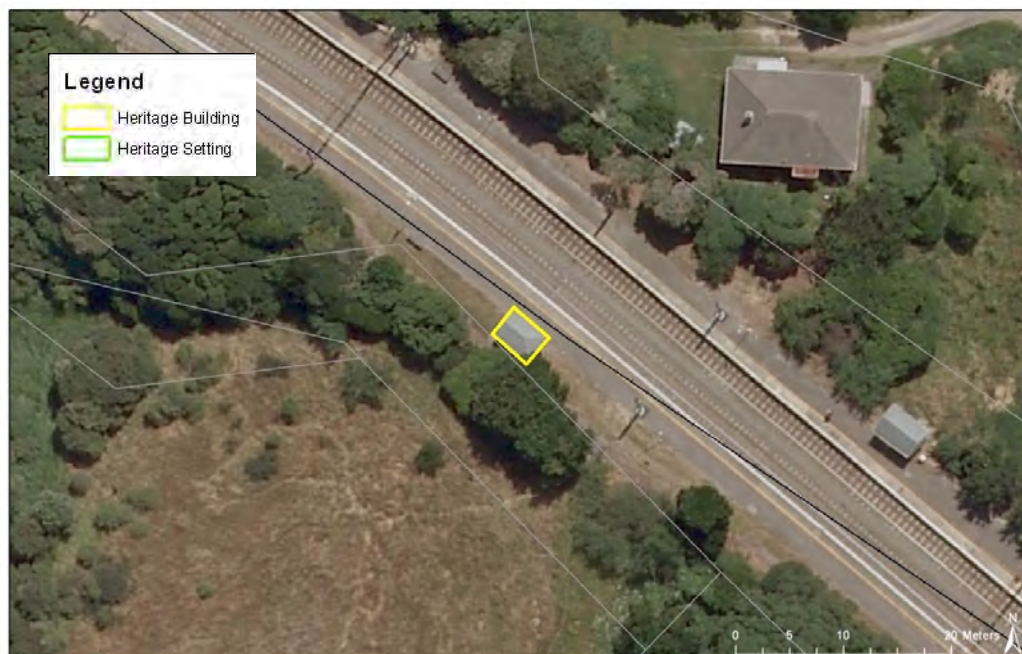


HH10.4.15 HHB030: Titahi Bay Machine Gun Post – off Beach Road, Titahi Bay 50730)



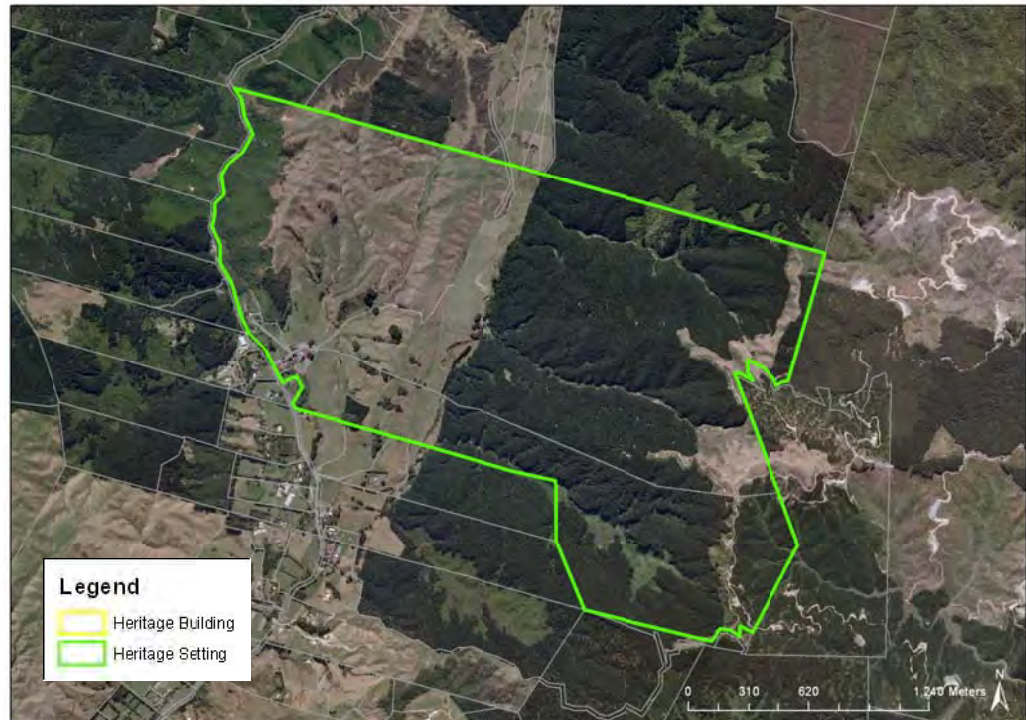
HH10.4.16 HHB033: Porirua Hospital Chapel – Upper Main Drive, Porirua Hospital



HH10.4.17 HHB034: Muri Station – Off Muri Road, Pukerua Bay (adjacent to LOT 8 DP)

HH10.5 Appendix: Heritage Setting Maps for specified Historic Heritage Sites**HH10.5.1 HHS001: Ngati Toa Domain, Mana (PT SEC 337 PORIRUA DISTRICT)****HH10.5.2 HHS002: Te Pa o Kapo – Off Terrace Road, Titahi Bay**

HH10.5.3 HHS003: Battle Hill Farm Park – 610A Paekakariki Hill Road, Paekakariki (LOT 1 DP 8107)



HH10.5.4 HHS004: Former World War II American Camp and Marker - Judgeford Golf Course, 328 Paremata Haywards Road, Judgeford (PT SEC 95 PAUATAHANUI AGRICULTURE RESERVE)



HH10.5.5 HHS005: Mana Island – Mana Island Scientific Reserve**HH10.5.6 HHS008: Pa Site – Hongoeka Bay Road, Plimmerton (located approximately 1.5km north of Te Rewarewa Point, between Te Rewarewa Point and Wairaka - access via Hongoeka Bay Quarry Road)**

HH10.5.7 HHS010: Round Point Area – Pikarere Street, Titahi Bay (LOT 1 DP 62407)



HH10.5.8 HHS012: Tutamaurangi Pa – 320-380 Pikarere Street, Titahi Bay (Wairere 1)



HH10.5.9 HHS015: Hongoeka Urupā (HONGOEKA 3B1, 3C1E & HONGOEKA 3B1, 3C1H)



HH10.5.10 HHS017: Te Ana-o-Hau – Adjacent to Centennial Highway between Pukerua Bay and Paekakariki (located between the road and the coast)

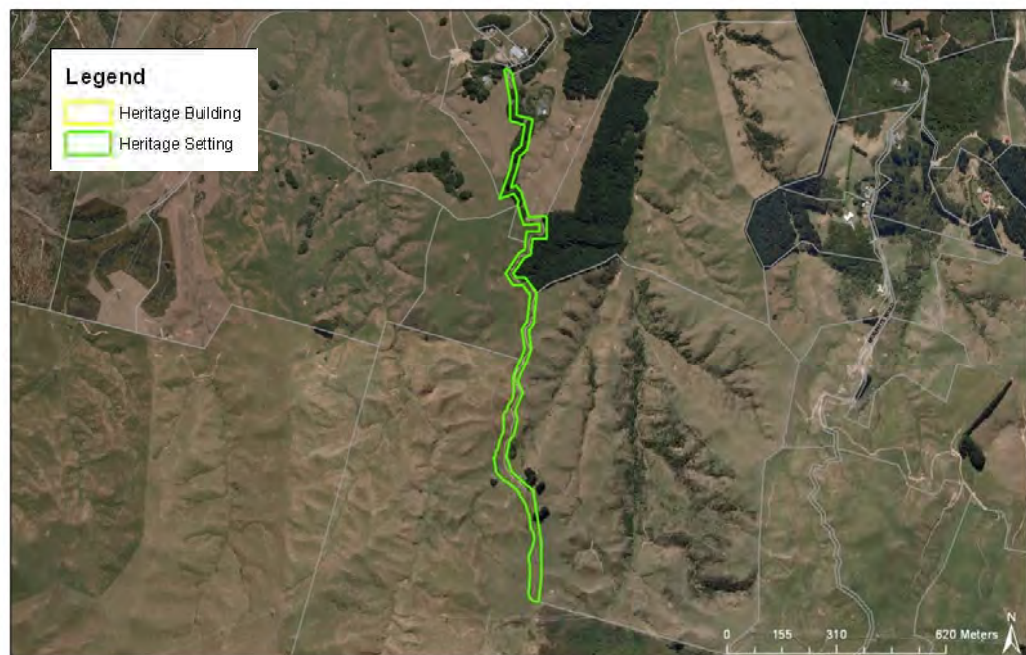


HH10.5.11 HHS018: Gold Mine – Below 50 Penryn Drive, Camborne (LOT 34 DP 40074)



HH10.5.12 HHS023: Mount Welcome Gold Mine Remnant - Paekakariki Hill Road, Paekakariki (LOT 3 DP 77652)



HH10.5.13 HHS025: Whitireia Park, Whitireia Road, Titahi Bay (SEC 383 PORIRUA DISTRICT)**HH10.5.14 HHS027: Belmont Coach Road – Belmont Regional Park**

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Amendment 3: New Chapter

NU Network Utilities

1 Introduction

- 1.1** This chapter outlines the provisions of the District Plan that relate to network utilities within Porirua City. Network utilities provide the infrastructure which enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, and their health and safety. Network utilities which are managed through this Chapter include those defined by way of section 166 of the Resource Management Act 1991.
- 1.2** The City has a range of important network utilities that serve an important function locally, regionally and nationally. The City is traversed by two state highways¹, the approved but yet to be constructed Transmission Gully Motorway, the National Grid, the main trunk railway line², the regional water supply pipeline and the high pressure natural gas transmission line for the Region. Some of Wellington Region's largest and most powerful communications facilities are also located in the City.
- 1.3** The Regional Policy Statement for the Wellington Region recognises the importance of regionally significant infrastructure within the Region, as forming part of national or regional networks that enable communities to provide for their social, economic and cultural wellbeing and their health and safety. There are a number of network utilities within Porirua that are identified as being regionally significant infrastructure in the Regional Policy Statement. The Regional Policy Statement requires that the benefits of such regionally significant infrastructure be recognised and protected in the District Plan.
- 1.4** The Council is required to give effect to any National Policy Statement. The National Policy Statement on Electricity Transmission came into force in 2008 and applies to activities involving "the need to operate, maintain, develop and upgrade the electricity transmission network". The National Policy Statement on Electricity Transmission's objective is to recognise the national significance of the National Grid by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.
- 1.5** There are many providers of network utilities within Porirua City including the Council, Crown agencies, the Greater Wellington Regional Council, State Owned Enterprises, trading enterprises and private companies. The Council is in itself a major provider of network utilities and services, supplying water, sewage and stormwater reticulation, waste disposal and roads.
- 1.6** Other utilities that are managed through this Chapter because of their nature and function are lighthouses, navigation aids, beacons, signal stations and natural hazard

¹ State Highway 1 and State Highway 58

² North Island Main Trunk Line

emergency warning devices and meteorological services³. These other utilities are owned and / or operated by Maritime New Zealand, local authorities, or the Meteorological Service in order to provide for the health, safety and wellbeing of the local community, region and nation.

- 1.7** The successful functioning of the City depends on network utilities. It is therefore very important that construction, maintenance, upgrade and operation of these services be effectively provided for, technical and geographical constraints on the operation of network utilities are acknowledged and that the benefits that derive from them are adequately recognised. Network utilities can be vulnerable to reverse sensitivity effects when new activities (that are sensitive to the effects of the existing network utility) are established nearby, leading to constraints on the operation of the network utility. However, network utilities can also have adverse effects resulting from their construction, operation or associated maintenance activities.
- 1.8** For example, network utilities may typically include buildings, poles, overhead wires, pylons, pipes or antennas, which may have an adverse visual impact depending on their location and proximity to other land use activities. However, network utilities may also involve few structures and have limited visual impact, such as underground power and telecommunication lines. Network utilities are also often seen as a necessary and normal part of the environment, such as a road.
- 1.9** The network utility rules apply where network utility operators do not hold a designation for their activities under the designation procedures of the Act. They may, however, also be used by Council to help assess any notices of requirement for new designations.
- 1.10** The provisions in this Chapter apply to network utilities throughout all zones of the City. The underlying zone objectives, policies and rules do not apply to network utilities, including roads, unless specifically referred to. City wide rules, such as those relating to historic heritage and hazardous substances will still apply. All formed and unformed roads are zoned in the District Plan Maps.

2 Resource Management Issues

There are two key issues in respect of network utilities within the City.

2.1 Balancing the national, regional and local benefits of network utilities with effects on the local environment

An important issue is managing the actual and potential adverse environmental effects arising from network utilities while also recognising the key role they play and benefits they have locally, regionally and nationally, and to ensure the operational requirements of the network utility concerned is not unreasonably restricted. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City. This is because network utilities provide essential services to people's homes and businesses, such as water, transport means, electricity, gas and telecommunications, and are critical for the effective functioning and liveability of the City.

However, the construction, operation and/or maintenance of network utilities can have adverse effects and adversely affect the amenity of areas of the City, as a result of, for

³ The Meteorological Service is a requiring authority for its network operation of a system comprising telecommunication links to permit telecommunication and radiocommunication. Therefore, these aspects of meteorological service activities and facilities are network utilities.

example, noise, emissions, and visual dominance. Some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the surrounding environment. They may also have potential or perceived adverse effects on public health and safety. Adverse effects may only occur at the time of construction or installation of the utility, but in some instances may continue throughout its operation or during maintenance and upgrade works. In some cases, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with a utility, meaning there will be some level of adverse effect on the surrounding environment. In such circumstances, there is a need to carefully consider both the benefits the utility will provide and the significance of the adverse effects on the surrounding environment.

2.2 Managing adverse effects including reverse sensitivity effects on regionally significant network utilities

Inappropriate subdivision, use and development in the vicinity of regionally significant network utilities may lead to adverse effects including reverse sensitivity effects that have the potential to impact upon the effective and efficient operation of such utilities. Inappropriate subdivision, use and development may result in adverse effects on regionally significant network utilities and / or restrict access to such network utilities including the ability to undertake maintenance and upgrade work. Reverse sensitivity can occur when sensitive activities locate near to or intensify by existing network utilities and seek to or constrain the operation or expansion of these utilities. This may mean that the local, regional and national benefits of those regionally significant network utilities may be compromised. The City has a lot of well-established regionally significant network utilities located in close proximity to existing land use activities. The Council is predominantly concerned with new more intensive land use activities establishing in proximity to existing regionally significant network utilities that may lead to adverse effects, including reverse sensitivity effects, on those utilities.

3 Objectives & Policies

The following objectives and policies seek to address the two key issues identified above.

OBJECTIVE

- 3.1 To recognise the benefits of regionally significant network utilities and ensure their functions and operations are not unreasonably compromised by other activities.**

POLICIES

- 3.1.1 Identify regionally significant network utilities within the City on Council planning maps, as practicable.**
- 3.1.2 Recognise the national, regional and local benefits of regionally significant network utilities.**
- 3.1.3 Avoid, or as appropriate, remedy or mitigate, the potential for any adverse effects, including reverse sensitivity effects on regionally significant network utilities from incompatible new subdivision, use and development occurring under, over, or adjacent to regionally significant network utilities.**

3.1.4 Ensure the safe and efficient functioning and operation of the National Grid by avoiding inappropriate establishment of sensitive activities and incompatible buildings and structures within a defined National Grid Yard.

Explanation

3.1.2.1 Objective 3.1 seeks to identify the importance of regionally significant network utilities within the City and to give effect to the Regional Policy Statement. The objective and supporting policies are focused on recognising the benefits that these regionally significant network utilities have locally, regionally and nationally and ensuring that these benefits are protected from incompatible subdivision, use and development.

3.1.2.2 Policy 3.1.1 requires the Council to identify regionally significant network utilities within the City on its planning maps. The majority of any new and extensions to existing regionally significant network utilities are expected to be identified on Council planning maps by network utility operators through a notice of requirement for designation process. In the case of the National Grid, which is not designated, this network will be specifically recognised and mapped, as required by the National Policy Statement on Electricity Transmission. Due to the scale of the planning maps and the extensive nature of some regionally significant network utilities, it is however not feasible to identify all regionally significant network utilities on Council planning maps, particularly the local electricity distribution network and local gas distribution lines.

3.1.2.3 Policy 3.1.2 outlines some of the benefits that regionally significant network utilities provide within the City, regionally and nationally. These are benefits that are to be considered in respect of any matter relating to regionally significant network utilities. Some of those benefits are:

- That people and goods can travel to, and from and around the City and Region efficiently and safely;*
- That community well-being and public health and safety is maintained through the provision of essential services including supply of potable water and the collection, transfer and appropriate treatment of sewage and stormwater;*
- People have access to electricity and gas to meet their needs and*
- The services provided by Radio New Zealand's communications facility at Titahi Bay, which include being a civil defence tool in the event of natural disaster.*

3.1.2.4 Policy 3.1.3 requires that any potential adverse effects, including reverse sensitivity effects, on regionally significant network utilities are appropriately managed, with priority given to avoiding adverse effects, where practicable, on those utilities. The location of inappropriate new subdivision, use or development in proximity to existing regionally significant network utilities has the potential to compromise the efficient operation and use of the network utility including by restricting access and result in the benefits of that network utility being reduced. In addition, the safety and amenity values of the community may be adversely affected by locating in too close proximity to

regionally significant network utilities. The potential for reverse sensitivity effects may arise when the pattern and density of land use activities changes through the subdivision or rezoning of land. At the time of rezoning, the Council will seek to introduce new provisions to manage those potential reverse sensitivity effects on existing or designated regionally significant network utilities. Any applications for subdivision that involve potential intensification located in proximity to regionally significant network utilities will require assessment in terms of the potential effects on those utilities as well as consultation with the relevant network utility operator.

- 3.1.2.5 *Policy 3.1.4 recognises the importance of the National Grid and seeks to protect the continued operation and functioning of that network. The policy provides for the establishment of a National Grid Yard within which sensitive activities and incompatible buildings and structures will generally be avoided. The management of buildings and structures with a National Grid Yard is aimed at ensuring that these do not hinder required access to the network for its on-going operation and maintenance, which is a matter of national significance under the National Policy Statement for Electricity Transmission. The on-going operation, upgrade and maintenance of the existing National Grid is provided for by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. These regulations specify that existing electricity transmission activities are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects. The standards also specify resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.*

OBJECTIVE

- 3.2 To recognise and provide for the sustainable, secure and efficient use, operation and development of network utilities within the City.**

POLICIES

- 3.2.1 Recognise and provide for the:**
- **need for new and the maintenance and upgrading of existing network utilities; and**
 - **technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and**
 - **benefits that network utilities provide to the economic, social and cultural functioning of the City.**
- 3.2.2 Enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.**
- 3.2.3 Ensure that the provision and operation of utilities that cross jurisdictional boundaries is managed in an integrated manner.**

3.2.4 Encourage the appropriate use of designations for new network utilities and extensions to existing network utilities that are not designated.

Explanation:

3.2.5.1 Objective 3.2 requires that the benefits of network utilities including those that are not identified as regionally significant be recognised and provided for. Network utility services form an essential part of the City's physical resource and provide for the community's social, cultural and economic well-being. They provide essential services to people's homes and businesses, such as water, transport means, electricity, gas, radiocommunications and telecommunications and are critical for the functioning and liveability of the City. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City.

3.2.5.2 Policy 3.2.1 recognises that the provision of new and the upgrading of existing network utilities is necessary to meet the needs of City, both now and into the future. In considering any proposals for new or upgrades to existing network utilities, the technical and operational requirements that may constrain where and how they can locate and be designed need to be recognised. In some cases, some level of adverse effects may need to be accepted to recognise the necessity for some network utilities and meet their operational requirements. This policy also recognises the benefits that all network utilities have.

3.2.5.3 Policy 3.2.2 acknowledges the important role that network utilities have in providing for the wellbeing of the City's community and beyond. Network utilities form an essential part of the efficient functioning of the City and their maintenance and development allows their benefits to be realised. There are a range of network utilities that enable communities to undertake everyday activities and functions and provide essential services to people's homes and businesses. It is therefore important that the District Plan provides for network utilities to be constructed, installed, operated, upgraded and maintained.

3.2.5.4 Policy 3.2.3 reflects that by their nature, many network utilities cross jurisdictional boundaries between councils. Cross boundary issues can result for network utility providers and for the community, particularly where different councils have different rules or processes for how they recognise and provide for network utilities and manage their effects. It is important that councils work together in an integrated manner both when developing plan provisions and when dealing with proposals for new or upgrades to existing network utilities.

3.2.5.5 Policy 3.2.4 is focussed on encouraging network utility operators, particularly those who operate regionally significant network utilities, to use the notice of requirement for designation process when they seek to develop new or extend existing network utilities. This is particularly encouraged for operators where new or extended network utilities involve restrictions on the

use of privately owned land and may require land acquisition. It is recognised that not all network utility operators use designations, particularly those that do not operate linear infrastructure.

OBJECTIVE

- 3.3 To manage any adverse effects on the environment resulting from the design, location, operation, upgrading and maintenance of network utilities.**

POLICIES

- 3.3.1 Ensure that network utilities are designed, located, developed, constructed, upgraded operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment.**
- 3.3.2 Ensure network utilities, in particular those emitting electric and magnetic fields, are designed, located, upgraded, operated and maintained to comply with relevant national environmental standards and to meet other nationally recognised standards.**
- 3.3.3 Enable the co-location or multiple use of network utilities where this is efficient and practicable and assists with avoiding, remedying or mitigating adverse effects on the environment.**
- 3.3.4 Require the underground placement of new network utilities unless**
- **there are natural or physical features or structures, or technological and operational constraints that makes underground placement impractical or unreasonable;**
 - **they are of a temporary nature and required for emergency purposes or critical events; and**
 - **they are of a nature that they can only operate aboveground.**
- 3.3.5 Encourage the use of roads as network utility corridors in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors.**
- 3.3.6 Encourage network utility providers to consult with local communities on the appropriate placement, location and design of new network utilities.**

Explanation:

- 3.3.5.1** *Objective 3.3 recognises that the construction, operation, upgrade and maintenance of network utilities can adversely affect the environment and amenity, and seeks to manage potential adverse effects, particularly through design and location. This recognises that some network utilities are relatively large, visually prominent and capable of generating significant effects on the environment. Such network utilities may also have adverse effects on public*

health and safety. Adverse effects may only occur at the time of construction or installation of the utility, but in some instances may continue throughout its operation or during maintenance and/or upgrade works. For new linear infrastructure, adverse effects are often best able to be mitigated through the route selection process. However, in some cases, it might not be entirely possible to avoid or remedy all adverse effects associated with a network utility, meaning there will be some level of adverse effect on the surrounding environment that require mitigation.

3.3.5.2 Policy 3.3.1 recognises the importance of managing the design, location, development, upgrading, construction, operation and maintenance of network utilities and requires that any potential adverse effects arising from network utilities are avoided, remedied or mitigated. This policy is sufficiently broad to recognise that there are a range of different network utilities with different potential adverse effects on the environment. For instance, above ground network utilities can have adverse effects including visual, noise, traffic, odour and amenity, depending on their size, location, frequency and their scale in comparison with the character of a particular environment.

3.3.5.3 Policy 3.3.2 recognises that some network utilities may adversely affect health and safety. For example, telecommunication facilities generate radio frequency emissions which may have detrimental effects on health. Any potential health effects arising from radiofrequency emissions are addressed by Regulation 4 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008. Electricity transmission/distribution can generate electromagnetic fields (EMF) which may be a risk to health, and also generates the risk of electrocution. Other possible health and safety risks are accidental spillage or leakage of hazardous substances from gas or petroleum pipelines, explosions from gas or petroleum pipelines; accidental overflow from sewage pump stations, and flooding from damaged/inoperative stormwater systems. Chemicals used in conjunction with some network utilities, such as water treatment plants for example, also pose a risk if an accidental spill occurs. There are a number of national and international standards that are external to the District Plan but that must be complied with, including the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008, the New Zealand Electrical Code of Practice and the International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines.

3.3.5.4 Policy 3.3.3 recognises that the co-location and co-siting of network utilities may provide environmental benefits in terms of reduced visual impacts and consolidation of network utilities in existing areas thereby reducing adverse effects on amenity by reducing the need for more network utility structures. While co-location is encouraged it needs to be understood that technical requirements will generally mean that associated structures may need to be taller or bulkier to avoid interference between the two or more providers, such as radio-frequency bands. It is also recognised that co-location is not always possible due to operational issues such as radiofrequency interference, electrical interference, lease arrangements and structural capacity.

- 3.3.5.5 Policy 3.3.4 requires the underground placement of new network utilities unless particular circumstances apply. The adverse visual effects of certain network utilities can often be managed by putting the services underground. This is the required approach for those network utilities, such as those with cables that can be located underground. For those network utility structures that need to be located aboveground, particular attention should be given to their design, location and minimising of any adverse visual effects as outlined in Policy 3.3.1. This can be achieved in a number of ways including, where practical, through screening, careful placement, size and appearance and applying different activity status. In particular, the underground placement of electricity and telecommunications lines in the City Centre, Industrial, Aotea Supermarket and Suburban Zones is required by only providing for aboveground lines in particular defined situations, such as for customer connections, and through different activity status, which recognises the higher level of amenity sought in the City's urban areas. The Rural and Judgeford Hills Zones provide for overhead lines, recognising the more visual absorptive capacity of those locations, and the practicality of needing to provide for a cost effective means of enabling service development and maintenance in remote less densely populated areas.*
- 3.3.5.6 New above ground lines and their associated supporting structures in areas that do not have existing above ground lines are generally considered to be unacceptable within the City. However it is recognised that particular consideration needs to be given to the efficient use of resources and that there are situations where placing lines underground is, or may be, impracticable or unreasonable.*
- 3.3.5.7 Policy 3.3.5 promotes the use of the road corridor for the location of network utilities, in line with the National Code of Practice for Utility Operators' Access to Transport Corridors. Locating network utilities in the road can assist to minimise the adverse effects of network utilities on amenity and other values as these locations generally have a range of existing network utilities and are less sensitive to new network utilities. However, the effects of these activities require some management to ensure conflicts with the primary function of the road corridor and with each other are avoided.*
- 3.3.5.8 Policy 3.3.6 encourages network utility operators to engage with the local community when they are considering the location, placement and design of new network utilities. In some cases, engaging early with the community about a proposed new network utility may result in an alternative more appropriate location to be identified that both meets the needs of the network utility operator and addresses any concerns that the community may have. In encouraging consultation, the Council recognises that it cannot require network utility operators to consult on permitted activities.*

4 Methods

The following District Plan methods will give effect to the above objectives and policies:

- 4.1** Planning Maps that identify the location of both designated and undesignated regionally significant network utilities within the District to the extent practicable.
- 4.2** Regulatory Assessment Framework that includes rules and matters of control and discretion to guide assessment of the construction, operation, upgrading and maintenance of network utilities, inappropriate subdivision, use and development within National Grid Yards and National Grid Corridors and subdivision that occurs in proximity to regionally significant network utilities. The framework utilises permitted, controlled, restricted discretionary, discretionary and non-complying activity status and specific matters of control and discretion to assess and manage the actual and potential adverse effects.
- 4.3** Plan change(s) to introduce new provisions to manage reverse sensitivity effects on regionally significant network utilities where there are pressures for new or intensification of existing development in proximity to regionally significant infrastructure.
- 4.4** Encourage designations for new network utilities and extensions to existing network utilities that are not currently designated
- 4.5** Information requirements for certificates of compliance and resource consents for network utilities.
- 4.6** Administer, monitor and enforce compliance with the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.
- 4.7** Advice notes identifying the relevant national and international codes and standards that also apply to network utilities in addition to the District Plan's Regulatory Assessment Framework.
- 4.8** Monitoring and review of the District Plan network utility provisions to assist in assessing the effectiveness of the network utilities provisions in the Plan.

Other non-District Plan methods that will give effect to the above objectives and policies include:

- 4.9** Compliance with relevant national and international codes and standards that also apply to network utilities.
- 4.10** Education of and building relationships with network utility providers.
- 4.11** Encouraging network utility providers to engage with the local community when considering new network utilities within the City.

5 Anticipated Environmental Outcomes

The following environmental outcomes are anticipated in respect of network utilities:

- 5.1** Network utilities are able to be constructed, operated, upgraded and expanded as required to provide safe, effective and efficient services to the City.
- 5.2** The Porirua community is able to provide for its social, economic, cultural and environmental wellbeing and for its health and safety.
- 5.3** Potential conflicts between regionally significant network utilities and incompatible development, use and subdivision are avoided.
- 5.4** Adverse effects from network utilities on amenity and the environment are appropriately avoided, remedied or mitigated.

6 Rules

6.1 Network Utilities

The following rules apply to all network utilities, as defined in the Interpretation Chapter.

These rules override all other rules in the District Plan, with the exception of rules applying to historic heritage or as otherwise specified in this Chapter.

Where a rule has a standard(s) associated with it, that standard(s) must be complied with for the activity status to apply.

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
Removal, Maintenance and Upgrading					
6.1.1	The removal of existing network utilities, including any existing associated structures.	All	Permitted	Earthworks: 7.6.1 Vegetation: 7.7 Noise: 7.8	
6.1.2	The operation and maintenance of existing network utilities.	All	Permitted	Earthworks: 7.6.1 Vegetation: 7.7.1 Noise: 7.8	
6.1.3	The minor upgrading of existing electricity and telecommunication lines.	All	Permitted	Earthworks: 7.6 Vegetation: 7.7 Noise: 7.8	
6.1.4	The upgrading of existing network utilities, except for: <ul style="list-style-type: none"> Electricity and telecommunication lines; Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	All	Permitted	Health and Safety: 7.1 Earthworks: 7.6 Vegetation: 7.7 Noise: 7.8	

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
6.1.5	The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines that does not meet permitted activity standards.	All	Controlled		8.5, 8.8, 8.12
6.1.6	The upgrading of network utilities, excluding: <ul style="list-style-type: none"> Electricity transmission lines above 110KV; and Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals that does not meet permitted activity standards.	All	Restricted Discretionary	Health and Safety: 7.1	9.1, 9.18, 9.23, 9.26
6.1.7	The upgrading of: <ul style="list-style-type: none"> Electricity transmission lines above 110 kV; and Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	All	Restricted Discretionary	Health and Safety: 7.1	9.2, 9.21, 9.23, 9.24, 9.25, 9.26
Subdivision					
6.1.8	Subdivision for the purpose of accommodating any network utility.	All	Controlled		8.1, 8.2, 8.3, 8.5, 8.6, 8.7, 8.10, 8.12
General					
6.1.9	Cabinets and other network utility structures not otherwise listed in this table.	All	Permitted	Health and Safety: 7.1 Height: 7.2.4, 7.2.5 Size and Diameter: 7.3.6, 7.3.7 Separation/Setback: 7.4 Earthworks: 7.6	

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
				Vegetation: 7.7 Noise: 7.8	
6.1.10	Network utilities located within existing buildings .	All	Permitted	Health and Safety: 7.1 Noise: 7.8	
6.1.11	Aerial crossings necessary for network utilities, located on or within existing bridges and structures or across streams, and including regulator stations but not compressor stations.	All	Permitted	Health and Safety: 7.1 Earthworks: 7.6	
6.1.12	All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity.	All	Discretionary	Health and Safety: 7.1	
6.1.13	All network utilities which do not comply with the permitted activity standards for radiofrequency and electro-magnetic fields in standard 7.1 .	All	Non-Complying		
Underground Utilities					
6.1.14	The construction, installation, and development, of new underground network utilities , except for: <ul style="list-style-type: none"> • Electricity transmission lines above 110kV; and • Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	All	Permitted	Health and Safety: 7.1 Earthworks: 7.6.1 Vegetation: 7.7	
Radiocommunication, Telecommunications and Electricity Distribution and Transmission					

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
6.1.15	Masts with or without associated antennas.	City Centre, Industrial, Rural, Judgeford Hills, Recreation	Permitted	Health and Safety: 7.1 Height: 7.2.1, 7.2.2 Size and Diameter: 7.3.1, 7.3.2, 7.3.3, 7.3.4 Separation/Setback: 7.4.1, 7.4.2, 7.4.3, 7.4.5, Earthworks: 7.6	
6.1.16	Masts with or without associated antennas located in a Suburban Shopping Centre Area, or Aotea Supermarket Zone.	Suburban, Aotea Supermarket	Permitted	Health and Safety: 7.1 Height: 7.2.1, 7.2.2 Size and Diameter: 7.3.1, 7.3.2, 7.3.3, 7.3.4 Separation/Setback: 7.4.1, 7.4.4 Earthworks: 7.6	
6.1.17	Masts with or without associated antennas.	Suburban, Open Space,	Restricted Discretionary	Health and Safety: 7.1 Height: 7.2.1, 7.2.2 Size and Diameter: 7.3.1, 7.3.2, 7.3.3, 7.3.4 Separation /Setback: 7.4.1, 7.4.4, 7.4.5 Earthworks: 7.6	9.2, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.12, 9.13, 9.14, 9.18, 9.19, 9.22
6.1.18	Antenna and support structure(s) attached to buildings.	All	Permitted	Health and Safety: 7.1 Height: 7.2.3 Size and Diameter: 7.3.5	
6.1.19	Masts , with or without associated antennas that do not meet permitted activity standards.	City Centre, Industrial, Aotea Supermarket, Rural,	Restricted Discretionary	Health and Safety: 7.1	9.1, 9.2, 9.3, 9.4, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.12, 9.13, 9.14, 9.19, 9.22

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
		Judgeford Hills, Recreation, Suburban Shopping Centre Area			
6.1.20	Antenna and support structure(s) attached to buildings that do not meet permitted activity standards.	All	Restricted Discretionary	Health and Safety: 7.1	9.1, 9.2, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.12, 9.13, 9.20, 9.22
6.1.21	New or additional above ground lines , excluding electricity transmission lines above 110kV.	Rural, Judgeford Hills, Open Space	Permitted	Health and Safety: 7.1 Height: 7.2.1 Separation/setback: 7.4.1 Earthworks: 7.6 Vegetation: 7.7	
6.1.22	Minor above ground lines.	All zones	Permitted	Health and Safety: 7.1 Height: 7.2.1 Separation/setback: 7.4.1 Earthworks: 7.6	
6.1.23	Temporary above ground lines and associated support structures.	All	Permitted	Health and Safety: 7.1 Height: 7.2.1 Separation/setback: 7.4.1 Above ground lines: 7.5.1 Earthworks: 7.6	
6.1.24	New or additional above ground lines that are not permitted activities and <ul style="list-style-type: none"> Are situated on road; and Utilise existing line support structures. 	All	Restricted Discretionary	Health and Safety: 7.1	9.7, 9.9, 9.14, 9.15, 9.16, 9.17, 9.18, 9.22

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
6.1.25	New or additional above ground lines that are not permitted, restricted discretionary or discretionary activities.	City Centre, Suburban, Industrial, Recreation	Non-Complying		
6.1.26	New lines for conveying electricity at a voltage above 110kV , and associated support structures .	All	Discretionary	Health and Safety: 7.1	
6.1.27	New and upgraded transformers, substations and switching stations distributing electricity and ancillary buildings.	All	Discretionary	Health and Safety: 7.1	
Gas Distribution and Transmission					
6.1.28	Underground gas distribution pipelines at a pressure not exceeding 2000 kilopascals , including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations but not compressor stations.	All	Permitted	Earthworks: 7.6.1 Vegetation: 7.7 Noise: 7.8	
6.1.29	Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals , including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses.	All	Restricted Discretionary	Health and Safety: 7.1	9.2, 9.6, 9.8, 9.9, 9.10, 9.14, 9.23, 9.24, 9.25, 9.26
Water, Wastewater and Stormwater					
6.1.30	Water reservoirs.	All	Restricted Discretionary		9.2, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.14, 9.21, 9.22, 9.23, 9.26

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
6.1.31	Water and wastewater treatment plants.	All	Discretionary		
Meteorological Activities					
6.1.32	Meteorological enclosures and buildings; automatic weather stations and anemometer masts , voluntary observer sites and associated microwave links.	All	Permitted	Health and Safety: 7.1 Height: 7.2.6 Size & Diameter: 7.3.8 Separation/setback: 7.4.1 Earthworks: 7.6 Vegetation: 7.7 Noise: 7.8	
6.1.33	Meteorological enclosures and buildings; automatic weather stations and anemometer masts , voluntary observer sites and associated microwave links that are not permitted activities.	All	Restricted Discretionary	Health and Safety: 7.1	9.1, 9.2, 9.3, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.11, 9.12, 9.22
Roading and Traffic and Transport Structures					
6.1.34	Traffic control signals and devices , light and decorative poles and associated structures and fittings, post boxes , landscaped gardens , artworks and sculptures , bus stops and shelters, phone boxes , public toilets , and road furniture located within the road reserve.	All	Permitted	Earthworks: 7.6.1	
6.1.35	The construction, alteration or diversions of roads , excluding any such construction works which is part of a subdivision.	City Centre, Industrial, Suburban, Recreation, Rural	Discretionary		

Rule Number	Rule	Zone	Status	Standards	Matters of Control or Discretion
6.1.36	The construction, creation, subdivision and vesting of roads generally in accordance with those shown on the Structure Plan that comply with the Controlled Activity Standards in D5.3.2 whether or not as part of a subdivision.	Judgeford Hills, Aotea Supermarket	Controlled		8.5, 8.7, 8.8, 8.9, 8.10, 8.11
6.1.37	The construction, creation, subdivision and vesting of roads generally in accordance with those shown on the Structure Plan that does not comply with the Controlled Activity Standards in D5.3.2 (Judgeford Hills) or D8.2.2 (Aotea Supermarket) whether or not as part of a subdivision.	Judgeford Hills, Aotea Supermarket	Restricted Discretionary		9.7, 9.8, 9.11, 9.13, 9.14, 9.22
6.1.38	The construction, alteration, or diversion of roads excluding any such construction works which is part of a subdivision.	Open Space	Non-complying		
Extreme Adverse Weather and Tsunami Warning Devices					
6.1.39	Extreme adverse weather and tsunami warning devices .	All	Permitted	Size and Diameter: 7.2.7, 7.3.9 Earthworks: 7.6 Vegetation: 7.7	

Notes:**Resource Management Regulations – National Environmental Standards**

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.

The installation and operation of telecommunications facilities (antennas attached to existing structures and cabinets in the road reserve) is largely controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan. It also controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

Porirua City Council is responsible for enforcing these standards. For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NES's identified above, the provisions of the NES shall apply.

The National Environmental Standards are available for viewing at www.mfe.govt.nz and at Porirua City Council offices.

Other Relevant Regulations

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for buildings, earthworks and mobile plants within close proximity to all electricity lines.

Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory for tree trimming and planting in proximity to electricity transmission and distribution lines.

To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.

The following two standards are relevant for work in proximity to gas pipelines:

- *NZS/AS 2885 Pipelines – Gas and Liquid petroleum*
- *NZS 5258:2993 Gas Distribution Network.*

Porirua City Council is not responsible for enforcing these regulations or standards.

7 Standards

7.1 Health and Safety

Where specified as relevant, network utilities shall comply with the following standards:

- (a) The maximum exposure levels shall not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields – Maximum exposure levels – 3kHz to 300 GHz.'
- (b) Network utilities that emit electric and magnetic fields shall comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010, and the recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, 2007).

Note: *The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.*

7.2 Height

The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod.

Standard	Utility	City Centre	Industrial	Suburban		Rural	Judgeford Hills	Open Space	Recreation
				All Shopping Centre Areas and Aotea Supermarket Zone	All other areas				
7.2.1	Masts, antennas, lines and single-pole support structures.	20m	25m	15m	12m	15m		12m	

Standard	Utility	City Centre	Industrial	Suburban		Rural	Judgeford Hills	Open Space	Recreation
				All Shopping Centre Areas and Aotea Supermarket Zone	All other areas				
7.2.2	Masts and antennas (involving two or more providers).	25m	30m	18m	12m	20m	15m	12m	
7.2.3	Maximum height of an antenna and support structure, measured from the highest part of the building to which it is attached	5m		3.5m					
7.2.4	Cabinets and other network utility structures within the road reserve (not otherwise provided for)	2.0m		1.8m		2.0m			
7.2.5	Cabinets that are not located within the road reserve, and network utility structures, that are not otherwise provided for.	3.5m							
7.2.6	Anemometer masts.	15m	30m	12m		15m		12m	

Standard	Utility	City Centre	Industrial	Suburban		Rural	Judgeford Hills	Open Space	Recreation
				All Shopping Centre Areas and Aotea Supermarket Zone	All other areas				
7.2.7	Maximum height of an extreme adverse weather and tsunami warning device, measured from the point of attachment.	4m							

7.3 Size and Diameter

Standard	Utility	City Centre	Industrial	Suburban or Aotea Supermarket Zone	Rural	Judgeford Hills	Open Space	Recreation
7.3.1	Masts	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	Diameter of mast <600mm from 6m in height				
7.3.2	Masts (involving two or more providers).	Diameter of mast <600mm from 6m in height						

Standard	Utility	City Centre	Industrial	Suburban or Aotea Supermarket Zone	Rural	Judgeford Hills	Open Space	Recreation
7.3.3	Antenna attached to masts.	Antenna located within a horizontal circle of 750mm	Antenna located with a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm	Antenna located within a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm		
7.3.4	Antenna attached to masts (involving two or more providers)._	Antenna located within a horizontal circle of 750mm	Antenna located with a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm	Antenna located within a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm		
7.3.5	Antenna attached to other buildings.	Antenna diameter of 2m or area of 1.8m ²		Antenna diameter of 1m or area of 0.8m ² 1.3m ² in Suburban Shopping Centre Areas	Antenna diameter of 1.3m or area of 1.12m ²		Antenna diameter of 1m or area of 1.0m ²	
7.3.6	Cabinets and other network utility structures located within the road reserve (not otherwise provided for)	2m ²		1.4m ²	2m ²			
7.3.7	Cabinets that are not located within the road reserve and other	15m ²						

Standard	Utility	City Centre	Industrial	Suburban or Aotea Supermarket Zone	Rural	Judgeford Hills	Open Space	Recreation
	network utility structures (not otherwise provided for).							
7.3.8	Meteorological enclosures and buildings			30m ²				
7.3.9	Extreme adverse weather and tsunami warning devices			No greater in dimension than 2.5m x 1.5m				

7.4 Separation distance and setbacks

With the exception of standard 7.4.1, which applies to all network utility structures, including lines, the following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is defined as a building that are **not located in the road reserve**:

Standard	Zone	Separation distance or setback for masts and antenna attached to masts	Separation distance or setback for cabinets and other network utility structures
7.4.1	All	A minimum 20m riparian setback shall be maintained.	
7.4.2	Industrial	No less than 10m from a boundary in the Suburban Zone.	No less than 2 metres to a boundary in the Suburban, City Centre or Rural Zone and to a road or service lane boundary.

Standard	Zone	Separation distance or setback for masts and antenna attached to masts	Separation distance or setback for cabinets and other network utility structures
7.4.3	Rural, Judgeford Hills	No less than 10m from any property boundary. Under 15m in height - no less than 20m from the closest wall of a dwelling (excluding balconies and decks). Over 15m in height – no less than 50m from the closest wall of a dwelling (excluding balconies and decks).	No less than 2 metres to all boundaries.
7.4.4	Suburban, or Aotea Supermarket Zone	Where located in a Suburban Shopping Centre Area, or in the Aotea Supermarket Zone, no less than 10m from a boundary in the Suburban Zone. No less than 10m from a boundary in the Suburban and Rural Zone.	No less than 2 metres to all boundaries.
7.4.5	Open Space, Recreation	No less than 10m from any boundary in the Suburban or Rural Zone.	No less than 2 metres to all boundaries.

7.5 Specific standards for temporary above ground lines

7.5.1 The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.

7.6 Earthworks

7.6.1 Sediment and Erosion Control

Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.

7.6.2 Slope, height, depth and area of earthworks

The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility building or structure that is defined as a building, measured in plan view and piling undertaken within 2.0 metres of a network utility mast:

- (a) Slope – No earthworks shall be carried out on a slope greater than 45 degrees.
- (b) Height, Depth – Earthworks shall not exceed 1.5 metres in height or depth.
- (c) Recession Plane – Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring boundary.
- (d) Area: Riparian Areas – 25m²
Recreation, Suburban and Aotea Supermarket Zones – 100m²
Rural Zone – 1000m²
All Other Areas – 500m²

7.7 Vegetation

7.7.1 Native vegetation clearance- Rural Zone

Within the **Rural Zone** there shall be no destruction of any native vegetation where:

- (a) the area of native vegetation exceeds 1 hectare with an average height of 3 metres or more, or
- (b) the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

7.7.2 Disturbance of vegetation within an ecological site

Disturbance of any vegetation within an ecological site shall be limited to the following:

Zone	Recreation	Open Space
Standard	D4B.2.1 Disturbance within an Ecological site	D4C.2.1 Disturbance within an Ecological site

7.8 Noise

Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located:

Zone	City Centre	Industrial	Suburban	Rural	Judgeford Hills	Recreation	Open Space	Aotea Supermarket
Noise standard	D1.2.1 Noise	D2.2.1 Noise	D3.2.1 (xi) Noise	D4.2.1 Noise	D5.2.11 Noise	D4B.2.1 Noise	D4C.2.1 Noise	D8.2.1.1 Noise

Note: Noise from backup emergency generators at Radio New Zealand's Titahi Bay facilities is exempt from these noise limits.

8 Matters of Control (Controlled Activities)

Matters that the Council has limited the exercise of control over are as follows:

- 8.1 Site design, frontage and area;
- 8.2 Legal and physical access to the lots;
- 8.3 Risks to public health and safety;
- 8.4 Design and external appearance;
- 8.5 Earthworks and sediment and erosion control;
- 8.6 Landscaping and screening;
- 8.7 Traffic and parking management;
- 8.8 Noise;
- 8.9 The route of the road;
- 8.10 The imposition of financial contributions in accordance with Part E of this Plan;
- 8.11 The design and construction of the road, including safety, traffic engineering, landscaping and noise mitigation measures;
- 8.12 Any adverse effects on an ecological site, or area of native vegetation.

9 Matters of Discretion (Restricted Discretionary Activities)

Matters that the Council has restricted the exercise of discretion over are as follows:

- 9.1 The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- 9.2 Risks to public health and safety
- 9.3 The maximum height of the mast and area or diameter of any antenna
- 9.4 The maximum height, area or diameter of any antenna
- 9.5 Design and external appearance
- 9.6 Any effect on heritage and cultural values
- 9.7 Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - key public places, public viewing points, the coast, and significant recreational areas
- 9.8 Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- 9.9 Cumulative effects, including cumulative effects associated with existing utilities
- 9.10 Any potential interference with other land uses in the vicinity, including the public use and enjoyment of the land
- 9.11 Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- 9.12 Whether the size and scale of the proposal is generally compatible with other development in the area.
- 9.13 Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- 9.14 The extent to which alternative locations, routes or other options have been appropriately considered.
- 9.15 The extent to which the location of new or additional overhead lines will have an impact on:
 - Amenity values of the area, including rural and suburban amenity

- Areas of landscape or open space values
 - Streetscape
- 9.16 The number and thickness of lines, height above ground and relationship to existing lines and associated structures;
- 9.17 The cumulative length of the line, including any previous extensions of the line;
- 9.18 The extent to which there are difficult ground conditions, technical or financial constraints that make compliance impracticable/ unreasonable
- 9.19 The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings
- 9.20 Where antennas are proposed to be sited on the top of a building, the extent to which they can be designed or screened so that they form an integral part of the total building design.
- 9.21 Rehabilitation of the site following any construction or future maintenance period
- 9.22 The extent to which the affected persons / community has been consulted with.
- 9.23 Earthworks and erosion and sediment control.
- 9.24 The nature and hazardous properties of any liquid or substance carried.
- 9.25 The probability of a rupture, and any adverse effects on the environment caused by a rupture to the pipe.
- 9.26 Any adverse effects on an identified ecological site or an area of native vegetation.

10 Assessment Criteria of Discretionary Activities

In considering an application for a discretionary activity, the Council's discretion is unrestricted. The Council shall consider any relevant matter with particular regard to the objectives and policies of the Plan. In addition, the Council shall have particular regard to the relevant matters outlined in NU9 – Matters of Discretion (Restricted Discretionary Activities).

PART I

HAZARDOUS FACILITY SCREENING PROCEDURE

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I HAZARDOUS FACILITY SCREENING PROCEDURE

I1 INTRODUCTION

The Hazardous Facility Screening Procedure (HFSP) applies to any proposed facility using or storing hazardous or environmentally damaging substances. Its purpose is to determine whether the facility will be a permitted activity or whether it will require a land use resource consent.

Hazardous facilities range from home occupations using hazardous or environmentally damaging substances to large chemical factories. Common examples of hazardous substances are acids, solvents, paints, fuels and pesticides. Environmentally damaging substances include seemingly harmless substances such as foodstuff, which kill aquatic life when released into waterways in large quantities, for example due to depletion of oxygen.

I2 EXCEPTIONS FROM THE HFSP

Although the *Hazardous Facility Screening Procedure* was developed to be able to handle any substance, there are a number of situations where the procedure is not suitable. These mainly comprise situations that involve either small quantities of hazardous substances, or that are not practical to be submitted to the HSFP. The definition of Hazardous Facility in Part M of the Plan sets out the activities which are exceptions to the definition.

I3 EXEMPTIONS FROM THE HFSP

In addition to the exceptions from the definition of hazardous facility, there are several activities which may be exempted from the Hazardous Facility Screening Procedure, but not from other relevant objectives, policies and rules, where there are recognised codes of practice which address issues relating to the management of environmental effects and risks.

The following activities are exempted from the Hazardous Facilities Threshold Permitted Activity Standard:

- (a) the underground storage and retail sale of petrol and diesel, up to a storage of 100,000 litres of petrol in underground storage tanks, and up to 50,000 litres of diesel in underground storage tanks associated with service stations.

In the City Centre and Industrial zones, service stations are listed specifically as Controlled Activities, provided all other relevant Permitted Activity Standards (except the Hazardous Facility Threshold Permitted Activity Standard) are complied with. This is to provide Council with the opportunity to address specific matters relating to the design and operation of the service station, and to verify compliance with industry codes.

In the Suburban and Rural Zones, service stations are listed specifically as Discretionary Activities. This is to provide Council with the opportunity to consider all aspects associated with the design and operation of the service stations in suburban and rural environments.

I4 A STEP-BY-STEP GUIDE

This section works through a step-by-step guide on how to use the *Hazardous Facility Screening Procedure*, following the steps shown in **Figure 7** and using a series of worksheets. These illustrate the HFSP's individual steps and longhand calculations.

I5 STEP 1: ASSEMBLE SITE-SPECIFIC INFORMATION

Site specific information is an essential component of the HFSP. Because it deals with effects, any sensitive land uses or environmental features on or near the site need to be noted. An example of a *Site Information Sheet* is shown as **Worksheet 1**.

I6 STEP 2: COMPILE HAZARDOUS SUBSTANCES INVENTORY

To use the *Hazardous Facility Screening Procedure*, it is necessary to create a full inventory of hazardous substances held on a site, including substances that are only stored or used temporarily. The inventory should list:

- the names (including proprietary names and suppliers where necessary),
- quantities,
- UN classifications of all the hazardous substances on the site, and
- whether the substance is used or stored.

A form to assist with this task is provided as **Worksheet 2**. In some cases, the measurement units may need to be converted to tonnes.

It should be noted that proposed quantities of hazardous substances are based on the assumption that the substance is pure. This means that in cases where a diluted quantity is used or stored, the dilution factor, or concentration, should be noted to assist with converting the quantity to a proposed pure amount. For example, if it is proposed to store 10 tonnes of a substance that has a concentration of 30%, the proposed quantity that is entered on **Worksheet 2** should be 3 tonnes.

However, it is important to realise that UN Class 8 (Corrosives) and UN Class 5 (Oxidisers) substances are treated differently. For these substances, the UN classification usually already accounts for the dilution factor. For many UN Class 8 substances in particular, the HFSP regards the commercial strength as pure, although the concentration may not be 100%.

Another UN Class that occasionally accounts for dilutions is 6.1 (Pesticides). The worked examples in Part VI, Chapter 9, illustrate in more detail how this issue is addressed.

If a substance is in a mixed form, proposed quantities for the percentage of pure substance in the mixture should be listed. In cases where synergistic effects result in a mixture that is more hazardous than its components, the mixture may need to be subjected to appropriate testing procedures to obtain the necessary information, unless relevant information is readily available.

It is also important to note that small packages are generally treated the same as bulk quantities. While small packages or containers reduce the risk of a major spill, they may still react like bulk quantities in some emergencies. For this reason, a conservative approach has been taken, especially as the HFSP does not apply to retail outlets (see section I2).

In some cases, it may be difficult to decide whether a substance is in use or storage. Generally, the HFSP considers a substance as being in use when the full amount of the substance is being used at any one time, for example as an acid bath. A substance that is used in small amounts while its bulk is being stored would be rated as being in storage.

I7

STEP 3: COLLATE SUBSTANCE SPECIFIC INFORMATION

For the purposes of the HFSP, the effects of substances are categorised into three groups:

- Fire/Explosion Effects: concerned with damage to property, the built environment and safety of people.
- Human Health Effects: concerned with the well being, health and safety of people.
- Environmental Effects: concerned with damage to ecosystems and natural resources.

Each Effects Group is divided into four hazard levels:

- extreme;
- high;
- medium;
- low.

It is an essential component of the HFSP to assign a hazard level for each *Effects Group* to the hazardous substances held on the site. To do so, it is necessary to collect a range of information about the substances, including UN classifications.

The Hazardous Substance Worksheet in **Worksheet 3** has been designed to help with the task of recording the information required to classify substances into *Effects Groups* and hazard levels.

This information can be extracted from Material Safety Data Sheets, national and international databases, and text/reference books.

Where the necessary information to carry out this step is not readily available from public information sources, a precautionary approach should be taken, and the substance should be assigned at least a medium hazard level for the Fire/Explosion and Human Health *Effects Groups*, and a high hazard level for the Environmental *Effects Group*.

These hazard levels are deemed appropriate because:

- The HFSP is a screening method only;
- In general, assessment of hazardous substances focuses on health effects and explosive or flammable properties. If a substance rates highly in these categories, it is likely that this information would be readily available. Therefore, it is considered reasonable to assign a medium hazard level in the Fire/Explosion and Human Health *Effects Groups* for those substances where this information is not readily available.
- In contrast, information on environmental effects is often lacking. The precautionary approach therefore dictates that a high hazard level should be chosen where no information is available.

I8**STEP 4: IDENTIFY EFFECTS GROUPS AND HAZARD LEVELS**

The division into low, medium, high and extreme hazard levels in each of the *Effects Groups* (Fire/Explosion, Human Health and Environmental) is predominantly based on the UN (United Nations) classification system for hazardous substances as outlined in the UN Recommendations on the Transport of Dangerous Goods (UNRTDG), 8th edition, and the classification proposed by the Organisation for Economic Cooperation and Development (OECD) for health and environmental effects.

It is important to note that the above classification systems are inadequate for assigning *Effects Group* hazard levels to certain hazardous substances, particularly toxic substances (Class 6.1), toxic gases (Class 2.3) and environmentally toxic substances (Ecotoxic Class).

The following points should be noted:

- For the purposes of the HFSP, the classification of these substances (Classes 6.1, 2.3, and Ecotoxic) has been refined to account for extremely hazardous substances.
- Environmentally damaging substances have been placed into the "Ecotoxic" class. Foodstuffs such as milk are an example of an environmentally damaging substance.
- Hazardous substances lists based on the UN Classification System often only list the primary hazard of a substance and sometimes one subsidiary hazard, although a substance may have different effects in each of the *Effects Groups*. For example, a single substance may present:
 - a medium explosion effect,
 - an extreme human health effect, and
 - a high environmental effect.

Hence, the HFSP allows for the fact that many substances may fit into more than one *Effects Group*, which is similar to the approach taken in the proposed HSNO legislation.

Hazardous substances (including raw materials, product and wastes) can be classified into *Effects Groups* and assigned a hazard level for each *Effects Group* with the help of **Appendix A**, which lists UN Classes, Packaging Groups and other relevant information.

It should be noted that the HFSP also accounts for combustible liquids such as cooking oils that are not usually assigned a UN Class rating.

The classification of substances or assignment of hazard levels is, in the first instance, carried out according to their UN classification. For example, a UN Class 8, Packaging Group II substance is always assigned a medium Human Health *Effects Group* hazard level and a high Environmental *Effects Group* hazard level. Only when the UN classification does not account for an *Effects Group*, or the substance does not have a UN rating, should other information be used to classify the substance.

The *Effects Groups* and corresponding hazard levels are recorded in the column marked "Step 4" on the "Summary Sheet for Manual HFSP Calculations" in **Worksheet 4**.

I9

STEP 5: SELECT "PRIORITY STATUS" SUBSTANCES

Often, numerous hazardous substances are held on a site, and it is time-consuming to prepare a full classification of all of them. It is neither practical nor necessary to submit every substance to the HFSP; therefore the following "common sense" guidelines apply for sites where multiple hazardous substances are held, to assist in defining those which have "priority status":

- if there are ten or fewer substances on site, the HFSP is carried out on all substances unless it is evident that one single substance is likely to exceed the relevant hazardous substance activity standard for that particular zone (see Part D Rules). If this activity standard is exceeded, the proposal would require a discretionary activity resource consent;
- if there are more than ten substances on site, the HFSP is carried out on those substances which have either:
- a high or extreme hazard level in any *Effects Group*; or
- are held in quantities exceeding 10% of the total stock of hazardous substances listed in the inventory (**Worksheet 2**).

I10

STEP 6: FIND BASE THRESHOLD QUANTITIES

The *Base Threshold* (B) is a pre-calibrated quantity. It is the amount of a substance that has been assessed as generating no significant off-site effects in a heavy industrial area **before** site and substance-specific considerations have been taken into account. These aspects are addressed through the application of Adjustment Factors in Step 7. *Base Thresholds* corresponding to the hazard levels in each *Effects Group* are listed in **Table 11**.

For example, in the Fire/Explosion *Effects Group* [Sub-category Flammables], non-significant off-site effects in a heavy industrial area would be represented by *Base Thresholds* of:

- 100 tonnes of a combustible liquid, which has a low hazard level in the Fire/Explosion *Effects Group*.
- 30 tonnes of a Class 3, Packaging Group III substance, which are flammable liquids with a medium hazard level in the Fire/Explosion *Effects Group*.

The *Base Thresholds* for each substance used or stored on the site are found in **Table 11** and recorded in the column marked "Step 6" on the "Summary Sheet for Manual HFSP Calculations" in **Worksheet 4**.

I11

STEP 7: FIND ADJUSTMENT FACTORS

Pre-calibrated *Adjustment Factors* (FF, FH and FE) are used to multiply the *Base Threshold* quantities in order to take account of the substance properties and specific circumstances on each site which will influence the severity of any potential effect. This multiplication yields the *Adjusted Threshold* (T) (see Step 8).

Adjustment Factors differ for each of the *Effects Groups*, and take into account the following considerations:

- the physical state of the substance;
- the pressure and temperature required for storage and usage;
- the type of storage;
- the type of activity or use;
- separation distances to the site boundary;
- the environmental sensitivity of the site location.

For each *Effects Group*, different types of *Adjustment Factors* are relevant. For example, for the Fire/Explosion *Effects Group*, the temperature is relevant, while for the Human Health *Effects Group*, proximity to a potable water resource is important.

Of particular interest is *Adjustment Factor* F2 in the Fire/Explosion *Effects Group*, which assigns a value of 0.3 to UN Class 3 substances if stored or used at temperatures above their flashpoint and below their boiling point. As UN Class 3 substances in Packaging Groups I and II are almost always stored or used at above flashpoint temperatures, this automatically decreases the *Base Threshold* from 10 tonnes to 3 tonnes, and therefore influences the *Effects Ratio* generated for this *Effects Group*. It should be noted that a *Base Threshold* of 3 tonnes for UN Class 3, Packaging Groups I and II substances is significantly lower than that given in the Australian SEPP 33 Guidelines.

Table 12 lists the pre-calibrated *Adjustment Factors* to be used for each *Effects Group*.

In some instances, more than one *Adjustment Factor* within each *Effects Group* will need to be applied to a substance. Where this is the case, the *Adjustment Factors* are multiplied to generate one combined *Adjustment Factor* (FF, FH or FE) for each *Effects Group*, and the *Base Threshold* is then multiplied by that one Factor.

The *Adjustment Factors* for each substance are recorded in the column marked "Step 7" on the "Summary Sheet for Manual HFSP Calculations" in **Worksheet 4**.

I12 STEP 8: CALCULATE ADJUSTED THRESHOLD QUANTITIES

The *Adjusted Threshold* (T) is calculated for each *Effects Group* by multiplying the *Base Threshold* (B) by the relevant *Adjustment Factor* (FF, FH, FE), as follows:

- $T = B \times FF$ provides the *Adjusted Threshold* for a substance in the Fire/Explosion *Effects Group*
- $T = B \times FH$ provides the *Adjusted Threshold* for a substance in the Human Health *Effects Group*
- $T = B \times FE$ provides the *Adjusted Threshold* for a substance in the Environmental *Effects Group*

Record the *Adjusted Thresholds* (T) for each substance in the column marked "Step 8" on the "Summary sheet for manual HFSP calculations" in **Worksheet 4**.

I13 STEP 9: CALCULATE EFFECTS RATIOS

The *Effects Ratio* (R) is a dimensionless number. It is obtained by dividing the quantity of a substance (Q) that is proposed to be used or stored on a site by the *Adjusted Threshold* (T):

$$\text{Effects Ratio (R)} = \frac{\text{Proposed quantity of substance (Q)}}{\text{Adjusted Threshold (T)}}$$

The *Effects Ratio* (R) for each substance needs to be recorded in the column marked "Step 9" on the "Summary Sheet for Manual HFSP Calculations" in **Worksheet 4**.

The *Effects Ratio* fulfils two important purposes:

- by using a dimensionless ratio of the proposed quantity of a hazardous substance over the *Adjusted Threshold* instead of *Adjusted Threshold* itself, it is possible to aggregate the effects presented by multiple substances held on the same site. Hence, it becomes possible to assess the cumulative potential effects which may be created by several substances present on the same site and which have similar hazardous properties;
- it forms the basis of defining the trigger levels in the Consent Status Matrix which are used to determine the consent status of a particular facility. Whether or not a proposed facility requires a resource consent is determined by the highest *Effects Ratio* in any of the three *Effects Groups*.

I14 STEP 10: SUM THE EFFECTS RATIOS TO FIND THE TOTAL EFFECTS RATIO

When assessing several hazardous substances on a site, it is necessary to add the *Effects Ratios* within each Effects Group together. When carrying out a manual calculation, this is done with the use of **Worksheet 5**.

I15 STEP 11: DETERMINE CONSENT STATUS AGAINST RESOURCE CONSENT MATRIX

The sum of all *Effects Ratios* within each *Effects Group* determines the consent status of a particular site when compared against the *Hazardous Substance Activity Standard* in Part D Rules and Standards for that *Effects Group*. In most cases the same trigger value would cover all *Effects Groups*; in these situations, only the highest *Effects Ratio* in any of the three *Effects Groups* needs to be considered to identify the consent status, that is, whether a hazardous facility or activity is a permitted or discretionary activity.

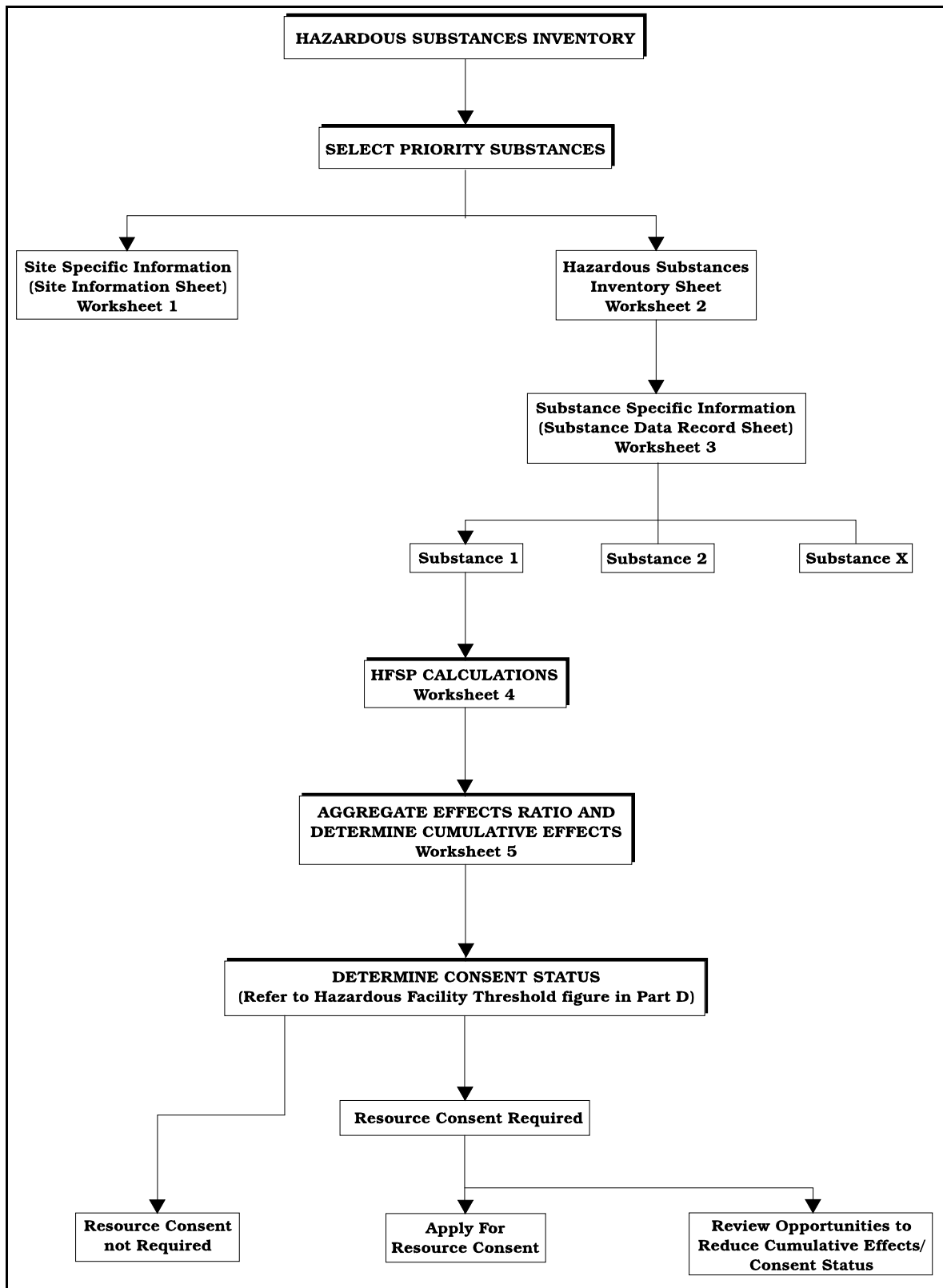
HFSP STEP-BY-STEP GUIDE**FIGURE 7.**

TABLE 5

WORKSHEET 1: SITE INFORMATION SHEET

Facility name	
Address	
Map reference	
Description of activity	
Nature of adjoining land use	
Proximity to potable water resource	
Within 20 metres of a waterbody	

Map of site

(show adjoining land uses and location of waterbodies)

WORKSHEET 2: HAZARDOUS SUBSTANCES INVENTORY SHEET

FACILITY NAME: _____

ADDRESS: _____

DATE: _____

Substance Name	Substance Form	Conc. (%)	Specific Gravity	Proposed Quantity (in known measurements)	Proposed Quantity (converted to tonnes or m ³)	UN Class	Storage or Use	Type and Number of Storage Containers	Location of Storage Containers	Distance from Site Boundary (m)

TABLE 6

TABLE 7

WORKSHEET 3:	HAZARDOUS SUBSTANCE WORKSHEET
---------------------	--------------------------------------

1 SUBSTANCE DESCRIPTION			
Substance Name			
Proprietary Name and Supplier			
Substance Form [Gas, liquid, solid, powder]			
2 AVAILABLE INFORMATION [Extract from packaging material, MSDS, UN Recommendation for the Transport of Dangerous Goods (8 th edition)]			
UN Number			
UN Primary Class			
UN Subsidiary Class			
Packaging Group(s)			
3 ADDITIONAL INFORMATION REQUIREMENTS [Extract from data sources listed in Appendix C and Material Safety Data Sheets]			DATA SOURCE
Physical Parameters	Initial boiling point (°C)		
	Flash point (°C)		
	Specific gravity @ 20°C		
	Molecular weight (g)		
	Vapour pressure (mm Hg at 20°C)		
Toxicity Data	Oral toxicity LD ₅₀ (mg/kg)		
	Dermal Toxicity LD ₅₀ (mg/kg)		
	Inhalation Toxicity LC ₅₀ (ppm)		
	Carcinogen [yes/no]		
Ecotoxicity Data	LC ₅₀ (Salmonid fish) (mg/l)		
	EC ₅₀ (Daphnia) (mg/l)		
	EC ₅₀ (Algae) (mg/l)		
	BOD ₅ (mg/kg)		
	Pesticide [yes/no]		
Other			

4 ASSESSMENT						
[Extract from information in categories 2 and 3 above and Appendix A]						
Hazard	UN Class	Division/ Packaging Group	Does hazardous property apply? [yes/no]	Effects Groups and Hazard Level		
				Fire/Explosion	Human Health	Environmental
Explosive	1.1-1.3					
Flammable Gas	2.1					
Flammable Liquid	3					
Flammable Solid	4.1-4.3					
Oxidiser	5.1-5.2					
Toxic Gas	2.3					
Toxic Material	6.1					
Corrosive	8					
Ecotoxic						

TABLE 8

APPENDIX A: CLASSIFICATION OF HAZARDOUS SUBSTANCES

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
1	Explosives	1.1	Articles and substances having a mass explosion hazard.	Fire/Explosion	Extreme
		1.2	Articles and substances having a projection hazard, but not a mass explosion hazard.	Fire/Explosion	High
		1.3	Articles and substances having a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard. This division comprises articles and substances that: <ul style="list-style-type: none"> give rise to considerable radiant heat, or burn one after another, producing minor blast and/or projection effects. 	Fire/Explosion	Medium
		1.4, 1.5, 1.6	Not applicable.		

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
2	Flammable Gas	LPG	LPG	Fire/Explosion	Medium
		2.1	Flammable gases: gases which at 20°C and a standard pressure of 101.3 kPa: <ul style="list-style-type: none"> are ignitable when in a mixture of 13% or less by volume with air, or have a flammable range with air of at least 12% regardless of the lower flammability limit. This class includes aerosols containing flammable propellants.	Fire/Explosion	High
	Non-flammable, Non-toxic Gas	2.2	Not applicable.		
	Toxic Gas	2.3	Toxic gases: gases which are known to be toxic or corrosive to humans and pose a hazard to health. This division is divided into the following categories:		
			a) Inhalation toxicity vapours LC_{50} : < 200 ppm (= ml/m ³)	Human Health	Extreme
			b) Inhalation toxicity vapours LC_{50} : ≥ 200 ppm - 5,000 ppm (=ml/m ³)	Human Health	High

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
3	Flammable Liquids		Flammable liquids comprising liquids, mixtures of liquids, or liquids containing solids in suspension which give off a flammable vapour at specific temperatures. This class is divided into three packaging groups (PG).		
		3 PGI	Flash point: < 23°C Initial boiling point: ≤ 35°C	Fire/Explosion	High
		3 PGII	Flash point: < 23°C Initial boiling point: > 35°C	Fire/Explosion	High
		3 PGIII	Flash point: > 23°C; ≤ 61°C Initial boiling point: > 35°C	Fire/Explosion	Medium
	Combustible Liquids	3C	Flash point: > 61°C - <200°C	Fire/Explosion	Low
				Environment	Medium

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
4	Flammable Solids	4.1	<ul style="list-style-type: none"> Flammable solids that are readily combustible or may cause fire easily through an ignition source or friction. Self-reacting substances that are thermally unstable and are liable to undergo a strongly exothermic decomposition even without the participation of oxygen. Desensitised explosives: substances which are wetted with water or alcohol or diluted with other substances to suppress their explosive properties. 	Fire/Explosion	High
		4.2	Substances liable to spontaneous combustion: <ul style="list-style-type: none"> pyrophoric substances: liquid or solid substances which, even in small quantities, ignite within 5 minutes of coming in contact with air self-heating substances: solid substances which generate heat when in contact with with air without additional energy supply. 	Fire/Explosion	Extreme
		4.3	Substances, which in contact with water, become spontaneously flammable, or emit flammable gases.	Fire/Explosion	Extreme

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
5	Oxidising Agent	5.1	Oxidising substances: substances which, in themselves are not necessarily combustible, but may cause or contribute to the combustion of other materials by yielding oxygen.	Fire/Explosion	High
	Organic peroxides	5.2	Organic peroxides: organic substances that are thermally unstable and may undergo exothermic, decomposition at normal or elevated temperatures. The decomposition can be initiated by heat, contact with impurities (e.g. acids, heavy metal compounds, amines) friction or impact. The rate of decomposition increases with temperature and varies with the organic peroxide formulation. Decomposition may result in the evolution of harmful or flammable gases or vapours. In addition, they may have one of the following properties: <ul style="list-style-type: none"> • be liable to explosive decomposition, • burn rapidly, • be sensitive to impact or friction, • react dangerously with other substances, • cause damage to the eyes. 	Fire/Explosion	Extreme

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
6	Poisonous (toxic) substances	6.1	Poisonous substances: substances which are liable to cause death or injury, or to harm human health if swallowed, inhaled, or contacted by the skin. This division is divided into three packaging groups (PG).		
		6.1 PGI	a) Oral toxicity LD ₅₀ (mg/kg): Dermal toxicity LD ₅₀ (mg/kg): Inhalation toxicity dust/mist LC ₅₀ (mg/l): Inhalation toxicity vapours LC ₅₀ : ≤ 1 ≤ 10 ≤ 0.5 ≤ 200 ppm (=ml/m ³) and $V(1) \geq 10 \times LC_{50}$	Human Health	Extreme
			b) Oral toxicity LD ₅₀ (mg/kg): Dermal toxicity LD ₅₀ (mg/kg): Inhalation toxicity dust/mist LC ₅₀ (mg/l): Inhalation toxicity vapours LC ₅₀ : $> 1 - 5$ $> 10 - 40$ ≤ 0.5 ≤ 1000 ppm (=ml/m ³) and $V(1) \geq 10 \times LC_{50}$	Human Health	High
		6.1 PGII	Oral toxicity LD ₅₀ (mg/kg): Dermal toxicity LD ₅₀ (mg/kg): Inhalation toxicity dust/mist LC ₅₀ (mg/l): Inhalation toxicity vapours LC ₅₀ : $> 5 - 50$ $> 40 - 200$ $> 0.5 - 2$ ≤ 3000 ppm (=ml/m ³) and $V(1) \geq LC_{50}$	Human Health	Medium
		6.1 PGIII	Oral toxicity LD ₅₀ (mg/kg): Dermal toxicity LD ₅₀ (mg/kg): Inhalation toxicity dust/mist LC ₅₀ (mg/l): Inhalation toxicity vapours LC ₅₀ : $> 50 - 500$ (liquids), $> 50 - 200$ (solids) $> 200 - 1,000$ $> 2 - 10$ ≤ 5000 ppm (=ml/m ³) and $V(1) \geq 1/5 \times LC_{50}$	Human Health	Low

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
			Carcinogen	Human Health	High
	Infectious substances	6.2	Not applicable		
	Radioactive substances	7	Not applicable		

(1) $V = (p/P \times 104 \text{ ppm or ml/m}^3)$, where $P = 760 \text{ mm Hg}$ and $p = \text{Vapour Pressure at } 20^\circ\text{C}$

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
8	Corrosives		Substances which, by chemical action, can cause severe damage when in contact with living tissue or, in the case of leakage, will materially damage or destroy other materials. Corrosives are divided into three packaging groups (PG).		
		8 PGI	Very dangerous substances and preparations. Substances that cause full thickness destruction of intact skin tissue within an observation period up to 60 minutes starting after the exposure time of three minutes or less.	Human Health	Medium
				Environment	High
		8 PGII	Substances and preparations presenting medium hazard. Substances that cause full thickness destruction of intact skin tissue within an observation period up to 14 days starting after the exposure time of more than three minutes but not more than 60 minutes.	Human Health	Medium
				Environment	High
		8 PGIII	Substances and preparations presenting minor hazard. Substances that cause full thickness destruction of intact skin tissue within an observation period up to 14 days starting after the exposure time of more than 60 minutes but not more than 4 hours. Substances which are judged not to cause full thickness destruction of intact skin tissue but which exhibit a corrosion rate on steel or aluminium surfaces exceeding 6.25 mm a year at a test temperature of 55°C .	Environment	High

	Hazard	Division	Description	Effects Group	Hazard Level
	Ecotoxic	Group 1	Ecotoxic substances: any substance exhibiting a toxic effect on the ecosystem, based on the toxicity to aquatic life. This division is divided into four categories.		
			a) 96 hr LC ₅₀ salmonid fish (mg/l): <0.1 48 hr EC ₅₀ daphnia (mg/l): <0.1 72 hr EC ₅₀ algae (mg/l): <0.1	Environment	Extreme
			b) 96 hr LC ₅₀ salmonid fish (mg/l): ≥0.1 - 1.0 48 hr EC ₅₀ daphnia (mg/l): ≥0.1 - 1.0 72 hr EC ₅₀ algae (mg/l): ≥0.1 - 1.0	Environment	High
			c) 96 hr LC ₅₀ salmonid fish (mg/l): ≥1.0 - 10.0 48 hr EC ₅₀ daphnia (mg/l): ≥1.0 - 10.0 72 hr EC ₅₀ algae (mg/l): ≥1.0 - 10.0	Environment	Medium
			d) 96 hr LC ₅₀ salmonid fish (mg/l): ≥10.0 - 100.0 48 hr EC ₅₀ daphnia (mg/l): ≥10.0 - 100.0 72 hr EC ₅₀ algae (mg/l): ≥10.0 - 100.0	Environment	Low
		Group 2	Environmentally damaging or persistent substances: any substance exhibiting a damaging (other than toxic) effect on the ecosystem. This division is divided into two categories.		
			c) BOD ₅ (mg/l): >10,000	Environment	Medium
			d) BOD ₅ (mg/l): >1,000	Environment	Low
		Pesticides	Pesticides are deemed to have an extreme hazard level unless data can be provided to demonstrate lesser toxicity.	Environment	Extreme
		Corrosives	All corrosives (Class 8, PG I - III) have a high Environmental Effects hazard level. However, to avoid repetition, assessment should be made under Class 8 only.	Environmental	High

WORKSHEET 4: SUMMARY SHEET FOR MANUAL HFSP CLACULATIONS

SUBSTANCE	Step 4		Step 6	Step 7				PRODUCT OF ADJUSTMENT FACTORS FF, FH, FE	Step 8	PROPOSED QUANTITY	Step 9
	EFFECTS GROUP	HAZARD LEVEL	BASE THRESHOL D B (t/m ³)	F 1	F 2	F 3	F 4		ADJUSTED THRESHOLD T (t/m ³)	Q (t/m ³)	EFFECTS RATIO $R = \frac{Q}{T}$
1	Fire/Explosion										
	Human Health										
	Environment										
2	Fire/Explosion										
	Human Health										
	Environment										
3	Fire/Explosion										
	Human Health										
	Environment										
4	Fire/Explosion										
	Human Health										
	Environment										
5	Fire/Explosion										
	Human Health										
	Environment										
6	Fire/Explosion										
	Human Health										
	Environment										
7	Fire/Explosion										
	Human Health										
	Environment										
8	Fire/Explosion										
	Human Health										
	Environment										
9	Fire/Explosion										
	Human Health										
	Environment										
10	Fire/Explosion										
	Human Health										
	Environment										

TABLE 9

WORKSHEET 5: TOTAL EFFECTS RATIOS/MANUAL CALCULATION SHEET

SUBSTANCE	Fire/Explosion Effects Ratio	Human Health Effects Ratio	Environmental Effects Ratio
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Total Effects Ratios			

Note: Only fill out those sections applicable to the substance being assessed: for example, non-flammables need not be assessed in the Fire/Explosion *Effects Group*.

TABLE 10



TABLE 11: BASE THRESHOLDS FOR ALL EFFECTS GROUPS AND HAZARD LEVELS

FIRE/EXPLOSION EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
Sub-Category: Flammables					
	LPG		LPG		
2	Gases			2.1 (exclude LPG)	
3	Flammable Liquids	Combustible Liquids	3 PGIII	3 PGI 3 PGII	
4	Flammable Solids			4.1	4.2 4.3
5	Oxidisers			5.1	5.2
B (tonnes)		100	30	10	1
B (m ³)*				10,000	
Sub-Category: Explosives					
1	Explosives		1.3	1.2	1.1
B (tonnes)			3	1	0.1

HUMAN HEALTH EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
2.3	Toxic Gases			2.3 (b)	2.3 (a)
6	Poisons	6.1 PGIII	6.1 PGII	6.1 PGI (b)	6.1 PGI (a)
	Carcinogen			Carcinogen	
8	Corrosives		8 PGI 8 PGII		
B (tonnes)		30	10	1	0.1
B (m ³)*				500	50

ENVIRONMENTAL EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
3	Flammable Liquids		Combustible Liquids		
8	Corrosives			8 PGI 8 PGII 8 PGIII	
	Ecotoxic	Group 1(d) Group 2(d)	Group 1(c) Group 2(c)	Group 1(b)	Group 1(a)
	Pesticides				Pesticides
B (tonnes)		100	30	3	0.3

NOTE Base Threshold in m³ at 101.3 kPa and 20 °C for permanent or compressed gases

TABLE 12: ADJUSTMENT FACTORS FOR EACH EFFECTS GROUP

ADJUSTMENT FACTORS FOR FIRE/EXPLOSION EFFECTS GROUP	ADJUSTMENT FACTORS FOR HUMAN HEALTH EFFECTS GROUP	ADJUSTMENT FACTORS FOR ENVIRONMENTAL EFFECTS GROUP
F1: SUBSTANCE FORM	F1: SUBSTANCE FORM	F1: SUBSTANCE FORM
Solid = 1 Liquid, Powder = 1 Gas (at 101.3 kPa and 20°C) = 0.1	Solid = 3 Liquid, Powder = 1 Gas (at 101.3 kPa and 20°C) = 0.1	Solid = 3 Liquid, Powder = 1
F2: HANDLING/STORAGE CONDITIONS (UN Class 3 substances [Flammable Liquids] only)	F2: SEPARATION DISTANCE FROM SITE BOUNDARY (Gases only)	F2: ENVIRONMENTAL SENSITIVITY
Temperature < flash point = 1 Temperature > flash point < boiling point = 0.3 Temperature > boiling point = 0.1	< 30 metres = 1 > 30 metres = 3	Normal = 1 Within 20 m of a waterbody = 0.3
F3: SEPARATION DISTANCE FROM SITE BOUNDARY	F3: PROXIMITY TO POTABLE WATER RESOURCE	F3: TYPE OF ACTIVITY
< 30 metres = 1 > 30 metres = 3	Normal = 1 Proximity to potable water resource = 0.3	Use = 0.3 Above ground storage = 1 Underground storage ³ = 3
F4: TYPE OF ACTIVITY	F4: TYPE OF ACTIVITY	
Use = 0.3 Above ground storage = 1 Underground storage = 10	Use = 0.3 Above ground storage = 1 Underground storage ³ = 10	
F1 x F2 x F3 x F4 = FF	F1 x F2 x F3 x F4 = FH	F1 x F2 x F3 = FE

J

***PART J WAS DELETED BY PLAN CHANGE 15. IT HAS BEEN
REPLACED BY PART HH – HISTORIC HERITAGE***

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PART K

DESIGNATIONS

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K DESIGNATIONS

Part VIII of the Resource Management Act deals with Designations (and heritage orders). The following brief notes are for information purposes only and do not replace or alter the meaning of the provisions of Part VIII of the RMA.

K1 INTRODUCTION

A Designation is a provision made in the plan to give effect to a requirement by a requiring authority to designate an area of land for a particular purpose.

A designation in the Plan means that:

- (a) where the requiring authority owns the land, it can use it for that purpose without the need for a resource consent.
- (b) no person may do anything on a designated site which would prevent or hinder the use for the designated purpose, and no person may do anything on the land, including any change in the character, scale or intensity of an existing activity without the approval of the requiring authority.

A requiring authority means:

- (a) A Minister of the Crown,
- (b) A local authority,
- (c) A Network Utility Operator approved as a requiring authority under section 167 of the RMA.

K2 THE DESIGNATION PROCESS

K2.1 Existing Designations

The process for existing designations being included in the Proposed District Plan is described in Clause 4 of the First Schedule. Before a territorial authority publicly notifies a District Plan, it is required, by written request, to invite requiring authorities which have an existing designation in the district, to give written notice to the territorial authority stating whether the requiring authority requires the designation to be included in the Proposed District Plan, with or without modification.

The requiring authority shall have at least 30 working days to respond and the territorial authority shall specify the final date to provide written notice.

Where the requiring authority states that a designation is to be included in the plan with modifications, it shall include in its written notice, the nature of the modifications and the reasons for the modifications.

If no notification is given to the territorial authority then no provision for the existing designation will be made in the District Plan. A designation lapses on the expiry of 5 years after the date which it is included in the plan unless it is given effect to before the end of that period.

K2.2 New Requirements for Designations

The process for making new requirements for designations is set out in Part VIII of the Act. Section 168 of the Act and Form 12 of the Resource Management Regulations outline the information to be supplied with new requirements. Evidence of requiring authority status is essential for all new requirements for designations.

K2.3 Submissions

Submissions can be made in support or opposition to any designation or requirement included in the Proposed District Plan, as part of the public notification of the District Plan.

K2.4 Council Recommendation

Where any existing designation is unchallenged by submissions, Council can allow the designation to continue without any further recommendations.

In all other cases, Council is required to consider any submissions, hold hearings where necessary, and make a recommendation to the requiring authority. This recommendation can be that the requirement be confirmed, modified, or withdrawn. The requiring authority then considers that recommendation and makes a decision on whether it will accept the recommendation. However, where the Council is the requiring authority the process is somewhat different.

K3 REQUIREMENTS HAVE BEEN RECEIVED FOR THE FOLLOWING DESIGNATIONS

K01	Requiring Authority: KiwiRail Holdings Limited
------------	---

New Zealand Railways Corporation was granted requiring authority status by the Minister for the Environment under the Resource Management Act 1991 on 21 December 1992. The purpose of the following designation is for the activities stated in the requiring authority approval granted for New Zealand Rail Limited.

Map Ref	Designation Title	Location	Legal Description (where known)
K0101	Railway purposes	Railway through Porirua, excluding the land covered by K1047	

K02	Requiring Authority:	Radio New Zealand Ltd The Radio Network Ltd
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Radio New Zealand Limited and New Zealand Public Radio Limited were granted requiring authority status by the Minister for the Environment under the Resource Management Act 1991 on 21 February 1994. The (new) Radio New Zealand Limited is the successor to New Zealand Public Radio Limited and the Radio Network Limited is the successor to the original Radio New Zealand Limited. The purpose of the following designation is for the activities stated in the requiring authority approvals granted for Radio New Zealand Limited and the Radio Network Limited.

Map Ref	Designation Title	Location	Legal Description (where known)
K0201	Radio Communication Facilities	Whitireia Park	Pt Section 186 Porirua District Lot 6 DP 29446 Lots 36, 37, 38, 39 DP 25036 Lot 5 DP 29446 Pt Lot 1 DP 10900

K03	Requiring Authority:	Chorus
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Chorus was granted requiring authority status under the Resource Management Act 1991 by section 69XI of the Telecommunications Act 2001 on 30 November 2011. The purpose of the following designation is for the activities stated in section 69XI of the Telecommunications Act 2001. This designation, previously held by Telecom NZ Ltd, was transferred to Chorus by Gazette Notice (Issue No. 180) on 17 November 2011.

Map Ref	Designation Title	Location	Legal Description (where known)
K0301	Telecommunication and Radiocommunication and Ancillary Purposes	7 Motuhara Road	Lot 29 DP 2555

K04	Requiring Authority: New Zealand Transport Agency
------------	--

Transit New Zealand Limited was granted requiring authority status by the Minister for the Environment under the Resource Management Act 1991 on 17 February 1994. The purpose of the following designation is for the activities stated in the requiring authority approvals granted for Transit New Zealand Limited.

Map Ref	Designation Title	Location	Legal Description (where known)
K0401	Limited Access Road	State Highway 1 ¹	
K0402	Road (State Highway)	State Highway 1 ²	
K0403	Motorway	State Highway 1 ³	
K0404	Limited Access Road (State Highway)	State Highway 58	
K0407 ⁴	Public Road	Harris Road	
K0408 ⁵	Transmission Gully Main Alignment		
K0409 ⁶	Kenepuru Link Road		
K0410 ⁷	SH 58 (Mt Cecil Road to 750m north of Harris Road)	State Highway 58	

¹ K0401 covers three sections of State Highway 1: from Porirua's northern boundary near Paekakariki to 51 Brendan Beach, Pukerua Bay; from Gray Street, Pukerua Bay to James Street, Plimmerton; and, from 4 Mana Esplanade, Paremata to near the Whitford Brown Avenue intersection.

² K0402 covers two sections of State Highway 1: from 51 Brendan Beach, Pukerua Bay to Gray Street, Pukerua Bay; and, from James Street, Plimmerton to 4 Mana Esplanade, Paremata.

³ K0403 covers from near the Whitford Brown intersection to the Porirua's southern boundary.

⁴ Refer to Appendix A for designation conditions relating to K0407

⁵ Refer to Appendix B for designation conditions relating to K0408.

⁶ Refer to Appendix C for designation conditions relating to K0409.

⁷ Refer to Appendix A for designation conditions relating to K0410

Map Ref	Designation Title	Location	Legal Description (where known)
K0411 ⁸	SH 1 (Pukerua Bay to Plimmerton)	State Highway 1	
K0412 ⁹	SH 1 (Plimmerton to Paremata)	State Highway 1	

K05	Requiring Authority: New Zealand Police
------------	--

The Minister of Police is a requiring authority under Section 166 of the Resource Management Act 1991. The purpose of the following designations is for the development and operation of facilities and services which are the financial responsibility of New Zealand Police.

Map Ref	Designation Title	Location	Legal Description (where known)
K0501	Royal New Zealand Police College	24 Papakowhai Road	Lot 2 DP 53147 Lot 10-13 DP 17838 Lot 6 DP 53148 Sec 1, 2 SO 33197 Lot 2 DP 26571
K0502	Police Community Base	212 Warspite Avenue	Lot 38 DP 29172
K0503	Police Station	2 Hagley Street	Lot 1 DP 26027

⁸ Refer to Appendix F for designation conditions relating to K0411

⁹ Refer to Appendix G for designation conditions relating to K0412

K06	(All K06 Designations uplifted)
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K07	Requiring Authority: Wellington Regional Council
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The Wellington Regional Council is a requiring authority under Section 166 of the Resource Management Act 1991. The purpose of the following designations is for the development and operation of facilities and activities for which the Wellington Regional Council has financial responsibility.

Map Ref	Designation Title	Location	Legal Description (where known)
K0701	Proposed Water Collection Area	Horokiri Valley	Lot 1 DP 71399 Part Sec 64 Blk VII Paekakariki SD
K0702	Proposed Water Collection Area	Horokiri Valley	Sec 12 Blk VII Paekakariki SD
K0703	Battle Hill Regional Park	Paekakariki Hill Road	Lot 1 DP 41131 Lots 1, 6, 7 and Pt Lot 2 DP 8107

K08	Requiring Authority: Transpower New Zealand Limited
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Transpower New Zealand Limited was granted requiring authority status by the Minister for the Environment under the Resource Management Act 1991 on 29 July 1993. The purpose of the following designation is for the activities stated in the requiring authority approval for Transpower New Zealand Limited.

Map Ref	Designation Title	Location	Legal Description (where known)
K0801	Pauatahanui Substation	State Highway 58 Pauatahanui	Section 1 SO 20679

K09	Requiring Authority: Minister of Education
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The Minister of Education is a requiring authority under Section 166 of the Resource Management Act 1991. The purpose of the following designations is for the development and operation of facilities and services for which the Ministry of Education has financial responsibility under the Education Act 1964.

Map Ref	Designation Title	Location	Legal Description (where known)
K0901	Primary School	Pukerua Bay Primary 89-109 Rawhiti Road	Lot 1 DP 8390
K0902	Primary School	Plimmerton School School Road Plimmerton	Sec 34 Blk VIII Paekakariki SD
K0903	Primary School	Titahi Bay North Primary 47 Jillet Street	Pt Sec 186 Pt Lot 115 DP 18092 Lot 114 DP 17379 Lot 58 DP 24239 Lot 41 DP 24048 and Lot 32 DP 17379
K0904	Primary School	Titahi Bay Primary 11 Kura Street	Lot 95 DP 18864
K0905	Intermediate School	Titahi Bay Intermediate 16 Kahutea Terrace	Sec 296 & Pt Sec 111 DP 9153, Sec 346 Porirua District, Pt Sec 111 DP8770 Pt Tutaeparaikete 2C Pt Bed Porirua Harbour Lots 3 & 4 and Pt Lots 5 & 8 DP 19945 Pt Lot 4 DP 26680
K0906	Primary School	Ngati Toa Primary 44 Piko Street	Lot 1 and Lot 2 DP 29725

Map Ref	Designation Title	Location	Legal Description (where known)
K0907	Secondary School	Mana College 22-28 Awarua Street	Sec 3073 and Pts 1C2B, 1C1, 1B, 1A Mahinawa Blk Pts D1A1B4, D1A2A, D1A2B, E2 and Pt 104 DP 19070 Takapuwahia Blk
K0908	Primary School	Porirua Primary 1 Awarua Street	Pt Mahinawa 1A Pt Urukaika Blk SO 26037
K0909	Primary School	Paremata Primary 43 Paremata Crescent	Pt Sec 300 Porirua District Blk VIII Paekakariki SD
K0910	Primary School	Papakowhai Primary 90 Eskdale Road	Sec 1 SO 36755 and Sec 2 SO 36755
K0911	Primary School	Rangikura Primary 95 Conclusion Street	Lot 102 DP 35155
K0912	Primary, Intermediate and Secondary School	Te Kura Maori o Porirua and Tairangi Primary Warspite Avenue	Lot 1 DP 30092 Lot 1 DP 47243
K0913	Primary School	Postgate Primary 3 Staithes Drive North	Lot 1070 DP 44049
K0914	Primary School	Discovery Primary 2 Pullen Lane	Lots 252 and 253 DP 34182
K0915	Primary School and Kindergarten	Adventure Primary 18 Longitude Place	Lot 1217 DP 50116 and Lot 1218 DP 50117
K0916	Primary School	Pauatahanui Primary Paekakariki Hill Road	Lots 1, 2 and Pt Lot 3 DP 11535 Pt Sec 64 Pauatahanui District

Map Ref	Designation Title	Location	Legal Description (where known)
K0917	Secondary School	Aotea College Okowai Road	Pt Sec 286 Porirua Survey District
K0918	Primary School	Porirua East Primary 8 Martin Street	Pt Lot 1 DP 24465 Lot 2 DP 51177
K0919	Primary School	Windley Primary 146 Mungavin Avenue	Lot 16 DP 21905
K0920	Primary School	Cannons Creek Primary 23 Warspite Avenue	Lot 1 DP 23720 Pt Lot 1 DP 25998 Lot 1 DP 33352
K0921	Primary School	Glenview Primary 106 Bedford Street	Lot 4 DP 27333 Lot 1 DP 25098
K0922	Intermediate and Secondary School	Porirua College Brandon Intermediate Driver Crescent	Pt Lot 1 and Lot 2 DP 26453
K0923	Primary School	Maraeroa Primary 47-49 Driver Crescent	Lot 153 DP 26823
K0924	Primary School	Russell Primary 18 Fantame Street	Lot 60 DP 25956
K0925	Primary School	Corinna Primary 36 Kalingo Street	Lots 6, 23, 24 and 25 DP 26537
K0926	Special School	Porirua Activity Centre, 28 Kenepuru Drive	Pt Sec 244 Porirua District SO 26550
K0927	Primary School	Natone Park Primary Kokiri Crescent	Sec 50 Takapu District SO 30791 and Pt Sec 51 Takapu District SO 37745 (being 913m ²)

Map Ref	Designation Title	Location	Legal Description (where known)
K0928	Primary School	Samwell Drive, Whitby	Lot 2601 DP 78961

K10	Requiring Authority: Porirua City Council
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The Porirua City Council is a requiring authority under Section 166 of the Resource Management Act 1991. The purpose of the following designations is for the development and operation of facilities and services for which the Council has financial responsibility.

Map Ref	Designation Title	Location	Legal Description (where known)	Lapse Date (where relevant)
K1001	Cemetery and Crematorium	North of Airlie Road	Lot 1 DP 72386 Pt Lot 1 Plan A/863 CT 41C/349	
K1002	Local Purpose Reserve	Cluny Road	Lot 1 DP 86939 (CT 54B/787)	
K1008	Proposed Local Purpose Reserve	Land connecting Conclusion Street walkway to Warspite Avenue	Lot 12 DP 82611 (CT WN 49A/657)	
K1013	Recreation Reserve	Ulric Street Plimmerton	Lot 1 DP 87784 (CT 55C/83)	
K1016	Recreation Reserve	Extension of Stuart Park Off Moki Street	Part of Lot 1 DP 62407	
K1020	Reservoir	Off Kotipu Place Pukerua Bay	Lot 1 DP 51397	
K1021	Reservoir	The Track Plimmerton	Easement H DP 67249	

Map Ref	Designation Title	Location	Legal Description (where known)	Lapse Date (where relevant)
K1022	Proposed Reservoir	The Track Plimmerton		
K1023	Reservoir	Tremaine Place Camborne	Pt Lot 1 DP 34384 Lot 94 DP 42130	
K1024	Reservoir	Kahu Road Paremata	Lot 1 DP 49210	
K1025	Reservoir	Tirowhanga Road Paremata	Lot 35 DP 16856	
K1026	Reservoir	Off Sombrero View Ascot Park	Pt Lot 103 DP 70209	
K1027	Reservoir	The Stemhead Whitby	Pt Lot 1 DP 3138 Lot 7 DP 47873 Lot 4 DP 48340	
K1028	Reservoir	James Cook Drive Whitby	Lot 2 DP 57135	
K1029	Reservoir	Mercury Way Whitby	Pt Lot 1 DP 51397	
K1030	Reservoir	Aotea Block	Pt Sec 286 SO 23933	
K1031	Reservoir	Broken Hill	Part of Lot 1 DP 52949	
K1032	Reservoir	Gloaming Hill Titahi Bay	Lot 54 DP 35131	

Map Ref	Designation Title	Location	Legal Description (where known)	Lapse Date (where relevant)
K1033	Reservoir	Tuna Terrace Titahi Bay	Lot 54 DP 70209	
K1034	Reservoir	Pikarere Street Titahi Bay	Lot 1 DP 46586	
K1041	Drainage Reserve	Between Airlie Road and Cluny Road		
K1042	Drainage Reserve	Taupo Stream		
K1047	Service Lane	Mana Esplanade	Pt Lots 1 2 3 4 5 6 7 DP 11273 Pt Lot 1 DP 64208 Pt Lots 1 2 3 DP 64209 Pt Sec 141 SO 23235	
K1048	Waste Water Treatment Plant	South of Old Man Point	Part of Lot 1 DP 62407	
K1052	Refuse Disposal Landfill including landfill, recycling, refuse transfer station and resource recovery	Spicer Landfill Broken Hill	Part of: Lot 1 DP 52949, Lot 1 DP 77503, Sec 409, Sec 155, Lot 3 DP 52896	
K1054	Existing public roads	Porirua City		
K1060	Civic Purposes (Cultural Centre)	Corner Norrie and Parumoana Streets	Lot 2 DP 83018	

Map Ref	Designation Title	Location	Legal Description (where known)	Lapse Date (where relevant)
K1061	Civic Purposes (Aquatic and Recreation Centres)	Te Rauparaha Park	Lots 1 and 2 DP 35225	
K1062 ¹⁰	Whitby Link Road – BOI 2012	Between Navigation Drive and Transmission Gully route		12 June 2027
K1063 ¹¹	Waitangirua Link Road – BOI 2012	Between Warspite Avenue and Transmission Gully route		12 June 2027

NOTICES OF REQUIREMENTS FOR DESIGNATIONS

The following notices of requirement (NOR) are currently being processed by Porirua City Council. As they have yet to be confirmed the District Plan maps have yet to be updated. Details on each Notice of Requirement can be found in the files listed in the table below:

Map Ref	NOR Title	Location	Legal Description (where known)	File Reference
K1035	Proposed Reservoir	North of Takapuwahia Drive	Part of Pt Sec North A2B	RC 3909

K11	Requiring Authority: Minister for Courts
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¹⁰ Refer to Appendix D for designation conditions relating to K1062.

¹¹ Refer to Appendix E for designation conditions relating to K1063.

The Minister for Courts is a requiring authority under Section 166 of the Resource Management Act 1991. The purpose of the following designation is to ensure the continuation of the operation of the Porirua Courthouse from this site.

Map Ref	Designation Title	Location	Legal Description (where known)
K1101	Porirua Courthouse	4 Hagley Street, Porirua	Lot 2 DP 26027, CT43B/201 City of Porirua

K12	(All K06 Designations uplifted)
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SCHEDULE OF DESIGNATIONS - Appendices

The following provide notice of requirement (NOR) confirmed in the jurisdiction of the Porirua City Council for larger designated sites and sites that have a number of applicable conditions relating to the designation.

APPENDIX A K0410 & K0407 STATE HIGHWAY 58

APPENDIX AA SCOUR REPAIR ALTERATION TO K410

APPENDIX B: K0408 TRANSMISSION GULLY ROUTE

APPENDIX C: K0409 KENEPURU LINK ROAD

APPENDIX D: K1062 WHITBY LINK ROAD

APPENDIX E: K1063 WAITANGIRUA LINK ROAD

APPENDIX F: K0411 STATE HIGHWAY 1 (Rural Section)

APPENDIX G: K0412 STATE HIGHWAY 1 (Paremata to Plimmerton)

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APPENDIX A: K0410 & K0407 STATE HIGHWAY 58

- Construction, operation, realignment, maintenance and repair of a road forming part of SH58 from Mount Cecil Road/Felix Road to approximately 750 metres north of Harris Road on Land located within the City of Porirua, including the areas shown as designated on the Operative District Plans consisting of areas of land from between 0 and 85 metres in width located on the western side of the existing designation and areas of land from between 0 and 90 metres in width located on the eastern side of the existing designation (to be referred to as "State Highway purposes")
- Consequential construction, operation, realignment, maintenance and repair of approximately 260m of Harris Road on land currently designated as "Existing Public Roads" in the Operative District Plan, and land in the general vicinity and located on the northern side of Harris Road, as shown on land designation plan LDP8 attached to the application.
- The carting out of ancillary works and activities.

*Please Note: The following conditions apply to all of K0410 and K0407 **except** the Scour Repair portion of K0410 as outlined in Appendix AA*

NOR3.1 **General Conditions**

- NOR3.1.1 Construction cannot commence until plans are submitted to the General Manager Environmental and Regulatory Services demonstrating that adequate and safe arrangements will be made to accommodate U-turns and other necessary manoeuvres at or in the vicinity of the Moonshine Road intersection and the General Manager Environmental and Regulatory Services has had a reasonable period of time in which to comment.
- NOR3.1.2 It is noted that full implementation of the project will require confirmation of all the respective Notices of Requirement ("NORs") to Hutt City Council, Upper Hutt City Council and Porirua City Council. Should the Requiring Authority wish to begin construction on the part or parts of the project covered by one (or two) of the NORs in advance of the part or parts of the project covered by the other (or others), no part of the reconstructed road may be commissioned for use in advance of the full project.
- NOR3.1.3 Work shall not commence until the General Manager Environmental and Regulatory Services has been given a reasonable opportunity to comment on final designs for the intersections at Mt. Cecil Road and Harris Road. These designs shall ensure that full and adequate provision has been made for all necessary vehicle manoeuvres. Property accesses to the reconstructed highway shall meet the appropriate NZ Transport Agency requirements.

NOR3.2 **Submission of Information on Final Designs**

Outline Plans and Management Plans

- NOR3.2.1 Prior to the commencement of any on site work, the Requiring Authority shall submit information, including plans, detailing final designs in general accordance with the Notice of Requirement as submitted and notified to the reasonable satisfaction of the General Manager, Environmental and Regulatory Services.

The final designs shall show the following information:

- a) The location of the proposed State highway carriageway in relation to designation boundaries;
- b) The location and design of all intersections, overpasses and underpasses, in particular the reconstruction of intersections and local roads; in particular the Intersection with Harris Road;
- c) The location and design of all fencing, bunds, and barriers;
- d) The design of lighting at intersections; and
- e) Landscape and ecological mitigation works.

- NOR3.2.2 The Requiring Authority shall submit a plan to the General Manager Environmental and Regulatory Services which identifies all alterations to Porirua City Council services including the programming for the undertaking of the alteration works.

NOR3.3 Construction

- NOR3.3.1 All construction works shall be undertaken in a manner complying with the provisions of NZS6803:1999 *Acoustics -Construction Noise*, including the recommended noise limits specified in Table 2 of that Standard, subject to an express exemption where any emergency construction work is required to be carried out at short notice in order to protect human life or property. In consideration of the duration of work for purposes of Table 6.2, all work shall be deemed to be of long term duration.
- NOR3.3.2 Earthworked areas will be progressively stabilised in accordance with the Revegetation Plan.
- NOR3.3.3 The Requiring Authority shall use appropriate methods to prevent or minimise any discharge of dust beyond the boundary of the designation that is noxious, dangerous, offensive or objectionable or is of such an extent that it causes or is likely to cause a dust nuisance to adjoining properties and shall ensure that dust is kept to a minimum to avoid contamination of Pauatahanui Stream.
- NOR3.3.4 Notwithstanding the generality of condition NOR3.3.3, prior to commencement of the construction works, the requiring authority or its agent shall submit to the General Manager, Utilities Policy, following consultation with the Hutt City Council a Dust Management Plan In order to prevent or minimise any dust emission causing a dust nuisance to adjoining properties. The Dust Management Plan shall

be prepared by person(s) suitably qualified to determine effective dust management having regard to the activities carried out on adjoining properties, and shall be completed to the reasonable satisfaction of the General Manager, Utilities Policy, prior to the commencement of the construction works. In particular, the Dust Management Plan:

- a) Shall detail the specific measures to be undertaken to control dust emission beyond the boundaries of the designation ('dust control measures'), in order to avoid and mitigate dust nuisance to adjoining properties,
- b) Shall specify monitoring measures, including in relation to dust control measures, and on site generation and off site deposition of dust,
- c) Shall specify contingency measures to avoid, remedy or mitigate any dust nuisance effects on adjoining properties arising from any failure of the dust control measures,
- d) May include provision to enable immaterial departures from the Dust Management Plan,
- e) May specify obligations required to be implemented prior to the commencement of the construction works.

NOR3.3.5 All construction works shall be undertaken in accordance with the Dust Management Plan specified in Condition NOR3.3.4.

NOR3.3.6 No amendments may be made to the Dust Management Plan specified in Condition NOR3.3.4 unless prior written approval from the General Manager, Utilities Policy is obtained.

NOR3.3.7 The Requiring Authority shall ensure that all contractors carrying out works under this designation are provided with a copy of this designation (including all conditions) and the Dust Management Plan specified in Condition NOR3.3.4.

NOR3.4 Traffic Noise Mitigation

NOR3.4.1 The proposed work shall be designed so that, in relation to dwellings existing at the time of confirming the designation, noise levels shall comply with the document entitled "*Transit New Zealand Guidelines for the Management of Road Traffic Noise - State Highway Improvement*" contained in the *Transit New Zealand Policy Planning Manual*, dated December 1999 (the "Noise Guidelines") throughout the design period. The design period shall be ten years from the time of the new road becoming operational.

NOR3.4.2 Prior to construction of the proposed works, the Requiring Authority shall:

- a) Engage a suitably qualified person to undertake a review of the existing ambient sound levels at existing dwellings affected by the works to

determine whether or not the noise levels at each of those dwellings shall comply with the Noise Guidelines without any on-site noise mitigation treatment being undertaken at the dwelling; and

- b) Provide the Council with a report listing the existing dwellings to which on-site noise mitigation treatment will need to be applied in order to ensure compliance with the Noise Guidelines ("Affected Dwellings"), if any, and identifying the extent of noise reduction required (if any) to ensure such compliance.

NOR3.4.3 In respect of the Affected Dwellings referred to in condition NOR3.4.2(b), the following shall apply:

- a) Not less than 4 months prior to completion of construction of the proposed works, the Requiring Authority shall consult with the Council as to the options for on-site noise mitigation treatment of the Affected Dwellings and the processes which the Requiring Authority will follow in its dealings with the owners of Affected Dwellings on these matters;
- b) Not less than 3 months prior to completion of construction of the proposed works, the Requiring Authority shall give written notice to the owner of each Affected Dwelling specifying the following:
 - The change in noise levels without on-site noise mitigation treatment at that dwelling predicted in accordance with the Noise Guidelines for that dwelling arising from the operation of the proposed works
 - following construction of the proposed works; and
 - on the fifth anniversary of completion of construction of the proposed works;
 - The options which the Requiring Authority offers to that person for on-site noise mitigation treatment to that person's dwelling and the predicted benefits which implementation of those options would have in terms of noise levels;
 - An invitation to the owner to enter into discussions with the Requiring Authority as to the selection of suitable noise mitigation treatment options;
 - A statement to the effect that the owner (or any subsequent owner) has a period within which to decide whether or not to accept the Requiring Authority's offer for on-site noise mitigation treatment, which period shall not terminate sooner than the sixth month following completion of the proposed works; and
 - A statement informing the owner of the ability which owners have to get access to any expert adviser (nominated by the Requiring Authority to the reasonable satisfaction of the Council).

NOR3.4.4 The Requiring Authority shall keep records available for inspection on request by the Council of the following:

- a) All written notices served in accordance with condition NOR3.4.3;

- b) All responses received to those written notices;
- c) Those Affected Dwellings in respect of which responses have not been received;

NOR3.4.5 Except as provided in condition NOR3.4.6, the Requiring Authority shall:

- a) In consultation with each Affected Dwelling owner (and, if so requested by the owner, with any expert adviser so nominated by the Council), arrange for the implementation of the noise mitigation treatment works for each Affected Dwelling by a person whom the Council is satisfied is competent (or such other person as may be agreed with the owner); and
- b) As soon as practicable after completion of the noise mitigation treatment works at an Affected Dwelling, arrange for a completion certificate to be issued in respect of that property certifying that the noise mitigation treatment works have been undertaken to appropriate standards to attain the level of reduction required to comply with condition NOR3.4.1, such completion certificates to be submitted to the Council within one month of completion of the noise mitigation treatment.

NOR3.4.6 Where the Requiring Authority has duly given notice to an owner of an Affected Dwelling in accordance with condition NOR3.4.5 hereof, the Requiring Authority shall be deemed to comply with condition NOR3.4.1 hereof:

- a) From the date notice was given until the date the completion certificate referred to in condition NOR3.4.5 has been issued, where the owner of the Affected Dwelling has agreed to the Requiring Authority implementing noise mitigation treatment works;
- b) From the date notice was given until indefinitely thereafter, where the owner of the Affected Dwelling refuses to agree to the Requiring Authority implementing noise mitigation works (except where before the expiry of six months after completion of the proposed works the owner then agrees in which case condition (a) of this condition applies);
- c) From the date notice was given until indefinitely thereafter, where the owner of the Affected Dwelling cannot after reasonable enquiry be found before the expiry of six months after completion of the proposed works.

NOR3.5 Landscape and Ecological Mitigation Works

NOR3.5.1 Prior to any works starting on site the Requiring Authority or its Agent shall develop detailed revegetation plans and specifications demonstrating how the Requiring Authority will implement revegetation in general accordance with the revegetation Plan subject to final design and any modifications required to comply with any other conditions of this designation to the written approval of General Manager Environmental and Regulatory Services (such approval being deemed to have been given if the Manager fails to respond to receipt of written request for such approval within 20 working days of that request)

following consultation with the Wellington Regional Council and the Department of Conservation. This time requirement needs to be stated clearly in the document.

The Requiring Authority shall ensure that the approved plans are complied with.

NOR3.5.2 In the final design of each stage of the road to be submitted to Porirua City Council in accordance with condition NOR3.1 the Requiring Authority shall make provision for:

- a) Landscape treatment to remedy or mitigate adverse effects of the road through the use of the following techniques; landform shaping, soil conservation and enhancement, vegetation conservation, and regrassing and replanting of trees and shrubs.
- b) Ecological treatment with the objectives of:
 - Assisting with the integration of the proposed road within the existing ecology of the area.
 - Remedying or mitigating adverse effects of the road.
 - Recognising the potential to provide habitat within the designation area to create and maintain ecological connections or migration routes from indigenous flora and fauna.
- c) Shaping and cutting fill batters shall be designed and constructed in such a way as to resemble as far as possible the existing natural landforms of the area.
- d) Earthworks shall be designed to integrate the alignment into the surrounding landscape i.e. rounding edges of cut faces where practicable.
- e) In any area where the Pauatahanui Stream is realigned, this will be done in a manner that recreates the varied natural appearance using appropriate material design and planting. The Requiring Authority will undertake riparian planting adjacent to the Pautahanui Stream just north of the northern culvert. If the existing trees are disturbed, they will be replaced by planting over the equivalent area.

NOR3.6 Geotechnical

NOR3.6.1 Except where the slope above a cut is at an angle exceeding 10° (where no rounding is necessary), the upper 3 metre section of cut slopes shall be generally rounded to a flatter slope of 2 H:IV (26 degrees) unless otherwise indicated. There should be at least 3 metres clear width outside the carriageway at the toe of cut slopes to collect debris from cuttings.

NOR3.6.2 Where appropriate, cut off drains shall be provided at the top of cuttings, where there is a significant catchment which could drain towards the cutting and cause erosion.

NOR3.6.3 Sub-horizontal drainage holes shall be incorporated where there are significant

hydrostatic pressures potentially giving rise to batter instability.

NOR3.6.4 Sidling fills must be keyed into the existing hillsides by benching into the existing slopes, with all vegetation, organic materials and soft colluvial material being removed.

NOR3.6.5 Any fill material for use in embankment or sidling fills should be granular material containing no organic material.

NOR3.7 Protocol for Dealing with Koiwi or Taonga Unearthed During Development

NOR3.7.1 Prior to the commencement of the project the Porirua City Council shall advise the Te Runanga o Toa Rangatira ("Runanga") of the identity of the Officer of Council appointed as Responsible Officer for the purposes of ensuring compliance with this condition. As soon as reasonably practicable thereafter the City Council shall arrange a meeting between the Responsible Officer and representatives of the Runanga with a view to discussing any issues arising from this condition, including the appointment of a contact person with the Runanga.

The following procedure shall be adopted in the event that koiwi or taonga are unearthed or are reasonably suspected to have been unearthed during the course of the Project development:

- (i) Immediately it becomes apparent or is suspected by workers at the site that koiwi or taonga have been uncovered, all activity at the site will cease;
- (ii) The plant operator will shut down all machinery or activity immediately, leave the area and advise his or her Supervisor of the occurrence;
- (iii) The Supervisor shall take steps immediately to secure the area in a way that ensures the koiwi or taonga remain untouched as far as possible in the circumstances and shall notify the Responsible Officer;
- (iv) The Responsible officer shall notify the New Zealand Police and NZ Historic Places Trust or Department of Conservation (as the case may be) that it is suspected that koiwi or taonga have been uncovered at the site;
- (v) The Responsible Officer will also immediately notify the Runanga contact person that it is suspected that koiwi or taonga have been uncovered at the site;
- (vi) The Runanga has agreed to contact the appropriate kaumatua to act on behalf of the Runanga in this matter in order to guide and advise the Porirua City Council and other parties as to the appropriate course and will immediately advise the Responsible

Officer of the identity of such kaumatua and such other details as may be appropriate in the circumstances;

- (vii) The Responsible Officer will ensure that staff are available to meet and guide kaumatua, police, Department of Conservation or Historic Places Trust staff to the site, assisting with any requests that they make;
- (viii) If the kaumatua are satisfied that the koiwi or taonga are of Maori origin the kaumatua has agreed to determine how they are to be dealt with and will communicate such decision to Porirua City Council, NZ Police, the Requiring Authority and such other parties as are considered appropriate;
- (ix) Activity on site will remain halted until the Police, Department of Conservation, Historic Places Trust (as the case may be) and the kaumatua have given approval for operations to recommence; and
- (x) The Responsible Officer shall ensure that kaumatua are given the opportunity to undertake karakia and such other religious or cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Maori (Maori custom and protocol).

NOR3.7.2 The Requiring Authority shall consult with the Runanga at the appropriate time on detailed design matters and construction, Including, but not limited to, revegetation, removal of native species and interpretative signage.

NOR3.8 Audit and Monitoring

NOR3.8.1 The Requiring Authority shall undertake an independent pre and post safety audit carried out on the final alignment of SH 58 including intersections, with particular attention being given to the service road intersections.

NOR3.8.2 Following the commencement of on-site works, at regular intervals of not less than once every ten working days, all cuttings that have been worked since the immediately preceding inspection shall be inspected during construction by a qualified and experienced geologist/geotechnical engineer for the purpose of enabling adjustments to be made to slope profiles, or for slope protection/support/stabilisation measures to be incorporated where appropriate. The Requiring Authority shall keep a record of such inspections which shall be made available to the Porirua City Council upon request.

NOR3.9 Wellington Regional Council

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- NOR3.9.2 The Requiring Authority shall consult with and involve Wellington Regional Council in developing programmes to revegetate earthworked areas, including cut and fill batters, in Belmont Regional Park.
- NOR3.9.3 The Requiring Authority shall provide Wellington Regional Council with a physical and legal access to any watermain owned by Wellington Regional Council currently located within road reserve that will not be located within such reserve once the Project has been completed.
- NOR3.9.4 The Requiring Authority shall ensure that all Wellington Regional Council watermain which will be below ground level once the Project has been completed will be not less than 0.75m and not more than 2m below the completed ground surface of the Project, unless Wellington Regional Council's Assets and Quality Manager, Water Supply agrees otherwise in writing.

NOR3.10 Lapsing of Designation

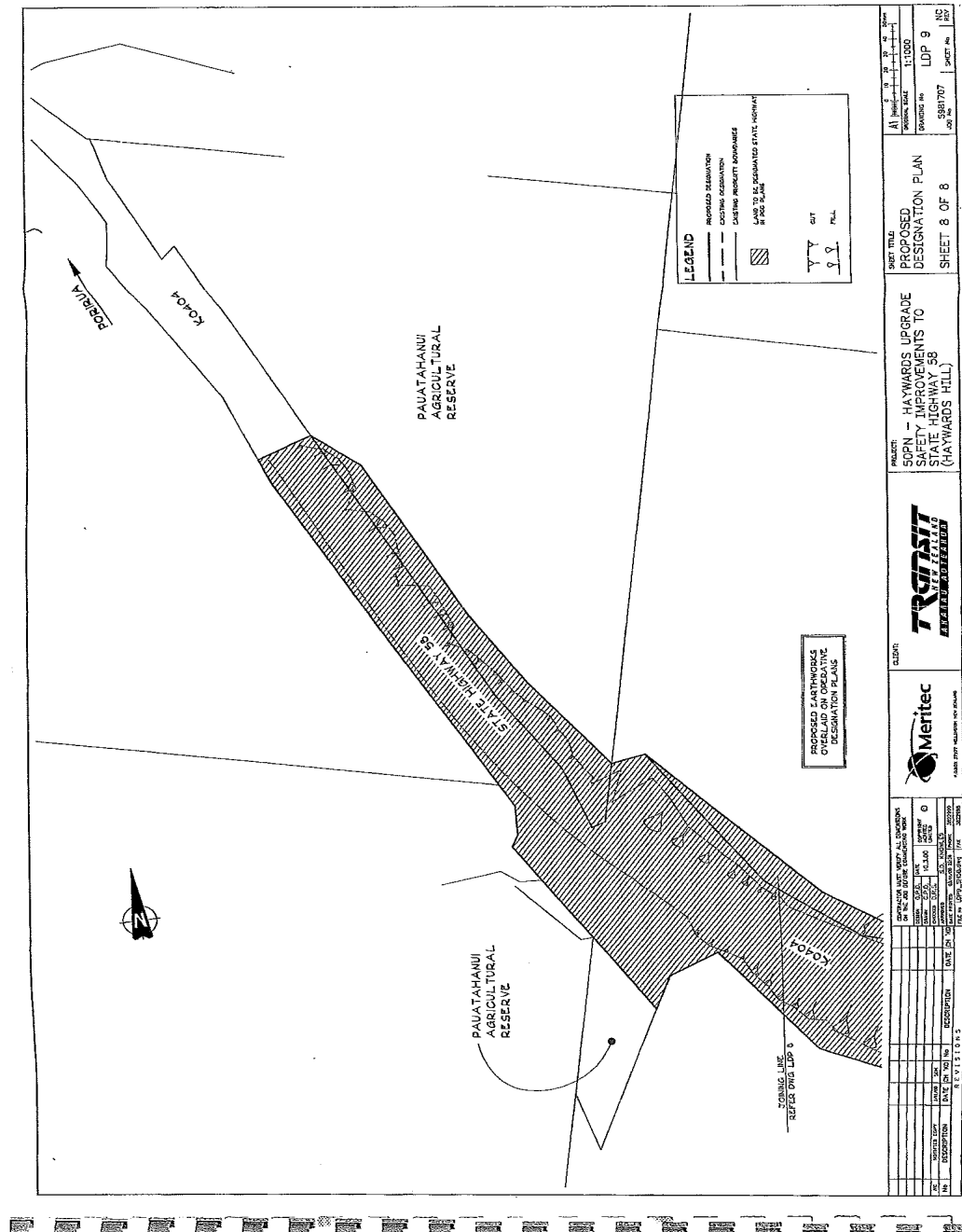
- NOR3.10.1 Pursuant to section 184(1)(c) of the Resource Management Act 1991 the lapsing period for this designation is ten years.

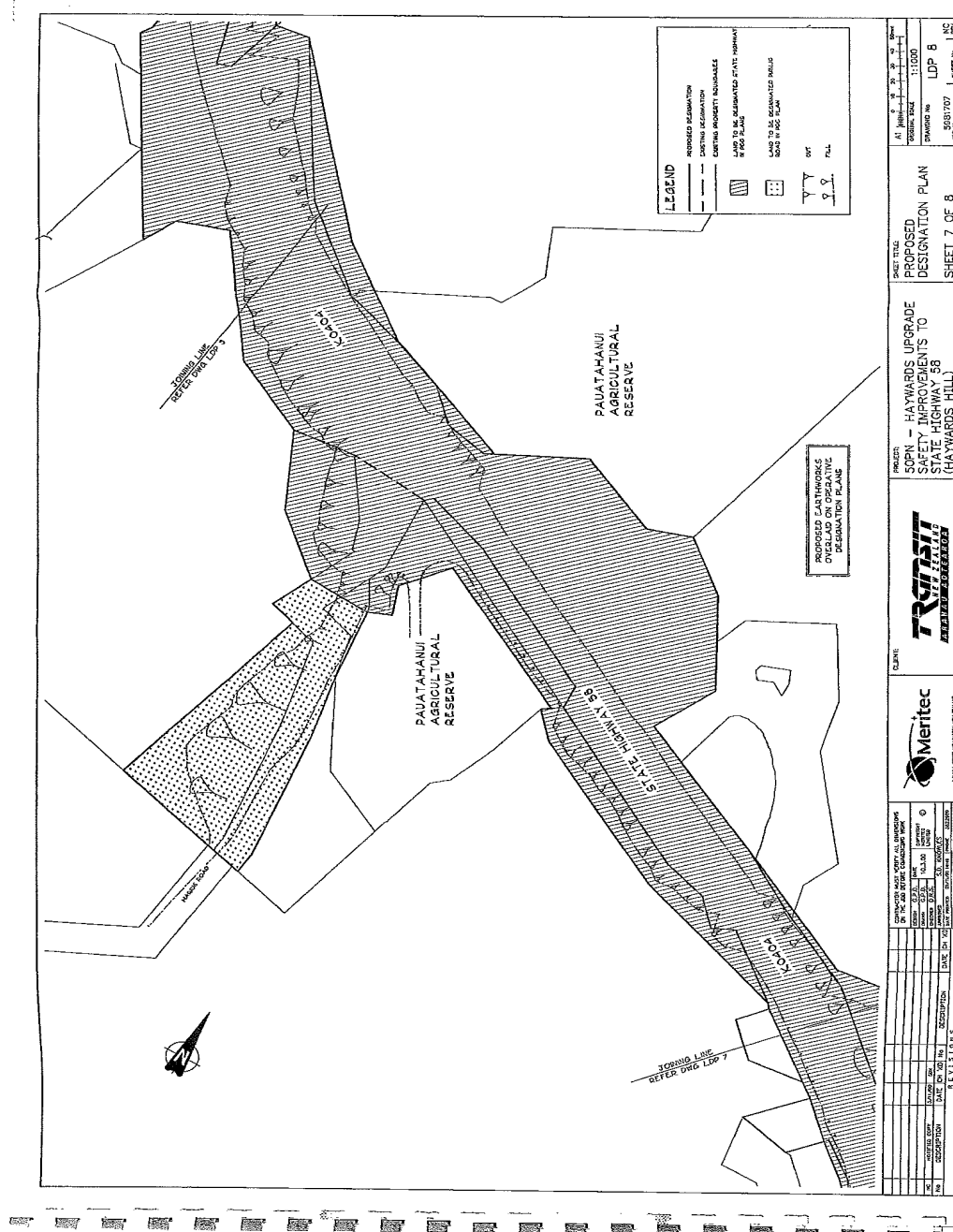
NOR3.11 Additional ancillary matters

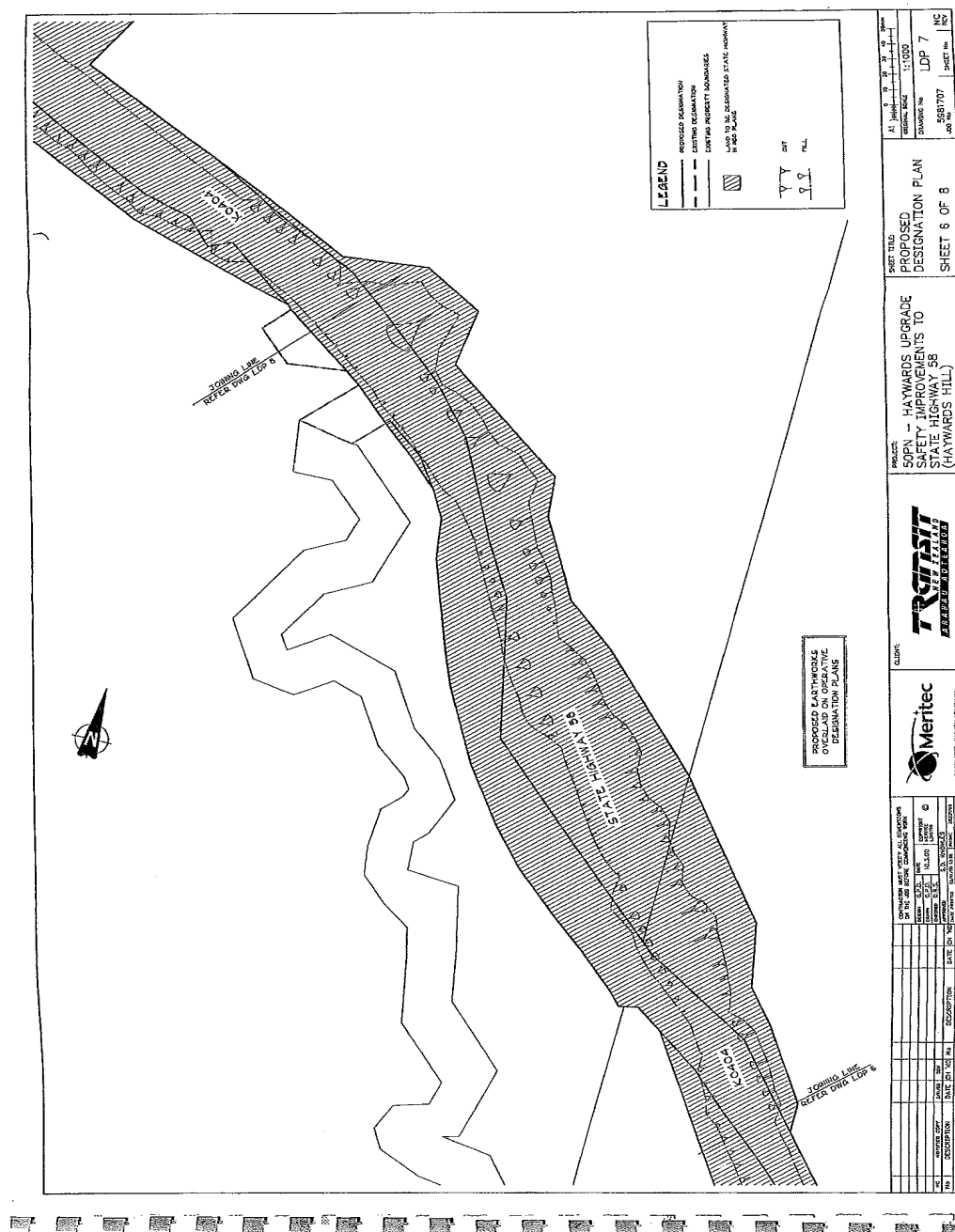
- NOR3.11.1 The Requiring Authority shall establish Traffic Management Plans as the varying stages of the project progress to demonstrate that traffic will be managed during the construction phase of the project in accordance with the applicable Transit Code of Practice for Temporary Traffic Management.
- NOR3.11.2 The Requiring Authority shall maintain a permanent record of any complaints alleging adverse effects from its operations within the designation or any breach of these conditions or other comments received. The record shall include the name and address (as far as practicable) of the person who made the complaint or comment, and where a complaint is made, identification of the nature of the matter complained about, date and time of the complaint and of the alleged event, weather conditions at the time of the alleged event (as far as practicable) and any remedial action taken. This record shall be made available to Porirua City Council on request.
- NOR3.11.3 Prior to the commencement of construction works, the Requiring Authority shall use its best endeavours to notify affected owners and occupiers of all properties adjoining the new road of:
- a) The details of the construction programme; and
 - b) A single point of contact for concerns or enquiries relating to the project, including a telephone and facsimile number,

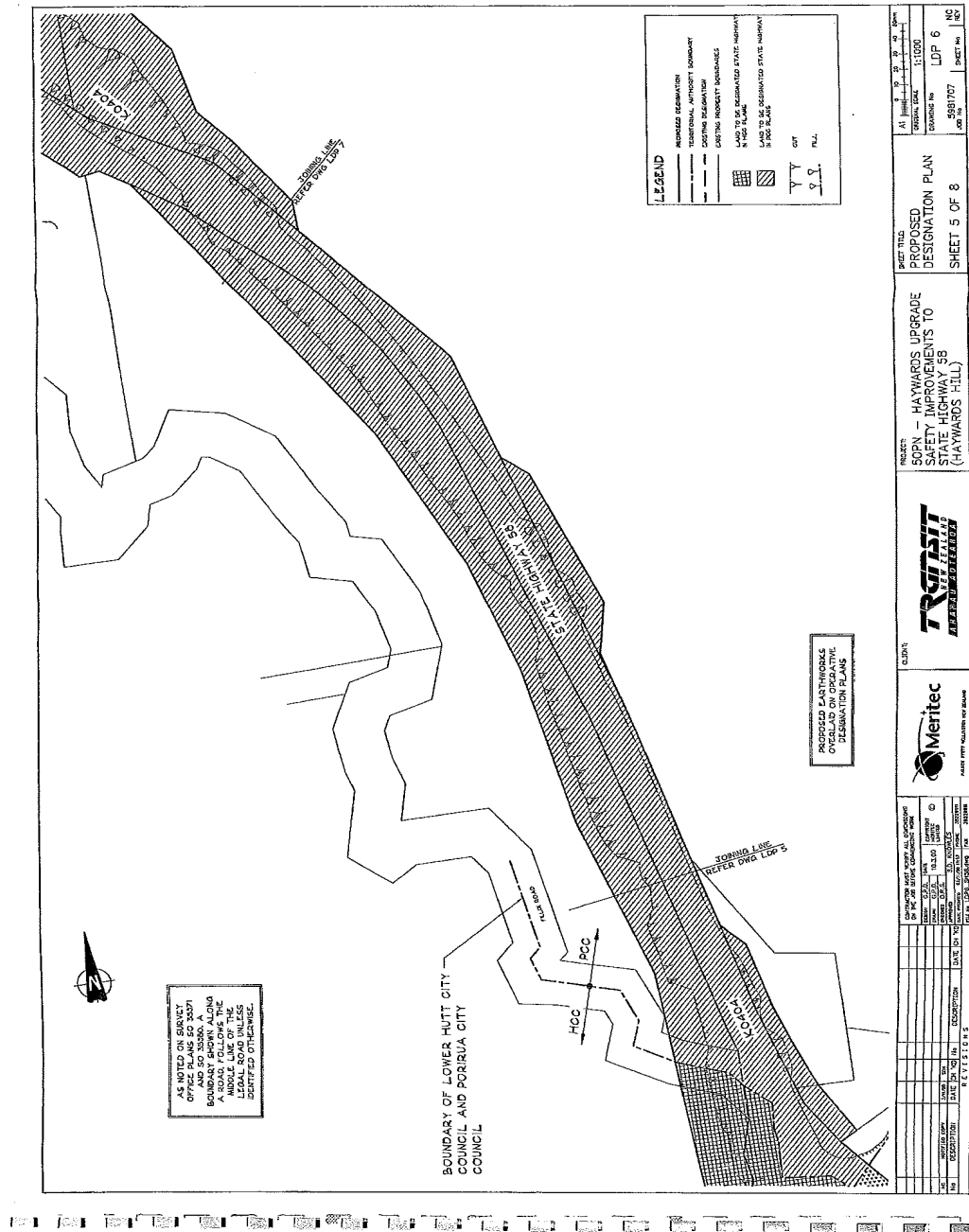
Provided that the Requiring Authority shall be treated as complying with this condition once any such notice sent by pre-paid post to the person at the usual or

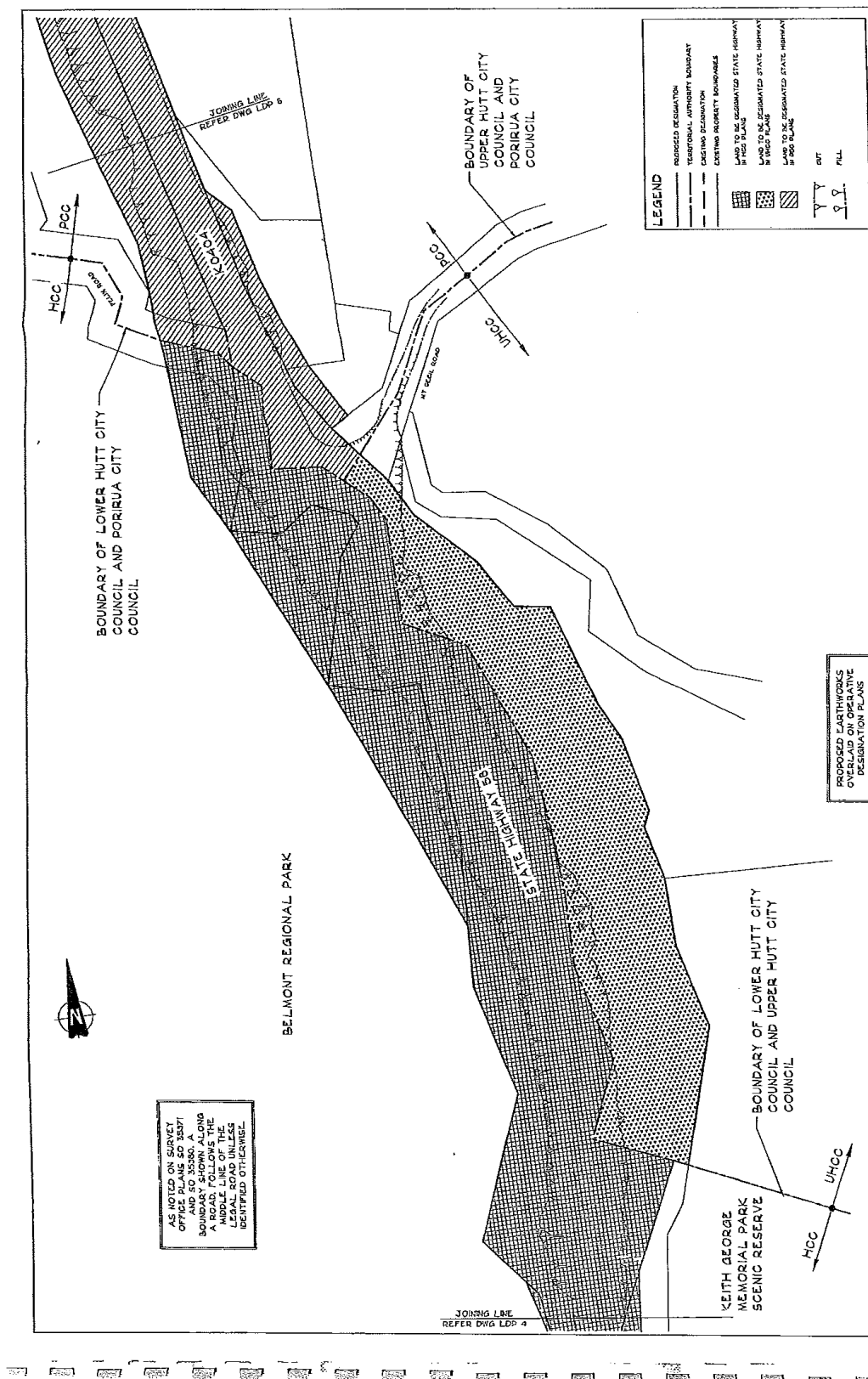
last known place of residence or business or Post Office Box address would have been delivered in the ordinary course of post, or once any such notice has been sent by facsimile to the usual or last known facsimile number of that person, or delivered by hand to the property.











APPENDIX AA: Scour Repair Alteration to K0410

This alteration to K0410 only applies to the State Highway 58 Scour Repair works described in the Notice of Requirement dated August 2014. All conditions attaching to K0410 (Appendix A) apply to any other works/projects that NZTA propose to undertake within the designation. (Conditions NOR 3.1.1 – 3.3.1, 3.2.1 & 3.2.2, 3.3.2, 3.3.4 – 3.3.7, 3.4.1 – 3.4.6, 3.5.1 & 3.5.2, 3.6.1 – 3.6.5, 3.7.2, 3.8.1 & 3.8.2, 3.9.2 – 3.9.4, 3.11.1 of K0410 do not apply; conditions NOR3.3.1, 3.3.3 & 3.11.3 of K0410 are altered; and conditions NOR3.7.1, 3.10.1 & 3.11.2 of K0410 continue to apply). The extent of the alteration is identified in the following map.

NOR3.3 Construction

- NOR3.3.1** All construction works shall be undertaken in a manner complying with the provisions of NZS6803:1999 Acoustics – Construction Noise. The methodology is to be provided to GM Environment and Regulatory Services at least 20 working days prior to work commencing.
- NOR3.3.3** The Requiring Authority shall use appropriate methods to prevent or minimise any discharge of dust beyond the boundary of the designation that is noxious, dangerous, offensive or objectionable or is of such an extent that it causes or is likely to cause a dust nuisance to adjoining properties and shall ensure that dust is kept to a minimum to avoid contamination of Pauatahanui Stream. The methods shall be set out in a Dust Management Plan and provided for certification to the GM, Environment & Regulatory Services at least 10 working days before work commences.

NOR3.7 Protocol for Dealing with Koiwi or Taonga Unearthed During Development

- NOR3.7.1** Prior to the commencement of the project the Porirua City Council shall advise the Te Runanga o Toa Rangatira ("Runanga") of the identity of the Officer of Council appointed as Responsible Officer for the purposes of ensuring compliance with this condition. As soon as reasonably practicable thereafter the City Council shall arrange a meeting between the Responsible Officer and representatives of the Runanga with a view to discussing any issues arising from this condition, including the appointment of a contact person with the Runanga.

The following procedure shall be adopted in the event that koiwi or taonga are unearthed or are reasonably suspected to have been unearthed during the course of the Project development:

- (i) Immediately it becomes apparent or is suspected by workers at the site that koiwi or taonga have been uncovered, all activity at the site will cease;
- (ii) The plant operator will shut down all machinery or activity immediately, leave the area and advise his or her Supervisor of

the occurrence;

- (iii) The Supervisor shall take steps immediately to secure the area in a way that ensures the koiwi or taonga remain untouched as far as possible in the circumstances and shall notify the Responsible Officer;
- (iv) The Responsible officer shall notify the New Zealand Police and NZ Historic Places Trust or Department of Conservation (as the case may be) that it is suspected that koiwi or taonga have been uncovered at the site;
- (v) The Responsible Officer will also immediately notify the Runanga contact person that it is suspected that koiwi or taonga have been uncovered at the site;
- (vi) The Runanga has agreed to contact the appropriate kaumatua to act on behalf of the Runanga in this matter in order to guide and advise the Porirua City Council and other parties as to the appropriate course and will immediately advise the Responsible Officer of the identity of such kaumatua and such other details as may be appropriate in the circumstances;
- (vii) The Responsible Officer will ensure that staff are available to meet and guide kaumatua, police, Department of Conservation or Historic Places Trust staff to the site, assisting with any requests that they make;
- (viii) If the kaumatua are satisfied that the koiwi or taonga are of Maori origin the kaumatua has agreed to determine how they are to be dealt with and will communicate such decision to Porirua City Council, NZ Police, the Requiring Authority and such other parties as are considered appropriate;
- (ix) Activity on site will remain halted until the Police, Department of Conservation, Historic Places Trust (as the case may be) and the kaumatua have given approval for operations to recommence; and
- (x) The Responsible Officer shall ensure that kaumatua are given the opportunity to undertake karakia and such other religious or cultural ceremonies and activities at the site as may be considered appropriate in accordance with tikanga Maori (Maori custom and protocol).

NOR3.10 Lapsing of Designation

NOR3.10.1 Pursuant to section 184(1)(c) of the Resource Management Act 1991 the lapsing period for this designation is ten years.

NOR3.11 Additional ancillary matters

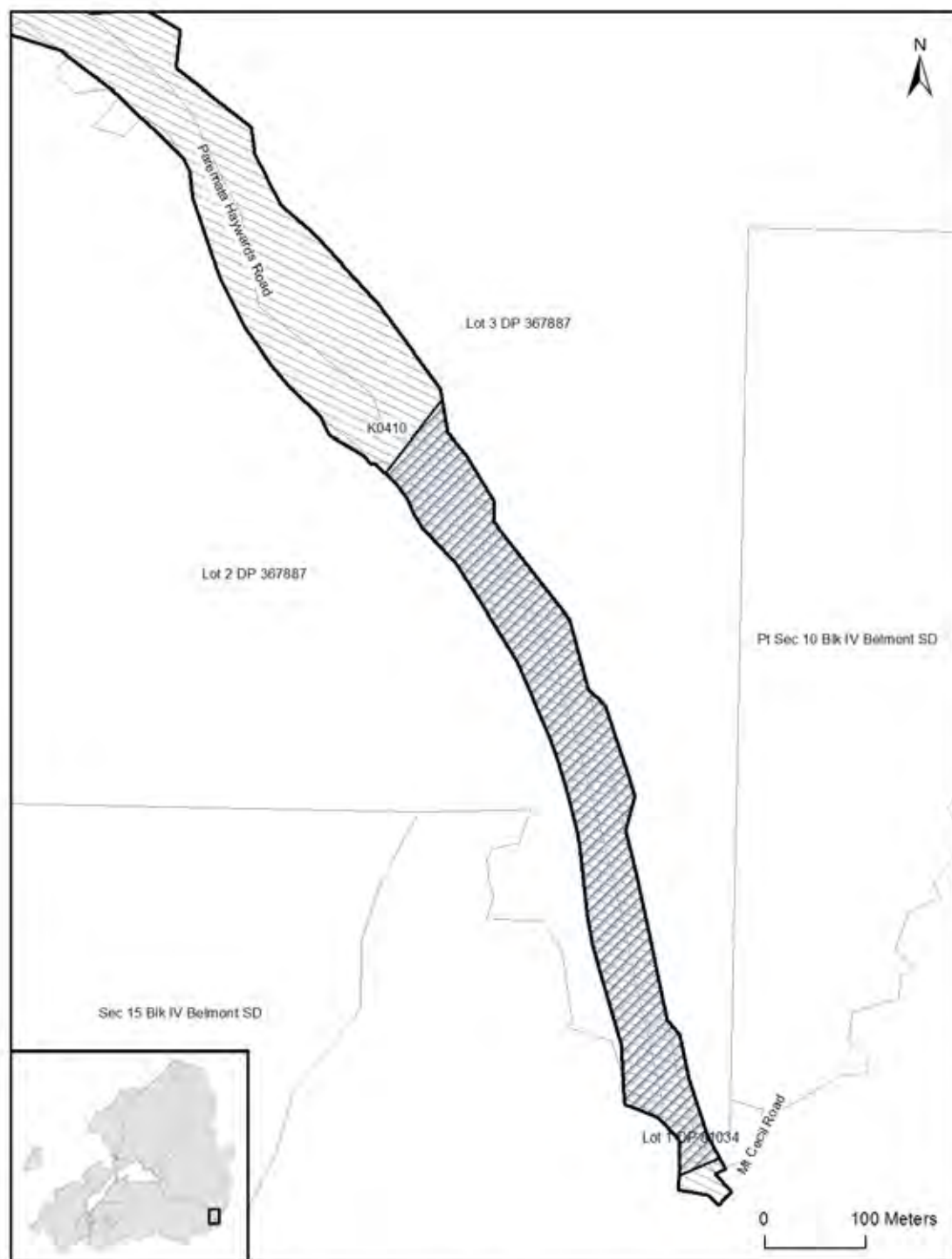
NOR3.11.2 The Requiring Authority shall maintain a permanent record of any complaints alleging adverse effects from its operations within the designation or any breach of these conditions or other comments received. The record shall include the name and address (as far as practicable) of the person who made the complaint or comment, and where a complaint is made, identification of the nature of the matter complained about, date and time of the complaint and of the alleged event, weather conditions at the time of the alleged event (as far as practicable) and any remedial action taken. This record shall be made available to Porirua City Council on request.

NOR3.11.3 Prior to the commencement of construction works, the Requiring Authority shall use its best endeavours to notify affected owners and occupiers of all properties adjoining the length of the Scour Repair project area of:

The details of the construction programme; and

A single point of contact for concerns or enquiries relating to the project, including a telephone and facsimile number,

Provided that the Requiring Authority shall be treated as complying with this condition once any such notice shall be sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office Box address would have been delivered in the ordinary course of post, or once any such notice has been sent by facsimile to the usual or last known facsimile number of that person, or delivered by hand to the property.

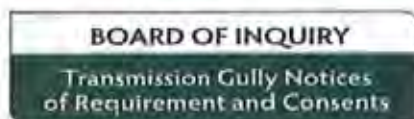


Scour Repair Alteration to K0410

-  Designation K0410
-  Scour Repair Alteration Extent
-  Parcel

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APPENDIX B: K0408 TRANSMISSION GULLY ROUTE

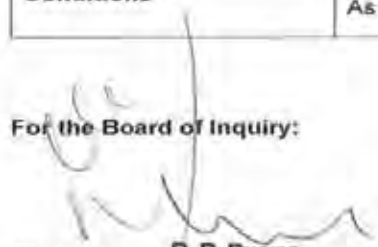


NOR 3 – Notice of Requirement confirmed in the jurisdiction of the Porirua City Council

Pursuant to sections 149R and 149P(4), and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a Notice of Requirement is confirmed regarding:

Requiring Authority	New Zealand Transport Agency
District Plan	Porirua City District Plan
Designation Purpose	Transmission Gully Main Alignment
Purpose for which right is granted	Construction, operation and maintenance of the Transmission Gully Main Alignment
Conditions	As attached

For the Board of Inquiry:

Chairperson  B P Dwyer
Environment Judge

Dated: 12-6-12

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New Zealand Transport Agency – Conditions on Confirmed Notices of Requirement for K0408 Transmission Gully Route

Please note: The following are the specific conditions applied by the Board of Inquiry to the K0408 Transmission Gully Route Designation. It should be noted that these conditions are numbered according to the decision of the Board of Inquiry. The Board of Inquiry did not include conditions for the following: NZTA.5, 10, 18, 24, 25, 37, 38, 48, 54 and 63.

General Conditions and Administration

- NZTA.1 Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated August 2011, May 2014 and October 2014 (Bridge 25) (Bridge 27) and supporting documents being:
- (a) Assessment of Environmental Effects report, dated 8 August 2011 and 8 May 2014.
 - (b) Plan:
 - i. **LR00-20:** Land requirement plans
 - ii. **GM01-21:** Road layout plans except as amended by Drawing No: TG-DRG-ALL-PW-3001 rev.C
 - iii. **GM22-84:** Longitudinal sections and cross sections except as amended by Figures 2 – 5 Revision 1 entitled Transmission Gully – James Cook Drive Interchange dated May 2014 (File Ref: W13134_Figs_JamesCook_A3)
 - iv. **DR01-21:** Drainage layout plans
 - v. **SO1-29:** Structures plans
 - vi. **LA01-21:** Landscape plans except as amended by Drawing No: TG-DRG-FCP-LD-1053 rev.B
 - vii. **AC01-21:** Construction access plans
 - (c) Alternations to Designations – Bridge 25 Volume 1 (Planning and Technical Reports) and Volume 2 (Plan Set – Attachments A – H) all dated October 2014.
 - (d) Alternations to Designations - Bridge 27 & Kenepuru Link Road, Volume 1 (Planning and Technical Reports) and Volume 2 (Plan Set – Attachments A – I) all dated October 2014.

For the avoidance of doubt, none of these conditions prevent or apply to works

required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, Outline Plans or Outline Plan waivers may be required for any such works.

Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.

NZTA.2 As soon as practicable following completion of construction of the Project, the Requiring Authority shall:

- (a) Review the width of the area designated for the Project;
- (b) Identify any areas of designated land that are no longer necessary for the ongoing operation, or maintenance of the Project or for ongoing mitigation measures; and
- (c) Give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified in NZTA.2(b) above.

NZTA.3 The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan under Section 175 of the RMA.

NZTA.3A The Requiring Authority shall reimburse the Council for its actual and reasonable costs incurred in carrying out its functions pursuant to Section 36(1)(d) of the RMA.

NZTA.3B No earlier than six months after the commencement of the Project and no later than 12 months from that date the Requiring Authority shall:

Consult with PCC, WRC, Paremata Residents Association Inc, Plimmerton Residents Association Inc, and Ngati Toa Rangitira in relation to its proposals for the Work Paremata Road, Mana Esplanade and St Andrews Road following the construction of the Transmission Gully Motorway Project, including the following matters:

- (a) Ownership and control of the Work Paremata Road, Mana Esplanade and St Andrews Road;
- (b) Options relating to the future of the existing Paremata Bridge;
- (c) The continuation of four laning of St Andrews Road between Acheron Road and James Street;
- (d) Measures (to the extent that they are legally available) to restrict or discourage heavy vehicle movements through the Work Paremata Road, Mana Esplanade and St Andrews Road;
- (e) Other measures required to ensure an adequate level of service for the traffic volumes and traffic type expected to use the Work Paremata Road, Mana

Esplanade and St Andrews Road;

- (f) Provision of arrangements for cyclists;
- (g) Alteration of footpath widths;
- (h) Removal of traffic lights;
- (i) Changes to the operation of the clearways or High Occupancy Vehicle lanes;
- (j) Alteration of arrangements in relation to capacity;
- (k) Any changes to be sought to the any NZTA designation in relation to those matters; and

Report on the outcomes of that consultation to PCC and WRC for the purposes of ensuring that PCC and WRC are fully informed of the views of the public and those bodies, and of the Requiring Authority's intended response to that consultation.

Outline Plans and Management Plans

NZTA.4 Subject to Condition NZTA.5 below, the Requiring Authority shall submit an Outline Plan (OP) (or Plans) to the Council for the part of the Project located within the District or for each Project stage within the District, in accordance with section 176A of the RMA.

NZTA.6 The OP(s) shall include the following Plans for the relevant stage(s) of the Project:

- (a) Heritage Management Plan (HMP);
- (b) Construction Traffic Management Plan (CTMP);
- (c) Landscape and Urban Design Management Plan (LUDMP);
- (d) Construction Noise and Vibration Management Plan; and
- (e) Construction Air Quality (Dust) Management Plan.

Advice Note: The Construction Environmental Management Plan (CEMP) may be submitted with the OP for information – but recognising that the Wellington Regional Council shall have a role in certifying this Plan. The Requiring Authority shall ensure that if the CEMP is changed or updated as a result of the WRC and relevant Territorial Authority certification process that the most up to date version is provided to the Council.

NZTA.6A Any management plan(s) specified in Condition NZTA.6 may be submitted to the Council as part of an Outline Plan(s) and be processed in accordance with section 176A of the RMA (as specified in Condition NZTA.4) without including the requirements of Conditions NZTA.24, NZTA.37, NZTA.47 and NZTA.48, provided

that:

- No construction traffic shall use Rangatira Road adjoining the properties referred to in NZTA.24; and
- No works shall commence within 200m of the properties (either individually or as a group) referred to in Conditions NZTA.37, NZTA.47 and NZTA.48;

until such time as an amendment to the relevant management plan(s) fulfilling the requirements of those conditions is submitted to the Council and processed in accordance with NZTA.7A below. If the amendments included in the relevant management plan(s) require an associated amendment to an aspect of an Outline Plan(s), then this shall also be submitted to the Council and processed at the same time, in accordance with NZTA.7A.

NZTA.6B The LUDMP specified in Condition NZTA.6 may be submitted to the Council as part of an Outline Plan(s), and be processed in accordance with section 176A of the RMA (as specified in Condition NZTA.4), without including specific landscape design details for the Project areas identified in the LUDMP in accordance with Condition NZTA.46(fa), provided that no works shall commence within these Project areas until such time as an amendment to the LUDMP, which includes the specific landscape design details for these areas, is submitted to the Council and processed in accordance with NZTA.7A below. If these amendments to the LUDMP require an associated amendment to an aspect of an Outline Plan(s), then this shall also be submitted to the Council and processed at the same time, in accordance with NZTA.7A.

NZTA.7 All works shall be carried out in accordance with the Outline Plan and management plans required by these conditions, subject to Conditions NZTA.6A and NZTA.6B.

NZTA.7A (a) The Requiring Authority may submit to the Council amendments to the Outline Plan(s) or management plan(s) required under Conditions NZTA.4 and NZTA.6, provided that such amendments have been identified in the revised programme required under condition NZTA.8;

(b) Any amendments to the management plan(s) shall remain consistent with the overall intent of the relevant management plan;

(c) For the avoidance of doubt, amendments to any Outline Plan(s) or management plan(s) required under Condition NZTA.4 or NZTA.6 shall be processed under the relevant NZTA conditions and under the provisions of section 176A of the RMA in relation to those aspects of the Outline Plan(s) or management plan(s) that are amended.

Advice Note: For the avoidance of doubt, where an Outline Plan or management plan is amended in accordance with Condition NZTA.7A, any works in accordance with that amended Outline Plan or management plan (that were not in accordance with the Outline Plan or management plan prior to its amendment) shall not

commence until the process under section 176A of the RMA has been completed in relation to those aspects of the Outline Plan or management plan that is being amended.

NZTA.8 In order to assist the Council with planning for staff resourcing, at least three months prior to the submission of the first Outline Plan for the Project, the Requiring Authority shall provide the Manager with a programme. The programme shall set out:

- (a) The estimated timing for undertaking all the required consultation on the development of any management plans that are required to be prepared under these conditions and/or as part of the Outline Plan (or Plans);
- (b) The estimated timing for provision of the EMMP and CEMP that are required under the regional consent conditions for Council comments, and/or the timing of provision of draft management plans (if any) for comments;
- (c) Expected response times for Council officers; and
- (d) The date proposed for the submission of the Outline Plan (or Plans).

The Requiring Authority shall give reasonable consideration to accommodating any concerns raised by the Council over the proposed timing; and

If requested by the Council, the Requiring Authority shall give reasonable consideration to extending the timeframes for processing the Outline Plan (or Plans) beyond that set out in section 176A of the Act.

Prior to commencement of construction, the Requiring Authority shall provide the Manager with a revised programme at least one month before the submission of amendments to the Outline Plan(s) or management plan(s) required under Conditions NZTA.4 and NZTA.6.

NZTA.9 Once construction has commenced, the Requiring Authority shall provide the Manager with an updated schedule of construction activities and timing of any updates to, or further management plans, Outline Plans and/or other reports that are required to be prepared for the Project at monthly intervals throughout the construction phase of the entire Project.

NZTA.11 The following Outline Plan(s) and management plans shall be made available for public viewing at one or more of the Project site offices:

- (a) Confirmed Outline Plan(s);
- (b) Construction Environmental Management Plan (CEMP);
- (c) Construction Noise and Vibration Management Plan (CNVMP);
- (d) Construction Air Quality Management Plan (CAQMP);

- (e) Heritage Management Plan (HMP);
- (f) Construction Traffic Management Plan (CTMP); and
- (g) Landscape and Urban Design Management Plan (LUDMP).

Where practicable, electronic copies of the management plans shall be made available upon request.

Communications and Public Liaison – Construction

- NZTA.12 A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact at all times for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. If the liaison person will not be available for any reason, an alternative person shall be nominated. The Requiring Authority shall seek to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.
- NZTA.13 Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include:
- (a) Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times;
 - (b) Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours;
 - (c) Methods to record concerns raised about hours of construction activities and, where practicable, methods to avoid particular times of day which have been identified as being particularly sensitive for neighbours;
 - (d) Details of communications activities proposed including:
 - i. Publication of a newsletter, or similar, and its proposed delivery area.
 - ii. Newspaper advertising
 - iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities;

The Communications Plan shall also include linkages and cross-references to

methods set out in other management plans where relevant.

- NZTA.14A The Communications Plan required by Condition NZTA.13 shall be prepared in consultation with Battle Hill Eventing and shall set out how any issues raised in consultation have been incorporated, or if they have not been incorporated, the reasons why.

The Requiring Authority shall also ensure that Battle Hill Eventing is provided with a copy of the programme required by Condition NZTA.9 where it is relevant to works occurring within Battle Hill Farm Forest Park.

Complaints – Construction

- NZTA.15 At all times during construction work, the Requiring Authority shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this designation. The record shall include:

- (a) the name and address (as far as practicable) of the complainant;
- (b) identification of the nature of the complaint;
- (c) location, date and time of the complaint and of the alleged event;
- (d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality.
- (e) the outcome of the Requiring Authority's investigation into the complaint;
- (f) measures taken to respond to the complaint; and
- (g) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.

The Requiring Authority shall also keep a record of any remedial actions undertaken.

This record shall be maintained on site and shall be made available to the Manager and Wellington Regional Council, upon request. The Requiring Authority shall notify the Manager and Wellington Regional Council in writing of any such complaint within 5 working days of the complaint being brought to the attention of the Requiring Authority.

Archaeology and Heritage

Advice note: An authority under section 12 of the Historic Places Act will be sought prior to the commencement of construction and is also likely to require the preparation of an HMP (or an Archaeological Management Plan).

NZTA.16 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include Heritage Management Plan (HMP). The HMP shall be prepared in consultation with the Council, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust. Any comments and inputs received from these parties shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

The HMP shall include:

- (a) A map showing the area covered by the HMP;
- (c) A map showing the location of St Joseph's Church and other associated features within the Church site grounds;
- (d) A map showing all other known archaeological sites and features located within 500 metres of the designation boundary;
- (f) All methods that will be used to manage effects of the Project on St Joseph's Church during construction including specific measures to be applied in the event of damage or likelihood of damage to the glacier windows;
- (g) The results of an up to date condition survey of St Joseph's Church undertaken not more than one month prior to submission of the Outline Plan, and a post construction condition survey not more than one month after completion of construction, so that the effects of construction can be accurately assessed;
- (h) Any heritage monitoring requirements;
- (i) Methods for reporting monitoring results to the relevant Council, New Zealand Historic Places Trust and Ngati Toa;
- (j) Procedures, stand down periods and dispute resolution processes to be applied in the event of an archaeological discovery; and
- (k) Methods for transferring any relevant information to Council and the New Zealand Historic Places Trust upon completion of works.

The HMP shall be consistent with any conditions imposed by any relevant New Zealand Historic Places Trust authority.

NZTA.17 The existing Conservation Plan for St Joseph's Church shall be updated at least one month prior to any construction works commencing within 500 metres of the Church.

NZTA.19 The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol, and provide a copy to the Council at the same time as submission of the

Outline Plan. The protocol shall be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. The protocol shall include, but not be limited to:

- (a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered;
- (b) Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the WRC, the relevant District or City Council and the New Zealand Police (if koiwi are discovered);
- (c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and
- (d) Procedures to be undertaken before Work under this designation may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery.

Construction Environmental Management Plan

Advice Note: The CEMP is required to be certified by the Wellington Regional Council and the relevant Territorial Authority. The CEMP is to be supplied to the Councils for an initial consultation process, and then the final document is required to be supplied for information, and display in a site office.

- NZTA.20 The Requiring Authority shall, at least 20 working days prior to submitting the Construction Environmental Management Plan required by Condition NZTA.21 (and by the regional consent conditions) to the Councils for certification, submit a draft to the Councils for comment. Any comments received shall be supplied to the Wellington Regional Council and the relevant Territorial Authority when the CEMP is submitted, along with clear explanation of where any comments have not been incorporated and the reasons why.
- NZTA.21 The CEMP shall confirm Project details, staging of Work, and detailed engineering design to ensure that the Project remains within the limits and standards approved on this designation and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions imposed on this designation, and any resource consents granted to assist the Requiring Authority in constructing the Project.

The draft CEMP submitted with the application (dated July 2011) shall be used as a

basis for the preparation of the CEMP. The CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for Project quality assurance; detailed design; construction methodologies; timeframes and monitoring processes and procedures.

Advice Note: "Detailed design" and "detailed engineering design" for the purposes of meeting the requirements of this condition relates to the level of design necessary to show the physical extent and form of permanent Project works. This is to enable Councils to determine whether the permanent works are in general accordance with the designations and the resource consents for the Project while also addressing their respective conditions.

A CEMP shall include but need not be limited to:

(1) *Quality Assurance*

A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions imposed on this designation and any resource consents granted to assist the Requiring Authority in constructing the Project. Among other matters this section shall provide details of the following:

- (a) Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP;
- (b) Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities;
- (c) Methods and systems to inform and train all persons working on site of potential environmental issues and how to comply with conditions of the consent;
- (d) Systems and processes whereby the public are informed of contact details of the project manager and principal staff identified above;
- (e) Liaison procedures with the Council; and
- (f) Communication protocols.

(2) *Site Management*

The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. Among other matters, this section shall provide details of the following:

- (a) Details of the site access for all Work associated with construction of the part of

the Project;

- (b) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
- (c) Location of workers' conveniences (e.g. portaloos);
- (d) Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins (including identifying the location of wheel wash facilities);
- (e) A contingency plan in the event that there is any unconsented discharge to watercourses/streams;
- (f) Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages);
- (g) Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants;
- (h) Location of vehicle and construction machinery access and storage during the period of site works;
- (i) Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site and any other methods to avoid the introduction or spread of unwanted weeds or pests;
- (j) Methods for the clear identification and marking of the construction zones including those which extend into watercourses;
- (k) A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation;
- (l) Methods to manage public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction;
- (m) Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; and
- (n) Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities.

(3) *Construction Programme and Methodology*

A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:

- (a) A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and
- (b) A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.

(4) *Layout Drawings*

Drawings showing the proposed layout of the carriageway design and footprint, construction yards and compounds, including associated buildings, fencing and site accesses. The layout drawings shall, as far as practicable, show the location of the following:

- (a) The main access to the construction yards which shall be located as far away as practicable from residential dwellings;
- (b) Noisy construction activities which shall be located as far away as practicable from residential dwellings; and
- (c) Temporary acoustic fences and visual barriers.

Traffic Management and Roading – Construction

NZTA.22 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Traffic Management Plan (CTMP). The CTMP submitted with the application (dated May 2011) shall be updated and used as a basis for developing and finalising this plan.

This CTMP shall address the following:

- (a) The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;
- (b) Details of construction yard access points where they gain access directly from a local road;
- (c) A general methodology for selecting detour routes;

(d) The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users; and

(e) A process for the submission of Site Specific Traffic Management Plans.

NZTA.23 The CTMP shall be prepared in consultation with the Council's Road Asset Manager (or their nominee(s)), and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions.

Any comments and inputs received shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.26 A copy of the CTMP shall be provided to the Road Asset Manager at least 20 working days prior to commencement of construction of any part of the Project within the District.

NZTA.27 The CTMP shall contain a section setting out methods to manage the construction traffic effects of the harvesting of plantation forestry as part of the enabling works for the Project. These methods shall include but not be limited to:

(a) Traffic and access considerations;

(b) Methods to manage effects on the amenity of surrounding residential neighbourhoods including hours of operation and number of heavy vehicle movements per day;

(c) The areas to be cleared at any one time; and

(d) Methods to maintain the quality of local roads used as access routes.

NZTA.28 1. Site Specific Traffic Management Plans (SSTMPs) shall be prepared following consultation with the following key stakeholders:

(a) The Council;

(b) Emergency services (police, fire and ambulance).

(c) Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place.

2. The SSTMPs shall be provided to the Manager at least 5 working days for a "minor" SSTMP and at least 10 working days for a "major" SSTMP prior to the commencement of work in that area for certification that:

- a) They are consistent with the CTMP
- b) Consultation has been undertaken with key stakeholders; and
- c) That all the details required under this condition are shown, along with any other matters relevant to managing the effects of construction traffic.

3. The SSTMP shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to construction of the relevant part(s) of the Project commencing.

In particular SSTMPs shall describe:

- (a) How it is consistent with the CTMP;
- (b) Temporary traffic management measures required to manage impacts on road users during proposed working hours;
- (c) Delay calculations associated with the proposed closure/s and detour routes;
- (d) The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues;
- (e) Individual traffic management plans for intersections of the proposed Project with arterial roads;
- (f) Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses;
- (g) Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours, which it is reasonably practicable to provide, having regard to safety;
- (h) Any proposed temporary changes in speed limit;
- (i) Provision for safe and efficient access of construction vehicles to and from construction site(s); and
- (j) The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders.

5. For the purposes of this condition, a “minor” SSTMP shall be defined as involving works of 5 or less days in duration, and a “major” SSTMP shall be defined as involving works of more than 5 days in duration.

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- NZTA.29 The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.
- NZTA.30 The CTMP and SSTMP(s) shall undergo an independent safety and traffic operational review, by a suitably qualified independent party, prior to being submitted to the Council.
- NZTA.30A Where construction works are occurring within Battle Hill Farm Forest Park and Belmont Regional Park and have the potential to block access to existing walking, cycling and/or horse-riding tracks for more than three months, the Requiring Authority shall prepare an SSTMP for certification by the Manager that:
1. Consultation has been undertaken with Tararua Tramping Club, Battle Hill Eventing, and Mana Cycle Group;
 2. The matters in this condition are appropriately addressed.
- The SSTMP shall specifically deal with the following matters, whilst having regard to public health and safety:
- (a) Providing signage at an appropriate starting point on the track explaining the nature of any access changes, such that it makes it easy for the user to make a decision about whether to continue along the track;
 - (b) Measures to maintain, where practicable, safe and clearly sign-posted alternative tracks around the construction works; and
 - (c) Measures to provide for the shortest and most convenient detours that are reasonably practicable.
- NZTA.31 The Requiring Authority shall carry out random auditing of temporary road closure/s in accordance with COPTTM at regular intervals throughout the construction of the Project. The intervals shall be stated in the CTMP.
- NZTA.32 Prior to the commencement of any part of the Project, or any enabling works within the District, the Requiring Authority shall undertake a pre-construction condition survey of the carriageway/s along those local roads affected by the Project for which the Council is the road controlling authority and submit it to the Manager and the Roding Asset Manager. The condition survey shall consist of a photographic or video record of the carriageway, and shall include roughness, rutting defects and surface condition.
- NZTA.33 The Requiring Authority shall, carry out regular inspections of the road networks affected by the Project during construction, to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.
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NZTA.33A The Requiring Authority shall ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Procedures shall include but not be limited to use of an on-site wheel wash.

NZTA.34 As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall at its expense arrange for repair of any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project. Any repairs shall be undertaken to the satisfaction of the Road Controlling Authority.

Construction Noise and Vibration Management

NZTA.35 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Noise and Vibration Management Plan (CNVMP) that shall:

1. Be generally consistent with the draft CNVMP submitted with the application (dated July 2011);
2. Demonstrate that appropriate consultation has been undertaken with parties listed in Condition NZTA.37; and
3. Address all the matters listed in condition NZTA.36.

The CNVMP shall be prepared in consultation with the Council, and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions. Any comments and inputs received from the Council shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.36 The CNVMP shall:

- (a) Be prepared by a suitably qualified acoustics specialist;
- (b) Include specific details relating to methods for the control of noise associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:

Day	Time	$L_{Aeq}(15 \text{ min})$	L_{AFmax}
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Weekdays	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sundays and Public Holidays holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

- (c) Address the following aspects with regard to managing the adverse effects of construction noise:
- i. Noise sources, including machinery, equipment and construction techniques to be used;
 - ii. Predicted construction noise levels;
 - iii. Hours of operation, including times and days when noisy construction work and blasting would occur;
 - iv. The identification of activities and locations where structural noise mitigation measures such as temporary barriers or enclosures may be used;
 - v. Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise;
 - vi. The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders;
 - vii. Mitigation options, including alternative strategies where full compliance with the noise criteria set out in the table above cannot practicably be achieved;

- viii. Schedules containing information specific to each area of the site where this is relevant to managing construction noise and vibration effects;
- ix. Methods for monitoring and reporting on construction noise; and
- x. Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006:

Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h (transient vibration)	0.3 mm/s ppv	1 mm/s ppv
	Daytime 0630h - 2000h	1 mm/s ppv	5 mm/s ppv
All occupied buildings	Daytime blasting	5 mm/s ppv	10 mm/s ppv
	– vibration	120 dB L _{zpeak}	-
	– airblast		
All buildings	Vibration – transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2
	Vibration - continuous		BS 5228-2 50% of Table B.2 values
	Airblast	-	133 dB L _{zpeak}

- (d) Describe the measures to be adopted in relation to managing construction vibration including:
 - i. Identification of vibration sources, including machinery, equipment and construction techniques to be used;
 - ii. Identification of procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria);

- iii. Procedures for management of vibration, if measured or predicted vibration and airblast levels exceed the Category A criteria;
- iv. Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and
- v. The measures that will be undertaken by the Requiring Authority to communicate vibration management measures to affected stakeholders.

Construction Air Quality (including Dust) Management

NZTA.39 An Outline Plan (or Plans) shall include a Construction Air Quality (Dust) Management Plan (CAQMP) that:

- a) Shall be consistent with the draft CAQMP submitted with the application (dated March 2011); and
- b) Shall demonstrate how Conditions NZTA.40 and NZTA.41 will be met

The CAQMP shall be prepared in consultation with the Council, and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions. Any comments and inputs received from the Council shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.40 The CAQMP shall provide a methodology for managing the effects of dust from construction activities occurring at the site, and shall, as a minimum include:

- (a) Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and
- (b) Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:
 - i. Cleaning of water tanks and replenishment of water supplies;
 - ii. Cleaning of houses; and
 - iii. Cleaning of other buildings and infrastructure.

NZTA.41 The CAQMP shall include a process for advising and consulting with the owners and/or occupiers of any residential property where construction activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land; and Battle Hill Eventing where works are being undertaken within Battle Hill Farm Forest Park. The advice and consultation process shall be

undertaken at least 20 working days prior to commencement of the works. The Requiring Authority shall manage construction activities as far as it is practicable to be in accordance with the methods discussed with the consulted property owners and occupiers.

The CAQMP shall set out how any issues raised in consultation with the owners and occupiers of the properties listed above have been incorporated, and where they have not, the reasons why.

Construction Lighting

- NZTA.41A The requiring authority shall implement procedures at all times during construction to manage lightspill (if any) to residential properties from any night lighting that is required on the site.

Landscape and Urban Design

- NZTA.42 An Outline Plan (or Plans) for the construction of any part of the Project located within the district or for the construction of any project stage within the district shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context.

The LUDMP(s) shall be prepared in consultation with:

- Te Runanga o Toa Rangatira Inc;
- the Wellington Regional Council where works are within or directly adjacent to Belmont Regional Park or Battle Hill Farm Forest Park;
- Tararua Tramping Club where works are within Belmont Regional Park or Battle Hill Farm Forest Park;
- Living Streets Aotearoa;
- Battle Hill Eventing (or their nominee) where works are within Battle Hill Farm Forest Park;
- Mana Cycle Group; and
- The Council.

This consultation shall commence at least 30 working days prior to submission of the Outline Plan. Any comments and inputs received from the parties listed above shall be clearly documented within management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

The LUDMP(s) shall be Certified by Wellington Regional Council in relation to their

statutory functions including but not limited to:

- a) where works are within Belmont Regional Park or Battle Hill Farm Forest Park.
- b) where there is an interrelationship with site specific plans required to be certified by Wellington Regional Council such as but not limited to the Revegetation and Enrichment Plan (G.24)

NZTA.43 The LUDMP shall be prepared by suitably qualified persons who shall include a landscape architect and an urban designer, and shall implement:

- (a) the Landscape plans submitted with the applications numbered LA01-LA21;
- (b) the Transmission Gully Urban and Landscape Design Framework (ULDF) (dated August 2011) and in particular the design principles set out in this document; and
- (c) the Ecological Management and Monitoring Plan (EMMP) required to be certified under the Regional Resource Consent conditions.

and shall be prepared in accordance with:

- (d) Transit New Zealand's Guidelines for Highway Landscaping (dated September 2002) – or any subsequent updated version;
- (e) Transit New Zealand's "Urban Design Implementation Principles (2006)" – or any subsequent updated version; and
- (f) AUSTROADS standards where these are relevant to pedestrian and cycle paths.

NZTA.44 In order to confirm that the LUDMP is consistent with the landscape restoration components in the EMMP, required under the Regional Resource Consents, The EEMP certified only in respect of its landscape restoration components shall be supplied to the relevant Territorial Authority for information at the same time as submitting the LUDMP with the Outline Plan.

NZTA.45 The LUDMP(s) shall provide for integration of the Project's permanent works into the surrounding landscape including;

- (a) Input into the design of earthworks contouring including cut and fill batters, benching, and spoil disposal sites;
- (b) Input into the appearance of all major structures, including bridges, RSE batters, MSE walls, noise barriers, drainage structures;
- (c) The provision of guidelines for the suite of highway furniture such as barriers,

gantries, sign posts, lighting standards, etc.,

- (d) Input into the appearance of stream diversions and permanent stormwater control ponds;
- (e) Identification of required landscape mitigation planting;
- (f) Identification of visual mitigation planting required within the land acquired for the Project which mitigate the effects of the Project on properties in the vicinity of the alignment; and
- (g) Coordination of landscape works with ecology works.

NZTA.46 The LUDMP(s) shall include but not be limited to the following:

- (a) Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges, underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;
- (b) Demonstration of an engineer, ecologist and landscape architect working together to design the final shape and re-vegetation for batters, earthworks and rock cuts and their associated works during the detailed design process;
- (c) A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.
- (d) Landscape Design Details – these shall include the following details:
 - i. Identification of vegetation to be retained, including retention of as many as practicable of the stand of pine trees at the southern boundary of the Linden construction site yard, and the plantation on the northern side of the yard;
 - ii. Identification and protection measures for vegetation to be retained, and planting to be established along cleared edges;
 - iii. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials;
 - iv. Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;
 - v. Detailed specifications relating to (but not limited to) the following:

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- Vegetation protection (for desirable vegetation to be retained);
 - Weed control and clearance;
 - Pest animal management;
 - Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour);
 - Mulching; and
 - Plant supply and planting, including hydroseeding and grassing - which shall require:
 1. Any planting to reflect the natural plant associations of the area;
 2. Where practicable, the use of mixes of plants which are of a suitable richness and diversity to encourage self-sustainability once established; and
 3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;
- vi. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;
- vii. Landscape treatment for noise barriers;
- viii. Landscape treatment for any pedestrian and cycle facilities;
- ix. Consideration of:
- The landscape character of the area;
 - The integration of the works into the natural environment, including streams;
 - The potential for a joint pedestrian and cycle path under the SH58 interchange; and
 - Crime Prevention Through Environmental Design (CPTED) principles in urban areas.
- (e) Specific landscape design details for the Linden site compound. These shall include the following:
- i. Protection of the row of trees on the south-east boundary of the Linden
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- site compound (on the uphill side);
- ii. Riparian planting along the watercourse adjacent to the Linden site compound to help soften/screen the culvert and embankment;
 - iii. Reinstatement of planting in the vicinity of the Linden site compound following completion of construction, including new and replacement planting adjacent to the alignment.
- (f) Specific landscape design details for the State Highway 58 site compound shall include details of early planting to be undertaken for the purpose of screening the compound during construction;
- (fa) The specific identification of other Project areas where detailed landscape or urban design needs to be developed in conjunction with the detailed engineering design process; and, subsequently, the specific landscape or urban design details for these identified Project areas where the provisions of NZTA.6B and NZTA.7A would apply;
- (fb) Identification of existing vegetation within the area adjacent to 18 to 40 Tremewan Street and Specific details regarding the retention of this existing planting to the extent practicable during construction, and the intended measures to ensure its ongoing management, to provide short and long-term visual screening. The LUDMP should also include planting and ongoing management details of early, advance grade, fast growing exotic, and native species in this areas to provide effective immediate and longer term screening of Bridge 25 and its associated works.
- (fc) The specific measures to be adopted to ensure the protection of the existing vegetation along the boundaries of 20, 22, and 24a Tremewan Street from damage during road construction, comprising a minimum 5m wide strip where available.
- (fd) Identification of existing vegetation within the area between Bridge 27 and Wall Park through to 86 Tremewan Street and specific details regarding the retention of this existing planting to the extent practicable during construction, and the intended measures to ensure its ongoing management, to provide short and long-term visual screening. The LUDMP should also include planting and ongoing management details of early, advanced grade, fast growing exotic and native species in this area to provide effective immediate and longer term screening of Bridge 27 and its associated works.
- (g) The merge (where the Main Alignment meets State Highway 1) at Linden shall be designed to, as far as practicable, maximise the distance between the Collins Avenue bridge and residential properties on Little Collins Street (including 55 Collins Avenue) and to try to avoid the need to realign the carriageway of Little Collins Street (except as provided below). This may be achieved by reducing the width of the Little Collins Bridge (including by shifting
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the location of the merge lanes of State Highway 1 with Transmission Gully Main Alignment further to the north) but in so doing shall not seek to shift the western extent of the works any further to the west than shown on the application drawings;

- (h) The owners and occupiers of all properties in Little Collins Street (including 55 Collins Avenue) shall be consulted prior to finalising the design (of the alignment in this location). The design shall have regard to:
 - i. provision of landscaping within/along Little Collins Street adjacent to State Highway 1 to provide visual screening and to minimise opportunities for graffiti
 - ii. realignment of Little Collins Street as part of the Collins Avenue bridge works, to provide better opportunities for landscape planting on Little Collins Street; and
 - iii. noise barriers on the bridge abutments that seek to reduce visual effects of the Project.
- (i) All planting works shall be undertaken in accordance with accepted horticultural practice.

NZTA.47A When considering the potential for a joint pedestrian and cycle path under the State Highway 58 interchange (under Condition NZTA.47), the Requiring Authority shall consult with the Mana Cycle Group and the Porirua City Council and shall ensure that the BPO is used in considering the design options.

The Requiring Authority shall prepare and submit a report to the Council at the same time as the submission of the Outline Plan that shall address the following matters:

- a) The nature of the alternatives that were considered and the reasons why the preferred option was chosen;
- b) Who was consulted and their responses
- c) Public health and safety

NZTA.47B The detailed design of the Main Alignment in the vicinity of the properties at 436A, 462 and 504 Paekakariki Hill Road shall be designed to maximise the distance between the road carriageway and these properties by moving the alignment as far to the east as is practicable within the designation.

NZTA.47 The detailed design of the planting (in the vicinity of the Project stages that are relevant to these landowners) shall be finalised in consultation with the owners and occupiers of the following properties:

- 247B Flightys Road

- 247C Flightys Road
- 462, 436A and 504 Paekakariki Hill Road

The LUDMP shall set out how any issues raised in consultation with these owners and occupiers have been incorporated, or if they have not been incorporated, the reasons why.

NZTA.48 In the event of the removal of any of the dwellings located on the following properties:

- 18a Tremewan Street (Lot 1 DP 29032)
- 18 Tremewan Street (Lot 2 DP 29032)
- 16 Tremewan Street (Lot 89 DP 9069)
- 12 Tremewan Street (Lot 91 DP 9069)
- 10 Tremewan Street (Lot 1 DP 63321)
- 8 Tremewan Street (Lot 2 DP 63321)
- 6 Tremewan Street (Lot 3 DP 63321)
- 4 Tremewan Street (Lot 4 DP 63321)
- 2 Tremewan Street (Lot 5 DP 63321)

then the visual mitigation planting shown on Landscape Plan LA20 shall be extended further south, and designed in consultation with the owners and occupiers of the properties at 20 and 23 Tremewan Street. In respect of planting to the rear of the properties at No.s 20, 22 and 24A Tremewan Street, the visual mitigation and screening planting shall be designed in consultation with the owners of those properties.

NZTA.49 Prior to the Requiring Authority undertaking any planting provided for in the LUDMP and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests and animal pests, including stock, in the Wellington Region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LUDMP which is located on:

- (a) Land declared to be motorway or limited access road;
- (b) Any Crown land held for roading or motorway purposes for the Project and which the Requiring Authority administers; or
- (c) Any other land, e.g. private land and local authority owned land, in relation to which the Requiring Authority has appropriate property rights which allow it to lawfully undertake such weed removal.

NZTA.50 Except as specified in Condition NZTA.50A, the planting identified in a LUDMP shall be implemented in accordance with the LUDMP within the first planting season following the completion of the construction works in each Project stage to which the LUDMP relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.

NZTA.50A The following planting shall be undertaken as soon as practicable within the first planting season after the commencement of establishment of the site compounds for the purpose of screening the compounds during construction as follows:

- (b) Specific landscaping that is required for the State Highway 58 site compound under Condition NZTA.46(f).

Ecology

NZTA.51 As part of the detailed design for the Project, in order to minimise the extent of effects on any area of natural vegetation, freshwater ecosystem or habitat of indigenous flora and fauna located within the designation, the Requiring Authority shall engage a suitably qualified ecologist to:

- Confirm the extent of any valued natural areas as specified in the Wellington Conservation Management Strategy 1996, RPS, Regional or District Plans; and
- Prepare maps identifying all those areas which meet the definitions in (a), with information on their relative values. The maps shall be completed as part of detailed design and shall inform any design changes that result in the extent of works varying from the footprint provided in the application drawings.

- (a) For the purposes of this condition, natural vegetation, freshwater ecosystems and habitats shall include:

- i. Forest and shrublands
- ii. Seral scrub
- iii. Banks with predominantly indigenous vegetation (including non-vascular vegetation)
- iv. Wetlands
- v. Streams
- vi. Boulderfields and scree

- (b) The valued natural areas identified shall include but not be limited to the following areas:

- x. The Akatarawa - Whakatikei Regional Forest Park

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- xi. Sphagnum Juncus wetland in the Horokiri Valley
 - xii. TG Riparian Area (PCC Ecosite 199)
 - xiii. Tawa remnants within Cannons Creek Bush (PP12) in the vicinity of the Cannons Creek Bridge
 - xiv. Porirua Park Bush (PCC76)
 - xv. Scoresby Grove Kanuka (PCC Ecosite 196)
 - xvi. Cannons Creek Bush (PCC 12)
 - xvii. Roberts Bush (PCC88).

(c) The extent of adverse effects shall be minimised by, as a minimum:

- Developing detailed designs which avoid or minimise the extent of effect on areas identified under (b) above as far as practicable
- Developing mechanisms to ensure that the areas, or parts of areas, to be avoided are clearly marked on the ground (e.g. through fences) and that contractors are required to avoid them
- For those areas which cannot be avoided, but where complete loss of the ecosystem, vegetation or habitat is not required, developing mechanisms to reduce the impact on the area as far as practicable

Note: The Site Specific Environmental Management Plans that are required to be prepared under the resource consents are required include a map of any key areas or features that are required to be avoided or otherwise protected during construction, and shall include those areas identified under this condition as being retained.

NZTA.52 In order to demonstrate compliance with Condition NZTA.51, the Requiring Authority shall submit a report to the Council at the same time as the Outline Plan. The report shall be prepared with inputs from a suitably qualified roading design engineer and an ecologist and shall set out how the design process incorporated the requirements of Condition NZTA.51.

NZTA.53 The Requiring Authority shall undertake works necessary to ensure that a combined total of at least 534ha of land is dedicated to the active or passive restoration of vegetation and associated ongoing management which shall be comprised of the following components:

- (a) Approximately 319ha comprising land retired from farming to allow natural regeneration;
- (b) Approximately 106ha comprising pioneer shrubland that will be retired,

restored or undergo enrichment planting to direct succession toward coastal lowland podocarp broadleaved forest appropriate for the site;

- (c) Approximately 109ha comprising grassed slopes, and river flats and stream banks in pasture will be retired and undergo revegetation to commence successions necessary to develop into coastal lowland podocarp broadleaved forest appropriate for the site; and

these areas shall closely correspond to the maps entitled "Proposed Mitigation Sites and Treatments" unless otherwise agreed with the Manager, and shall be managed in accordance with the actions set out the attached Schedule D.

Within the above areas, at least 26,500 linear metres of stream mitigation including enriching riparian habitat and enhancing fish passage shall be achieved.

The mechanisms to achieve protection of the above land shall be set out within the EMMP and shall manage:

- (d) the felling, removal, burning or taking of any native trees, shrubs or plants or native fauna
- (e) planting of trees, shrubs or plants with a preference for specimens sourced from the ecological district within which the land is situated;
- (f) introduction of any noxious substance or substance otherwise injurious to plant life except in the control of pests;
- (g) access by stock by providing and maintaining fences and gates except when the provisions of the Fencing Act 1978 apply;
- (h) require the control of deer, goats, pigs, and weeds to levels that are necessary to achieve the conditions imposed on the relevant designation and associated consents, and to prevent significant loss of existing natural values; and
- (i) all weeds and pests in the land to the extent required by any statute and in particular comply with the provisions of, and any notices given under the Biosecurity Act 1993 and the Wild Animal Control Act 1977.

NZTA.55 The Requiring Authority shall use its best endeavours to procure from the Crown the entering into of appropriate covenants and/or encumbrances (or similar legal mechanism) to ensure that, regardless of any future ownership/tenure changes, the areas of land required for retirement and revegetation planting specified in condition NZTA.53 which are held or acquired by the Crown for the Project are protected in a manner that achieves at least the area of land retirement and revegetation planting specified in Condition NZTA.53 in perpetuity, and shall upon request from the Council report progress on these best endeavours.

The Requiring Authority shall not:

- Take active steps for the sale of any of the land required for land retirement and/or revegetation planting as identified in the maps entitled “proposed Mitigation Sites and Treatments” until an appropriate covenant and/or encumbrance (or similar legal mechanism) is registered against each relevant title; and
- Open the Main Alignment for use by the public unless an appropriate covenant and/or encumbrance (or similar legal mechanism) has been registered against all the land required for land retirement and/or revegetation planting which is not subject to this designation.

NZTA.56 The Requiring Authority shall, at the same time as it provides the CEMP to the Regional Council, submit a programme to the Manager setting out:

- (a) how and when the 534ha of land required to be dedicated to the active or passive restoration of vegetation and associated ongoing management will be set aside for those purposes;
- (b) a programme for implementation of the required enrichment planting and revegetation;
- (c) a programme for maintenance, monitoring and measuring success; and
- (d) the approximate time at which the protective covenant or similar mechanism will formally take effect.

Existing Network Utilities

NZTA.57 Prior to the commencement of construction, the Requiring Authority shall prepare a Network Utilities Management Plan (NUMP). The Requiring Authority shall adhere to the relevant requirements of the NUMP at all appropriate times during the construction of the Project. The purpose of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.

NZTA.58 A copy of the NUMP shall be submitted to the Manager for certification at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District. The purpose of the certification process is:

- 1. to confirm that the appropriate liaison with infrastructure providers has occurred and that their concerns have been taken into account where appropriate; and
- 2. that the NUMP conditions NZTA.59 to NZTA.70 have been appropriately

addressed.

NZTA.59 The NUMP shall include, but need not be limited to, the following matters:

- (a) The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to, the part of the Project in the District including the process for:
 - i. Network utility provider approval of proposed works on their utilities; process for obtaining any supplementary authorisations (e.g. easements and/or resource consents; and
 - ii. Protocols for inspection and final approval of works by network utility providers.
- (b) The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring.
- (c) The methods the Requiring Authority will use to seek to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to, the part of the Project in the District, and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations.
- (d) How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.

NZTA.60 The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition NZTA.59, shall include:

- (a) Measures to be used to accurately identify the location of existing network utilities,
- (b) Measures for the protection, relocation and/or reinstatement of existing network utilities;
- (c) Measures to seek to ensure the continued operation and supply of essential infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing

gas lines;

- (d) Measures to seek to ensure the continued operation and supply of essential services, including bulk water
- (e) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities;
- (f) Measures to manage potential induction hazards to existing network utilities;
- (g) Earthworks management (including depth and extent of earthworks), for earthworks in close proximity to existing network utility;
- (h) Vibration management for works in close proximity to existing network utility;
- (i) Emergency management procedures in the event of any emergency involving existing network utilities;
- (j) As built drawings showing the relationship of the relocated utility to the Main Alignment shall be provided to utility owners within three months of completion of the utility relocation; and
- (k) Provision, both physical and legal, shall be made for future maintenance access to utilities to a standard at least equivalent to that currently existing.

NZTA.61 Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance purposes on an ongoing basis.

NZTA.62 Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of Powerco on the following properties and, if requested by Powerco, physically peg out the extent of the designation boundary on these individually affected properties:

- Road reserve at the southern end of Ribbonwood Terrace adjacent to Lot 4 DP 78422

NZTA.64 The Requiring Authority shall give reasonable notice and make reasonable endeavors to:

- (a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
- (b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

Transpower Specific Conditions (part of a separate agreement between NZTA and Transpower New Zealand Limited)

Advice Note: Transpower conditions apply to NoR1, NoR 2, NoR 3 and NoR 4

- NZTA.65 To avoid interruptions to supply, or adverse effects on Transpower New Zealand Limited's network utility infrastructure, the Requiring Authority shall, subject only to reasonable planned interruption:
- (a) Protect the utility from any activity which may interfere with the proper functioning of the services; and
 - (b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has
- NZTA.66 All works or activities associated with the project and ancillary roads and activities shall be designed and undertaken to comply with the Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001). In this regard, the Requiring Authority shall liaise with Transpower New Zealand Limited during the design of the Project. All works shall to be designed to ensure the adequate protection of existing transmission lines from any potential adverse effects associated with the construction and operation of the roads within the designation (eg the provision of vehicle collision barriers where necessary). For completeness, NZEC 34:2001 includes the following requirements:
- a) All machinery and mobile plant operated within the designated area shall maintain a minimum clearance distance of 4 metres from all transmission lines located within that area.
 - b) With reference to NZECP 34:2001 Figure 1, in the case of any pole supporting any conductor, no person shall excavate or otherwise interfere with any land:
 - i. at a depth greater than 300mm within 2.2 metres of the outer edge of the visible foundations of the tower; or
 - ii. at a depth greater than 750mm, between 2.2 metres and 5 metres of the outer edge of the visible foundation of the tower; or
 - iii. in such a way as to create an unstable batter.
 - c) With reference to NZECP 34:2001 Figure 2, in the case of any tower (pylon) supporting any conductor, no person shall excavate or otherwise interfere with any land:
 - ii. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or
 - iii. at a depth greater than 3 metres, between 6 metres and 12 metres of the

outer edge of the visible foundation of the tower; or

- iv. in such a way as to create an unstable batter.
- d) In accordance with Section 4 of the NZECP 34:2001 no material shall be deposited (either permanent or temporarily) under or near any National Grid transmission line without the prior approval of Transpower New Zealand Limited. This is to ensure the safe NZECP 34:2001 (Table 4) separation distances from the lines are always maintained.

All the above requirements shall apply unless prior written approval is given by Transpower New Zealand Limited.

- NZTA.67 If compliance with the Code of Practice for Electrical Safety Distances NZECP (34:2001) cannot be achieved, the Requiring Authority shall consult with Transpower New Zealand Limited who will identify acceptable alternative options, including and if necessary relocate or alter the existing transmission structures to achieve compliance.
- NZTA.68 The Requiring Authority shall ensure that existing access arrangements to Transpower New Zealand Limited's existing works are retained where practicable. Where the requiring authority requires or causes a change in access arrangements, alternative arrangements shall be provided, in consultation with Transpower New Zealand Limited that provides safe four wheel drive 24 hour access to the tower base during the construction period or other options that will enable Transpower to undertake necessary works. Once construction has been completed, the maintenance of access tracks shall be the responsibility of Transpower New Zealand Limited.
- NZTA.69 All trees and vegetation planted shall be selected and located to ensure that no part of any tree (when mature) will encroach within a (4) metre clearance from transmission line conductors. The 4 metre clearance relates to vertical, horizontal and felling distance clearances and shall take account of the maximum conductor swing and sag.
- NZTA.70 The Requiring Authority shall ensure that the discharge of contaminants to air from the site during construction of the Project does not create any dust hazard or nuisance to the transmission assets managed by Transpower New Zealand Limited. The Requiring Authority shall produce, in consultation with Transpower New Zealand Limited, as part of the Construction Management Plan, measures to identify how those potential dust effects will be managed around the transmission network.

Operational Noise

- NZTA.71 For the purposes of Conditions NZTA.71 - NZTA.81 the following terms will have the following meanings:
- a) Acoustics Assessment – means the Acoustics Assessment report submitted as

part of the AEE for this Project.

- b) BPO – means Best Practicable Option.
- c) Building-Modification Mitigation – has the same meaning as in NZS 6806:2010.
- d) Habitable space – has the same meaning as in NZS 6806:2010.
- e) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option, ie Category A – primary noise criterion, Category B - secondary noise criterion and Category C – internal noise criterion.
- f) NZS 6806:2010 – means NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
- g) PPFs – means the premises and facilities identified in green, yellow or red in the Acoustics Assessment and 75B Paremata-Haywards Road and 75E Paremata-Haywards Road.
- h) Structural Mitigation – has the same meaning as in NZS 6806:2010
- i) New road – has the same meaning as in NZS 6806:2010
- j) Altered road – has the same meaning as in NZS 6806:2010

NZTA.72 The Requiring Authority shall implement the road-traffic noise mitigation measures identified as the “Selected Options” in the Acoustics Assessment as part of the Project, in order to achieve the Noise Criteria Categories indicated in the Acoustics Assessment (“Identified Categories”), where practicable, subject to Conditions NZTA.73 - NZTA.81 below.

NZTA.73 The detailed design of the Structural Mitigation measures in the “Selected Options” (the “Detailed Mitigation Options”) shall be undertaken by a suitably qualified acoustics specialist prior to commencement of construction of the Project, and, subject to Condition NZTA.74, shall include, as a minimum, the following:

- (a) Noise barriers with the location, length and height in general accordance with Table 12-22 of the Acoustics Assessment; and
- (b) Open graded porous asphalt or equivalent low-noise road surfaces in general accordance with Table 12-21 of the Acoustics Assessment.

NZTA.74 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the “Selected Options” either:

- (a) if the design of the Structural Mitigation measure could be changed and the measure would still achieve the same Identified Category or Category B at all
-

relevant PPFs, and a suitably qualified or experienced planner, in consultation with a suitably qualified acoustics specialist, approved by the Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or

- (b) if the changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C, but the Council confirms that the changed Structural Mitigation measure would be consistent with adopting BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.

NZTA.75 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be implemented within 12 months of completion of construction of the Project.

NZTA.76 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPFs ("Qualifying Buildings") which following implementation of all the Structural Mitigation measures included in the Detailed Mitigation Options (notwithstanding the distance from the road) are in:

- a) Noise Criteria Category C by an altered road, and
- b) Noise Criteria Category B and C by a new road.

NZTA.76A (a) Prior to commencement of construction of the Project in the vicinity of a Qualifying Building, the Requiring Authority shall write to the owner of each Qualifying Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.

- (b) If the owner of the Qualifying Building consents to the Requiring Authority request for access to the property within 12 months of the date of the Requiring Authority's letter (sent pursuant to Condition NZTA.76(a)), then no more than six months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

NZTA.77 Where a Qualifying Building is identified, the Requiring Authority shall be deemed to have complied with Condition NZTA.76 above where:

- (a) The Requiring Authority (through its acoustics specialist) has visited the building; or
- (b) The owner of the Qualifying Building consented to the Requiring Authority's request for access, but the Requiring Authority could not gain entry for some

reason (such as entry being denied by a tenant); or

- (c) The owner of the Qualifying Building did not approve the Requiring Authority's access to the property within the time period set out in Condition NZTA.77(b) (including where the owner(s) did not respond to the Requiring Authority's letter (sent pursuant to Condition NZTA.76(a) within that period)); or
- (d) The owner of the Qualifying Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Qualifying Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Qualifying Building.

NZTA.78 Subject to Condition NZTA.77, no more than six months after the assessment required under Condition NZTA.76(b), the Requiring Authority shall give written notice to the owner of each Qualifying Building:

- (a) Advising of the options available for Building-Modification Mitigation to the building; and
- (b) Advising that the owner has three months within which to decide and advise the Requiring Authority whether to accept Building-Modification Mitigation for the building to achieve an internal level of 40 dB $L_{Aeq(24h)}$, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise the Requiring Authority which of those options the owner prefers.

NZTA.79 Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

NZTA.80 Subject to Condition NZTA.77, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition NZTA.79 above where:

- (a) The Requiring Authority has completed Building-Modification Mitigation to the Qualifying Building; or
 - (b) The owner of the Qualifying Building did not accept the Requiring Authority's offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition NZTA.78(b) above (including where the owner did not respond to the Requiring Authority within that period); or
 - (c) The owner of the Qualifying Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.
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- NZTA.81 The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance.
- NZTA.81A A Noise Mitigation Plan shall be prepared by a suitably qualified acoustics specialist prior to commencement of construction including details of:
- a) Detailed Mitigation Options
 - b) Qualifying Buildings
 - c) Methods for post-construction validation of the noise assessment. This shall include:
 - i. Prior to opening: confirmation of the location of the as-built alignment in the noise model, visual inspection from the far-side carriageway of the relationship of PPFs to earthworks and noise barriers, verification of as-built noise barrier dimensions, and confirmation of as-built road surfaces,
 - ii. 3 to 9 months after opening and checking the actual traffic volumes, and
 - iii. Noise monitoring to validate the noise model to be undertaken within 6 months of the design road surfaces being laid.
- NZTA.81B A report detailing the results and any corrective actions arising from the post construction validation of the noise assessment shall be provided to the Council within nineteen months of opening of the road in areas with low-noise road surfaces, and within ten months of opening the road in all other areas.

Permanent Lighting

- NZTA.82 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall demonstrate that:
- (a) All motorway lighting shall be designed in accordance with "Road lighting Standard AS/NZS1158"; and
 - (b) All other lighting shall be designed in accordance with the rules of the relevant District Plan (if any).

Traffic Safety Audit

- NZTA.83 No earlier than 6 months after the commencement of operation of the Transmission Gully Motorway, and no later than 12 months from that date, the Requiring Authority shall complete a traffic safety audit (in accordance with the NZ Transport Agency Guidelines 'Road Safety Audit Procedures for Projects' (November 2004) to ascertain the effects of reduced traffic and potentially higher environmental speeds on the coastal route resulting from the operation of the Transmission Gully Motorway. The audit shall outline what measures are necessary to remedy those effects. A copy of

the audit and its findings shall be sent to the relevant territorial authorities.

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APPENDIX C: K0409 KENEPURU LINK ROAD

BOARD OF INQUIRY

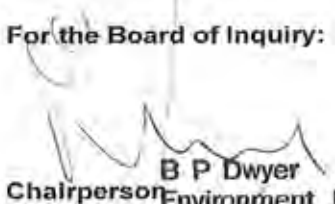
Transmission Gully Notices
of Requirement and Consents

NOR 5 – Notice of Requirement confirmed in the jurisdiction of the Porirua City Council

Pursuant to sections 149R and 149P(4), and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a Notice of Requirement is confirmed regarding:

Requiring Authority	New Zealand Transport Agency
District Plan	Porirua City District Plan
Designation Purpose	Kenepuru Link Road
Purpose for which right is granted	Construction, operation and maintenance of the Kenepuru Link Road
Conditions	As attached

For the Board of Inquiry:


Chairperson B P Dwyer
Environment Judge

Dated: 12-6-12

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New Zealand Transport Agency – Conditions on Confirmed Notices of Requirement for K0409 Kenepuru Link Road

Please note: The following are the specific conditions applied by the Board of Inquiry to the K0409 Kenepuru Link Road. It should be noted that these conditions are numbered according to the decision of the Board of Inquiry. The Board of Inquiry did not include conditions for the following: NZTA.5, 10, 14, 17, 18, 24, 25, 37, 38, 47, 48, 54 and 63.

General Conditions and Administration

NZTA.1. Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated August 2011, May 2014 and October 2014 (Bridge 27) and supporting documents being:

(a) Assessment of Environmental Effects report, dated 8 August 2011

(b) Plan sets:

- i. **LR00-20:** Land requirement plans
- ii. **GM01-21:** Road layout plans
- iii. **GM22-84:** Longitudinal sections and cross sections
- iv. **DR01-21:** Drainage layout plans
- v. **SO1-29:** Structures plans
- vi. **LA01-21:** Landscape plans
- vii. **AC01-21:** Construction access plans

(c) *(this condition pertains to K0408)*

(d) Alternations to Designations - Bridge 27 & Kenepuru Link Road, Volume 1 (Planning and Technical Reports) and Volume 2 (Plan Set – Attachments A – I) all dated October 2014.

For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, Outline Plans or Outline Plan waivers may be required for any such works.

Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.

NZTA.2 As soon as practicable following completion of construction of the Project, the Requiring

Authority shall:

- (a) Review the width of the area designated for the Project;
- (b) Identify any areas of designated land that are no longer necessary for the ongoing operation, or maintenance of the Project or for ongoing mitigation measures; and
- (c) Give notice to the Council in accordance with section 182 of the RMA for the removal of those parts of the designation identified in NZTA.2(b) above.

NZTA.3 The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan under Section 175 of the RMA.

NZTA.3A The Requiring Authority shall reimburse the Council for its actual and reasonable costs incurred in carrying out its functions pursuant to Section 36(1)(d) of the RMA.

Outline Plans and Management Plans

NZTA.4 Subject to Condition NZTA.5 below, the Requiring Authority shall submit an Outline Plan (OP) (or Plans) to the Council for the part of the Project located within the District or for each Project stage within the District, in accordance with section 176A of the RMA.

NZTA.6 The OP(s) shall include the following Plans for the relevant stage(s) of the Project:

- (a) Heritage Management Plan (HMP);
- (b) Construction Traffic Management Plan (CTMP);
- (c) Landscape and Urban Design Management Plan (LUDMP);
- (d) Construction Noise and Vibration Management Plan; and
- (e) Construction Air Quality (Dust) Management Plan.

Advice Note: The Construction Environmental Management Plan (CEMP) may be submitted with the OP for information – but recognising that the Wellington Regional Council shall have a role in certifying this Plan. The Requiring Authority shall ensure that if the CEMP is changed or updated as a result of the WRC and relevant Territorial Authority certification process that the most up to date version is provided to the Council.

NZTA.6A Any management plan(s) specified in Condition NZTA.6 may be submitted to the Council as part of an Outline Plan(s) and be processed in accordance with section 176A of the RMA (as specified in Condition NZTA.4) without including the requirements of Conditions NZTA.24, NZTA.37, NZTA.47 and NZTA.48, provided that:

- No construction traffic shall use Rangatira Road adjoining the properties referred to in NZTA.24; and
- No works shall commence within 200m of the properties (either individually or as a group) referred to in Conditions NZTA.37, NZTA.47 and NZTA.48;

until such time as an amendment to the relevant management plan(s) fulfilling the requirements of those conditions is submitted to the Council and processed in accordance with NZTA.7A below. If the amendments included in the relevant management plan(s) require an associated amendment to an aspect of an Outline Plan(s), then this shall also be submitted to the Council and processed at the same time, in accordance with NZTA.7A.

NZTA.6B The LUDMP specified in Condition NZTA.6 may be submitted to the Council as part of an Outline Plan(s), and be processed in accordance with section 176A of the RMA (as specified in Condition NZTA.4), without including specific landscape design details for the Project areas identified in the LUDMP in accordance with Condition NZTA.46(fa), provided that no works shall commence within these Project areas until such time as an amendment to the LUDMP, which includes the specific landscape design details for these areas, is submitted to the Council and processed in accordance with NZTA.7A below. If these amendments to the LUDMP require an associated amendment to an aspect of an Outline Plan(s), then this shall also be submitted to the Council and processed at the same time, in accordance with NZTA.7A.

NZTA.7 All works shall be carried out in accordance with the Outline Plan and management plans required by these conditions, subject to Conditions NZTA.6A and NZTA.6B.

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- NZTA.7A (a) The Requiring Authority may submit to the Council amendments to the Outline Plan(s) or management plan(s) required under Conditions NZTA.4 and NZTA.6, provided that such amendments have been identified in the revised programme required under condition NZTA.8;
- (b) Any amendments to the management plan(s) shall remain consistent with the overall intent of the relevant management plan;
- (c) For the avoidance of doubt, amendments to any Outline Plan(s) or management plan(s) required under Condition NZTA.4 or NZTA.6 shall be processed under the relevant NZTA conditions and under the provisions of section 176A of the RMA in relation to those aspects of the Outline Plan(s) or management plan(s) that are amended.

Advice Note: For the avoidance of doubt, where an Outline Plan or management plan is amended in accordance with Condition NZTA.7A, any works in accordance with that amended Outline Plan or management plan (that were not in accordance with the Outline Plan or management plan prior to its amendment) shall not commence until the process under section 176A of the RMA has been completed in relation to those aspects of the Outline Plan or management plan that is being amended.

NZTA.8 In order to assist the Council with planning for staff resourcing, at least three months prior to the submission of the first Outline Plan for the Project, the Requiring Authority shall provide the Manager with a programme. The programme shall set out:

- (a) The estimated timing for undertaking all the required consultation on the development of any management plans that are required to be prepared under these conditions and/or as part of the Outline Plan (or Plans);
- (b) The estimated timing for provision of the EMMP and CEMP that are required under the regional consent conditions for Council comments, and/or the timing of provision of draft management plans (if any) for comments;
- (c) Expected response times for Council officers; and
- (d) The date proposed for the submission of the Outline Plan (or Plans).

The Requiring Authority shall give reasonable consideration to accommodating any concerns raised by the Council over the proposed timing; and

If requested by the Council, the Requiring Authority shall give reasonable consideration to extending the timeframes for processing the Outline Plan (or Plans) beyond that set out in section 176A of the Act.

Prior to commencement of construction, the Requiring Authority shall provide the Manager with a revised programme at least one month before the submission of amendments to the Outline Plan(s) or management plan(s) required under Conditions

NZTA.4 and NZTA.6.

NZTA.9 Once construction has commenced, the Requiring Authority shall provide the Manager with an updated schedule of construction activities and timing of any updates to, or further management plans, Outline Plans and/or other reports that are required to be prepared for the Project at monthly intervals throughout the construction phase of the entire Project.

NZTA.11 The following Outline Plan(s) and management plans shall be made available for public viewing at one or more of the Project site offices:

- (a) Confirmed Outline Plan(s);
- (b) Construction Environmental Management Plan (CEMP);
- (c) Construction Noise and Vibration Management Plan (CNVMP);
- (d) Construction Air Quality Management Plan (CAQMP);
- (e) Heritage Management Plan (HMP);
- (f) Construction Traffic Management Plan (CTMP); and
- (g) Landscape and Urban Design Management Plan (LUDMP).

Where practicable, electronic copies of the management plans shall be made available upon request.

Communications and Public Liaison – Construction

NZTA.12 A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact at all times for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. If the liaison person will not be available for any reason, an alternative person shall be nominated. The Requiring Authority shall seek to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.

NZTA.13 Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include:

- (a) Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times;
 - (b) Methods to consult on and to communicate the proposed hours of construction
-

activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours;

- (c) Methods to record concerns raised about hours of construction activities and, where practicable, methods to avoid particular times of day which have been identified as being particularly sensitive for neighbours;
- (d) Details of communications activities proposed including:
 - i. Publication of a newsletter, or similar, and its proposed delivery area.
 - ii. Newspaper advertising
 - iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities;

The Communications Plan shall also include linkages and cross-references to methods set out in other management plans where relevant.

Complaints – Construction

NZTA.15 At all times during construction work, the Requiring Authority shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this designation. The record shall include:

- (a) the name and address (as far as practicable) of the complainant;
- (b) identification of the nature of the complaint;
- (c) location, date and time of the complaint and of the alleged event;
- (d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality.
- (e) the outcome of the Requiring Authority's investigation into the complaint;
- (f) measures taken to respond to the complaint; and
- (g) Any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.

The Requiring Authority shall also keep a record of any remedial actions undertaken.

This record shall be maintained on site and shall be made available to the Manager and Wellington Regional Council, upon request. The Requiring Authority shall notify the Manager and Wellington Regional Council in writing of any such complaint within 5

working days of the complaint being brought to the attention of the Requiring Authority.

Archaeology and Heritage

Advice note: An authority under section 12 of the Historic Places Act will be sought prior to the commencement of construction and is also likely to require the preparation of an HMP (or an Archaeological Management Plan).

- NZTA.16 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include Heritage Management Plan (HMP). The HMP shall be prepared in consultation with the Council, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust. Any comments and inputs received from these parties shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

The HMP shall include:

- (a) A map showing the area covered by the HMP;
- (d) A map showing all other known archaeological site and features located within 500 metres of the designation boundary;

All methods that will be used to manage effects of the Project on St Joseph's Church during construction including specific measures to be applied in the event of damage or likelihood of damage to the glacier windows;

- (e) The results of an up to date condition survey of St Joseph's Church undertaken not more than one month prior to submission of the Outline Plan, and a post construction condition survey not more than one month after completion of construction, so that the effects of construction can be accurately assessed;
- (f) Any heritage monitoring requirements;
- (g) Methods for reporting monitoring results to the relevant Council, New Zealand Historic Places Trust and Ngati Toa;
- (h) Procedures, stand down periods and dispute resolution processes to be applied in the event of an archaeological discovery; and
- (i) Methods for transferring any relevant information to Council and the New Zealand Historic Places Trust upon completion of works.

The HMP shall be consistent with any conditions imposed by any relevant New Zealand Historic Places Trust authority.

- NZTA.19 The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol, and provide a copy to the Council at the same time as submission of the Outline Plan. The

protocol shall be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. The protocol shall include, but not be limited to:

- (a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered;
- (b) Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the WRC, the relevant District or City Council and the New Zealand Police (if koiwi are discovered);
- (c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and
- (d) Procedures to be undertaken before Work under this designation may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery.

Construction Environmental Management Plan

Advice Note: The CEMP is required to be certified by the Wellington Regional Council and the relevant Territorial Authority. The CEMP is to be supplied to the Councils for an initial consultation process, and then the final document is required to be supplied for information, and display in a site office.

NZTA.20 The Requiring Authority shall, at least 20 working days prior to submitting the Construction Environmental Management Plan required by Condition NZTA.21 (and by the regional consent conditions) to the Councils for certification, submit a draft to the Councils for comment. Any comments received shall be supplied to the Wellington Regional Council and the relevant Territorial Authority when the CEMP is submitted, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.21 The CEMP shall confirm Project details, staging of Work, and detailed engineering design to ensure that the Project remains within the limits and standards approved on this designation and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions imposed on this designation, and any resource consents granted to assist the Requiring Authority in constructing the Project.

The draft CEMP submitted with the application (dated July 2011) shall be used as a basis for the preparation of the CEMP. The CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for

Project quality assurance; detailed design; construction methodologies; timeframes and monitoring processes and procedures.

Advice Note: "Detailed design" and "detailed engineering design" for the purposes of meeting the requirements of this condition relates to the level of design necessary to show the physical extent and form of permanent Project works. This is to enable Councils to determine whether the permanent works are in general accordance with the designations and the resource consents for the Project while also addressing their respective conditions.

A CEMP shall include but need not be limited to:

(1) *Quality Assurance*

A Quality Assurance section which shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions imposed on this designation and any resource consents granted to assist the Requiring Authority in constructing the Project. Among other matters this section shall provide details of the following:

- (a) Name, qualifications, relevant experience and contact details of an appropriately qualified and experienced project manager, who shall be responsible for overseeing compliance with the CEMP;
- (b) Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities;
- (c) Methods and systems to inform and train all persons working on site of potential environmental issues and how to comply with conditions of the consent;
- (d) Systems and processes whereby the public are informed of contact details of the project manager and principal staff identified above;
- (e) Liaison procedures with the Council; and
- (f) Communication protocols.

(2) *Site Management*

The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. Among other matters, this section shall provide details of the following:

- (a) Details of the site access for all Work associated with construction of the part of the Project;

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- (b) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
 - (c) Location of workers' conveniences (e.g. portaloos);
 - (d) Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins (including identifying the location of wheel wash facilities);
 - (e) A contingency plan in the event that there is any unconsented discharge to watercourses/streams;
 - (f) Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages);
 - (g) Details of the proposed maintenance of machinery and plant to minimise the potential for leakage of fuels and lubricants;
 - (h) Location of vehicle and construction machinery access and storage during the period of site works;
 - (i) Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site and any other methods to avoid the introduction or spread of unwanted weeds or pests;
 - (j) Methods for the clear identification and marking of the construction zones including those which extend into watercourses;
 - (k) A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation;
 - (l) Methods to manage public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction;
 - (m) Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; and
 - (n) Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities.

(3) *Construction Programme and Methodology*

A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:

- (a) A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and
- (b) A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.

(4) *Layout Drawings*

Drawings showing the proposed layout of the carriageway design and footprint, construction yards and compounds, including associated buildings, fencing and site accesses. The layout drawings shall, as far as practicable, show the location of the following:

- (a) The main access to the construction yards which shall be located as far away as practicable from residential dwellings;
- (b) Noisy construction activities which shall be located as far away as practicable from residential dwellings; and
- (c) Temporary acoustic fences and visual barriers.

Traffic Management and Roading – Construction

NZTA.22 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Traffic Management Plan (CTMP). The CTMP submitted with the application (dated May 2011) shall be updated and used as a basis for developing and finalising this plan.

This CTMP shall address the following:

- (a) The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;
- (b) Details of construction yard access points where they gain access directly from a local road;
- (c) A general methodology for selecting detour routes;
- (d) The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users; and
- (e) A process for the submission of Site Specific Traffic Management Plans.

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- NZTA.23 The CTMP shall be prepared in consultation with the Council's Road Asset Manager (or their nominee(s)), and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions.
- Any comments and inputs received shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.
- NZTA.26 A copy of the CTMP shall be provided to the Road Asset Manager at least 20 working days prior to commencement of construction of any part of the Project within the District.
- NZTA.27 The CTMP shall contain a section setting out methods to manage the construction traffic effects of the harvesting of plantation forestry as part of the enabling works for the Project. These methods shall include but not be limited to:
- (a) Traffic and access considerations;
 - (b) Methods to manage effects on the amenity of surrounding residential neighbourhoods including hours of operation and number of heavy vehicle movements per day;
 - (c) The areas to be cleared at any one time; and
 - (d) Methods to maintain the quality of local roads used as access routes.
- NZTA.28 1. Site Specific Traffic Management Plans (SSTMPs) shall be prepared following consultation with the following key stakeholders:
- (a) The Council;
 - (b) Emergency services (police, fire and ambulance).
 - (c) Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place.
2. The SSTMPs shall be provided to the Manager at least 5 working days for a "minor" SSTMP and at least 10 working days for a "major" SSTMP prior to the commencement of work in that area for certification that:
- a) They are consistent with the CTMP
 - b) Consultation has been undertaken with key stakeholders; and
 - c) That all the details required under this condition are shown, along with any other matters relevant to managing the effects of construction traffic.
3. The SSTMP shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to

construction of the relevant part(s) of the Project commencing.

In particular SSTMPs shall describe:

- (a) How it is consistent with the CTMP;
- (b) Temporary traffic management measures required to manage impacts on road users during proposed working hours;
- (c) Delay calculations associated with the proposed closure/s and detour routes;
- (d) The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues;
- (e) Individual traffic management plans for intersections of the proposed Project with arterial roads;
- (f) Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses;
- (g) Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours, which it is reasonably practicable to provide, having regard to safety;
- (h) Any proposed temporary changes in speed limit;
- (i) Provision for safe and efficient access of construction vehicles to and from construction site(s); and
- (j) The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders.

5. For the purposes of this condition, a “minor” SSTMP shall be defined as involving works of 5 or less days in duration, and a “major” SSTMP shall be defined as involving works of more than 5 days in duration.

- NZTA.29 The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.
- NZTA.30 The CTMP and SSTMP(s) shall undergo an independent safety and traffic operational review, by a suitably qualified independent party, prior to being submitted to the Council.
- NZTA.31 The Requiring Authority shall carry out random auditing of temporary road closure/s in accordance with COPTTM at regular intervals throughout the construction of the Project.

The intervals shall be stated in the CTMP.

- NZTA.32 Prior to the commencement of any part of the Project, or any enabling works within the District, the Requiring Authority shall undertake a pre-construction condition survey of the carriageway/s along those local roads affected by the Project for which the Council is the road controlling authority and submit it to the Manager and the Roading Asset Manager. The condition survey shall consist of a photographic or video record of the carriageway, and shall include roughness, rutting defects and surface condition.
- NZTA.33 The Requiring Authority shall, carry out regular inspections of the road networks affected by the Project during construction, to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.
- NZTA.33A The Requiring Authority shall ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Procedures shall include but not be limited to use of an on-site wheel wash.
- NZTA.34 As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall at its expense arrange for repair of any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project. Any repairs shall be undertaken to the satisfaction of the Road Controlling Authority.

Construction Noise and Vibration Management

- NZTA.35 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Noise and Vibration Management Plan (CNVMP) that shall:
1. Be generally consistent with the draft CNVMP submitted with the application (dated July 2011);
 2. Demonstrate that appropriate consultation has been undertaken with parties listed in Condition NZTA.37; and
 3. Address all the matters listed in condition NZTA.36.

The CNVMP shall be prepared in consultation with the Council, and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions. Any comments and inputs received from the Council shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.36 The CNVMP shall:

- (a) Be prepared by a suitably qualified acoustics specialist;
- (b) Include specific details relating to methods for the control of noise associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:

Day	Time	L _{Aeq} (15 min)	L _{AFmax}
Weekdays	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
Sundays and	0630h - 0730h	45 dB	75 dB
Public Holidays	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB
holidays	0630h - 0730h	45 dB	75 dB

- (c) Address the following aspects with regard to managing the adverse effects of construction noise:
 - i. Noise sources, including machinery, equipment and construction techniques to be used;
 - ii. Predicted construction noise levels;
 - iii. Hours of operation, including times and days when noisy construction work and blasting would occur;
 - iv. The identification of activities and locations where structural noise

mitigation measures such as temporary barriers or enclosures may be used;

- v. Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise;
- vi. The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders;
- vii. Mitigation options, including alternative strategies where full compliance with the noise criteria set out in the table above cannot practicably be achieved;
- viii. Schedules containing information specific to each area of the site where this is relevant to managing construction noise and vibration effects;
- ix. Methods for monitoring and reporting on construction noise; and
- x. Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006:

Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h (transient vibration)	0.3 mm/s ppv	1 mm/s ppv
	Daytime 0630h - 2000h	1 mm/s ppv	5 mm/s ppv
All occupied buildings	Daytime blasting	5 mm/s ppv	10 mm/s ppv
	– vibration – airblast	120 dB L _{zpeak}	-
All buildings	Vibration – transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2
	Vibration - continuous		BS 5228-2 50% of Table B.2 values

	Airblast	-	133 dB L _{Zpeak}
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- (d) Describe the measures to be adopted in relation to managing construction vibration including:
- i. Identification of vibration sources, including machinery, equipment and construction techniques to be used;
 - ii. Identification of procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria);
 - iii. Procedures for management of vibration, if measured or predicted vibration and airblast levels exceed the Category A criteria;
 - iv. Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and
 - v. The measures that will be undertaken by the Requiring Authority to communicate vibration management measures to affected stakeholders.

Construction Air Quality (including Dust) Management

NZTA.39 An Outline Plan (or Plans) shall include a Construction Air Quality (Dust) Management Plan (CAQMP) that:

- a) Shall be consistent with the draft CAQMP submitted with the application (dated March 2011); and
- b) Shall demonstrate how Conditions NZTA.40 and NZTA.41 will be met

The CAQMP shall be prepared in consultation with the Council, and this consultation shall commence at least 20 working days prior to submission of the Outline Plan using a draft plan as a starting point for discussions. Any comments and inputs received from the Council shall be clearly documented within the management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

NZTA.40 The CAQMP shall provide a methodology for managing the effects of dust from construction activities occurring at the site, and shall, as a minimum include:

- (a) Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors;

and

(b) Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as:

- i. Cleaning of water tanks and replenishment of water supplies;
- ii. Cleaning of houses; and
- iii. Cleaning of other buildings and infrastructure.

NZTA.41 The CAQMP shall include a process for advising and consulting with the owners and/or occupiers of any residential property where construction activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land. The advice and consultation process shall be undertaken at least 20 working days prior to commencement of the works. The Requiring Authority shall manage construction activities as far as it is practicable to be in accordance with the methods discussed with the consulted property owners and occupiers.

The CAQMP shall set out how any issues raised in consultation with the owners and occupiers of the properties listed above have been incorporated, and where they have not, the reasons why.

Construction Lighting

NZTA.41A The requiring authority shall implement procedures at all times during construction to manage lightspill (if any) to residential properties from any night lighting that is required on the site.

Landscape and Urban Design

NZTA.42 An Outline Plan (or Plans) for the construction of any part of the Project located within the district or for the construction of any project stage within the district shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context.

The LUDMP(s) shall be prepared in consultation with:

- Te Runanga o Toa Rangatira Inc;
- Living Streets Aotearoa;
- Mana Cycle Group; and
- The Council.

This consultation shall commence at least 30 working days prior to submission of the Outline Plan. Any comments and inputs received from the parties listed above shall be

clearly documented within management plan, along with clear explanation of where any comments have not been incorporated and the reasons why.

The LUDMP(s) shall be Certified by Wellington Regional Council in relation to their statutory functions including but not limited to:

b) where there is an interrelationship with site specific plans required to be certified by Wellington Regional Council such as but not limited to the Revegetation and Enrichment Plan (G.24)

NZTA.43 The LUDMP shall be prepared by suitably qualified persons who shall include a landscape architect and an urban designer, and shall implement:

- (a) the Landscape plans submitted with the applications numbered LA01-LA21;
- (b) the Transmission Gully Urban and Landscape Design Framework (ULDF) (dated August 2011) and in particular the design principles set out in this document; and
- (c) the Ecological Management and Monitoring Plan (EMMP) required to be certified under the Regional Resource Consent conditions.

and shall be prepared in accordance with:

- (d) Transit New Zealand's Guidelines for Highway Landscaping (dated September 2002) – or any subsequent updated version;
- (e) Transit New Zealand's "Urban Design Implementation Principles (2006)" – or any subsequent updated version; and
- (f) AUSTROADS standards where these are relevant to pedestrian and cycle paths.

NZTA.44 In order to confirm that the LUDMP is consistent with the landscape restoration components in the EMMP required under the Regional Resource Consents, the EMMP certified only in respect of its landscape restoration components shall be supplied to the relevant Territorial Authority for information at the same time as submitting the LUDMP with the Outline Plan.

NZTA.45 The LUDMP(s) shall provide for integration of the Project's permanent works into the surrounding landscape including;

- (a) Input into the design of earthworks contouring including cut and fill batters, benching, and spoil disposal sites;
- (b) Input into the appearance of all major structures, including bridges, RSE batters, MSE walls, noise barriers, drainage structures;
- (c) The provision of guidelines for the suite of highway furniture such as barriers,

gantries, sign posts, lighting standards, etc.,

- (d) Input into the appearance of stream diversions and permanent stormwater control ponds;
- (e) Identification of required landscape mitigation planting;
- (f) Identification of visual mitigation planting required within the land acquired for the Project which mitigate the effects of the Project on properties in the vicinity of the alignment; and
- (g) Coordination of landscape works with ecology works.

NZTA.46 The LUDMP(s) shall include but not be limited to the following:

- () Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges, underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;
- (a) Demonstration of an engineer, ecologist and landscape architect working together to design the final shape and re-vegetation for batters, earthworks and rock cuts and their associated works during the detailed design process;
- (b) A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.
- (c) Landscape Design Details – these shall include the following details:
 - i. Identification of vegetation to be retained, including retention of as many as practicable of the stand of pine trees at the southern boundary of the Linden construction site yard, and the plantation on the northern side of the yard;
 - ii. Identification and protection measures for vegetation to be retained, and planting to be established along cleared edges;
 - iii. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials;
 - iv. Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;
 - v. Detailed specifications relating to (but not limited to) the following:

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- Vegetation protection (for desirable vegetation to be retained);
 - Weed control and clearance;
 - Pest animal management;
 - Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour);
 - Mulching; and
 - Plant supply and planting, including hydroseeding and grassing - which shall require:
 1. Any planting to reflect the natural plant associations of the area;
 2. Where practicable, the use of mixes of plants which are of a suitable richness and diversity to encourage self-sustainability once established; and
 3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;
- vi. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;
- vii. Landscape treatment for noise barriers;
- viii. Landscape treatment for any pedestrian and cycle facilities;
- ix. Consideration of:
- The landscape character of the area;
 - The integration of the works into the natural environment, including streams;
 - Crime Prevention Through Environmental Design (CPTED) principles in urban areas.
- (e) Specific landscape design details for the Linden site compound. These shall include the following:
- i. Protection of the row of trees on the south-east boundary of the Linden site compound (on the uphill side);
 - ii. Riparian planting along the watercourse adjacent to the Linden site compound to help soften/screen the culvert and embankment;

-
- iii. Reinstatement of planting in the vicinity of the Linden site compound following completion of construction, including new and replacement planting adjacent to the alignment.
 - (f) Specific landscape design details for the State Highway 58 site compound shall include details of early planting to be undertaken for the purpose of screening the compound during construction;
 - (fa) The specific identification of other Project areas where detailed landscape or urban design needs to be developed in conjunction with the detailed engineering design process; and, subsequently, the specific landscape or urban design details for these identified Project areas where the provisions of NZTA.6B and NZTA.7A would apply;
 - (fb) *(this condition pertains to K0408)*
 - (fc) *(this condition pertains to K0408)*
 - (fd) Identification of existing vegetation within the area between Bridge 27 and Wall Park through to 86 Tremewan Street and specific details regarding the retention of this existing planting to the extent practicable during construction, and the intended measures to ensure its ongoing management, to provide short and long-term visual screening. The LUDMP should also include planting and ongoing management details of early, advanced grade, fast growing exotic and native species in this area to provide effective immediate and longer term screening of Bridge 27 and its associated works.
 - (g) The merge (where the Main Alignment meets State Highway 1) at Linden shall be designed to, as far as practicable, maximise the distance between the Collins Avenue bridge and residential properties on Little Collins Street (including 55 Collins Avenue) and to try to avoid the need to realign the carriageway of Little Collins Street (except as provided below). This may be achieved by reducing the width of the Little Collins Bridge (including by shifting the location of the merge lanes of State Highway 1 with Transmission Gully Main Alignment further to the north) but in so doing shall not seek to shift the western extent of the works any further to the west than shown on the application drawings;
 - (h) The owners and occupiers of all properties in Little Collins Street (including 55 Collins Avenue) shall be consulted prior to finalising the design (of the alignment in this location). The design shall have regard to:
 - iv. provision of landscaping within/along Little Collins Street adjacent to State Highway 1 to provide visual screening and to minimise opportunities for graffiti
 - v. realignment of Little Collins Street as part of the Collins Avenue bridge works, to provide better opportunities for landscape planting on Little Collins Street; and

- vi. noise barriers on the bridge abutments that seek to reduce visual effects of the Project.

- (i) All planting works shall be undertaken in accordance with accepted horticultural practice.

NZTA.49 Prior to the Requiring Authority undertaking any planting provided for in the LUDMP and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests and animal pests, including stock, in the Wellington Region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LUDMP which is located on:

- (a) Land declared to be motorway or limited access road;
- (b) Any Crown land held for roading or motorway purposes for the Project and which the Requiring Authority administers; or
- (c) Any other land, e.g. private land and local authority owned land, in relation to which the Requiring Authority has appropriate property rights which allow it to lawfully undertake such weed removal.

NZTA.50 The planting identified in a LUDMP shall be implemented in accordance with the LUDMP within the first planting season following the completion of the construction works in each Project stage to which the LUDMP relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.

Ecology

NZTA.51 As part of the detailed design for the Project, in order to minimise the extent of effects on any area of natural vegetation, freshwater ecosystem or habitat of indigenous flora and fauna located within the designation, the Requiring Authority shall engage a suitably qualified ecologist to:

- Confirm the extent of any valued natural areas as specified in the Wellington Conservation Management Strategy 1996, RPS, Regional or District Plans; and
- Prepare maps identifying all those areas which meet the definitions in (a), with information on their relative values. The maps shall be completed as part of detailed design and shall inform any design changes that result in the extent of works varying from the footprint provided in the application drawings.

- (a) For the purposes of this condition, natural vegetation, freshwater ecosystems and habitats shall include:

- i. Forest and shrublands
- ii. Seral scrub

- iii. Banks with predominantly indigenous vegetation (including non-vascular vegetation)
- iv. Wetlands
- v. Streams
- vi. Boulderfields and scree

(c) The extent of adverse effects shall be minimised by, as a minimum:

- Developing detailed designs which avoid or minimise the extent of effect on areas identified under (b) above as far as practicable
- Developing mechanisms to ensure that the areas, or parts of areas, to be avoided are clearly marked on the ground (e.g. through fences) and that contractors are required to avoid them
- For those areas which cannot be avoided, but where complete loss of the ecosystem, vegetation or habitat is not required, developing mechanisms to reduce the impact on the area as far as practicable

Note: The Site Specific Environmental Management Plans that are required to be prepared under the resource consents are required include a map of any key areas or features that are required to be avoided or otherwise protected during construction, and shall include those areas identified under this condition as being retained.

NZTA.52 In order to demonstrate compliance with Condition NZTA.51, the Requiring Authority shall submit a report to the Council at the same time as the Outline Plan. The report shall be prepared with inputs from a suitably qualified roading design engineer and an ecologist and shall set out how the design process incorporated the requirements of Condition NZTA.51.

NZTA.53 The Requiring Authority shall undertake works necessary to ensure that a combined total of at least 534ha of land is dedicated to the active or passive restoration of vegetation and associated ongoing management which shall be comprised of the following components:

- (a) Approximately 319ha comprising land retired from farming to allow natural regeneration;
- (b) Approximately 106ha comprising pioneer shrubland that will be retired, restored or undergo enrichment planting to direct succession toward coastal lowland podocarp broadleaved forest appropriate for the site;
- (c) Approximately 109ha comprising grassed slopes, and river flats and stream banks in pasture will be retired and undergo revegetation to commence successions necessary to develop into coastal lowland podocarp broadleaved forest

appropriate for the site; and

these areas shall closely correspond to the maps entitled “Proposed Mitigation Sites and Treatments” unless otherwise agreed with the Manager, and shall be managed in accordance with the actions set out the attached Schedule D.

Within the above areas, at least 26,500 linear metres of stream mitigation including enriching riparian habitat and enhancing fish passage shall be achieved.

The mechanisms to achieve protection of the above land shall be set out within the EMMP and shall manage:

- (d) the felling, removal, burning or taking of any native trees, shrubs or plants or native fauna
- (e) planting of trees, shrubs or plants with a preference for specimens sourced from the ecological district within which the land is situated;
- (f) introduction of any noxious substance or substance otherwise injurious to plant life except in the control of pests;
- (g) access by stock by providing and maintaining fences and gates except when the provisions of the Fencing Act 1978 apply;
- (h) require the control of deer, goats, pigs, and weeds to levels that are necessary to achieve the conditions imposed on the relevant designation and associated consents, and to prevent significant loss of existing natural values; and
- (i) all weeds and pests in the land to the extent required by any statute and in particular comply with the provisions of, and any notices given under the Biosecurity Act 1993 and the Wild Animal Control Act 1977.

NZTA.55 The Requiring Authority shall use its best endeavours to procure from the Crown the entering into of appropriate covenants and/or encumbrances (or similar legal mechanism) to ensure that, regardless of any future ownership/tenure changes, the areas of land required for retirement and revegetation planting specified in condition NZTA.53 which are held or acquired by the Crown for the Project are protected in a manner that achieves at least the area of land retirement and revegetation planting specified in Condition NZTA.53 in perpetuity, and shall upon request from the Council report progress on these best endeavours.

The Requiring Authority shall not:

- Take active steps for the sale of any of the land required for land retirement and/or revegetation planting as identified in the maps entitled “proposed Mitigation Sites and Treatments” until an appropriate covenant and/or encumbrance (or similar legal mechanism) is registered against each relevant

title; and

- Open the Main Alignment for use by the public unless an appropriate covenant and/or encumbrance (or similar legal mechanism) has been registered against all the land required for land retirement and/or revegetation planting which is not subject to this designation.

NZTA.56 The Requiring Authority shall, at the same time as it provides the CEMP to the Regional Council, submit a programme to the Manager setting out:

- (a) how and when the 534ha of land required to be dedicated to the active or passive restoration of vegetation and associated ongoing management will be set aside for those purposes;
- (b) a programme for implementation of the required enrichment planting and revegetation;
- (c) a programme for maintenance, monitoring and measuring success; and
- (d) the approximate time at which the protective covenant or similar mechanism will formally take effect.

Existing Network Utilities

NZTA.57 Prior to the commencement of construction, the Requiring Authority shall prepare a Network Utilities Management Plan (NUMP). The Requiring Authority shall adhere to the relevant requirements of the NUMP at all appropriate times during the construction of the Project. The purpose of the NUMP shall be to ensure that the enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.

NZTA.58 A copy of the NUMP shall be submitted to the Manager for certification at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District. The purpose of the certification process is:

1. to confirm that the appropriate liaison with infrastructure providers has occurred and that their concerns have been taken into account where appropriate; and
2. that the NUMP conditions NZTA.59 to NZTA.70 have been appropriately addressed.

NZTA.59 The NUMP shall include, but need not be limited to, the following matters:

- (a) The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to, the part of the Project in the District including the process for:

-
- i. Network utility provider approval of proposed works on their utilities; process for obtaining any supplementary authorisations (e.g. easements and/or resource consents; and
 - ii. Protocols for inspection and final approval of works by network utility providers.
 - (b) The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring.
 - (c) The methods the Requiring Authority will use to seek to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to, the part of the Project in the District, and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations.
 - (d) How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.

NZTA.60 The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition NZTA.59, shall include:

- (a) Measures to be used to accurately identify the location of existing network utilities,
- (b) Measures for the protection, relocation and/or reinstatement of existing network utilities;
- (c) Measures to seek to ensure the continued operation and supply of essential infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing gas lines;
- (d) Measures to seek to ensure the continued operation and supply of essential services, including bulk water
- (e) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities;
- (f) Measures to manage potential induction hazards to existing network utilities;
- (g) Earthworks management (including depth and extent of earthworks), for earthworks

in close proximity to existing network utility;

- (h) Vibration management for works in close proximity to existing network utility;
- (i) Emergency management procedures in the event of any emergency involving existing network utilities;
- (j) As built drawings showing the relationship of the relocated utility to the Main Alignment shall be provided to utility owners within three months of completion of the utility relocation; and
- (k) Provision, both physical and legal, shall be made for future maintenance access to utilities to a standard at least equivalent to that currently existing.

NZTA.61 Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance purposes on an ongoing basis.

NZTA.62 Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of Powerco on the following properties and, if requested by Powerco, physically peg out the extent of the designation boundary on these individually affected properties:

- Road reserve at Kenepuru Drive adjacent to 34 Kenepuru Drive (Sec 1 SO 36948)

NZTA.64 The Requiring Authority shall give reasonable notice and make reasonable endeavors to:

- (a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
- (b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

Transpower Specific Conditions (part of a separate agreement between NZTA and Transpower New Zealand Limited)

Advice Note: Transpower conditions apply to NoR1, NoR 2, NoR 3 and NoR 4

NZTA.65 To avoid interruptions to supply, or adverse effects on Transpower New Zealand Limited's network utility infrastructure, the Requiring Authority shall, subject only to reasonable planned interruption:

- (a) Protect the utility from any activity which may interfere with the proper functioning of the services; and

- (b) Seek to relocate it to the same or a similar standard (including property rights) as the operator currently has

NZTA.66 All works or activities associated with the project and ancillary roads and activities shall be designed and undertaken to comply with the Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001). In this regard, the Requiring Authority shall liaise with Transpower New Zealand Limited during the design of the Project. All works shall to be designed to ensure the adequate protection of existing transmission lines from any potential adverse effects associated with the construction and operation of the roads within the designation (eg the provision of vehicle collision barriers where necessary). For completeness, NZEC 34:2001 includes the following requirements:

- a) All machinery and mobile plant operated within the designated area shall maintain a minimum clearance distance of 4 metres from all transmission lines located within that area.
- b) With reference to NZECP 34:2001 Figure 1, in the case of any pole supporting any conductor, no person shall excavate or otherwise interfere with any land:
 - i. at a depth greater than 300mm within 2.2 metres of the outer edge of the visible foundations of the tower; or
 - ii. at a depth greater than 750mm, between 2.2 metres and 5 metres of the outer edge of the visible foundation of the tower; or
 - iii. in such a way as to create an unstable batter.
- c) With reference to NZECP 34:2001 Figure 2, in the case of any tower (pylon) supporting any conductor, no person shall excavate or otherwise interfere with any land:
 - iv. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or
 - v. at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the tower; or
 - vi. in such a way as to create an unstable batter.
- d) In accordance with Section 4 of the NZECP 34:2001 no material shall be deposited (either permanent or temporarily) under or near any National Grid transmission line without the prior approval of Transpower New Zealand Limited. This is to ensure the safe NZECP 34:2001 (Table 4) separation distances from the lines are always maintained.

All the above requirements shall apply unless prior written approval is given by Transpower New Zealand Limited.

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- NZTA.67 If compliance with the Code of Practice for Electrical Safety Distances NZECP (34:2001) cannot be achieved, the Requiring Authority shall consult with Transpower New Zealand Limited who will identify acceptable alternative options, including and if necessary relocate or alter the existing transmission structures to achieve compliance.
- NZTA.68 The Requiring Authority shall ensure that existing access arrangements to Transpower New Zealand Limited's existing works are retained where practicable. Where the requiring authority requires or causes a change in access arrangements, alternative arrangements shall be provided, in consultation with Transpower New Zealand Limited that provides safe four wheel drive 24 hour access to the tower base during the construction period or other options that will enable Transpower to undertake necessary works. Once construction has been completed, the maintenance of access tracks shall be the responsibility of Transpower New Zealand Limited.
- NZTA.69 All trees and vegetation planted shall be selected and located to ensure that no part of any tree (when mature) will encroach within a (4) metre clearance from transmission line conductors. The 4 metre clearance relates to vertical, horizontal and felling distance clearances and shall take account of the maximum conductor swing and sag.
- NZTA.70 The Requiring Authority shall ensure that the discharge of contaminants to air from the site during construction of the Project does not create any dust hazard or nuisance to the transmission assets managed by Transpower New Zealand Limited. The Requiring Authority shall produce, in consultation with Transpower New Zealand Limited, as part of the Construction Management Plan, measures to identify how those potential dust effects will be managed around the transmission network.

Operational Noise

- NZTA.71 For the purposes of Conditions NZTA.71 - NZTA.81 the following terms will have the following meanings:
- (a) Acoustics Assessment – means the Acoustics Assessment report submitted as part of the AEE for this Project.
 - (b) BPO – means Best Practicable Option.
 - (c) Building-Modification Mitigation – has the same meaning as in NZS 6806:2010.
 - (d) Habitable space – has the same meaning as in NZS 6806:2010.
 - (e) Noise Criteria Categories – means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option, ie Category A – primary noise criterion, Category B - secondary noise criterion and Category C – internal noise criterion.
 - (f) NZS 6806:2010 – means NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads.
-

(g) PPFs – means the premises and facilities identified in green, yellow or red in the Acoustics Assessment and 75B Paremata-Haywards Road and 75E Paremata-Haywards Road.

(h) Structural Mitigation – has the same meaning as in NZS 6806:2010

(i) New road – has the same meaning as in NZS 6806:2010

(j) Altered road – has the same meaning as in NZS 6806:2010

NZTA.72 The Requiring Authority shall implement the road-traffic noise mitigation measures identified as the “Selected Options” in the Acoustics Assessment as part of the Project, in order to achieve the Noise Criteria Categories indicated in the Acoustics Assessment (“Identified Categories”), where practicable, subject to Conditions NZTA.73 - NZTA.81 below.

NZTA.73 The detailed design of the Structural Mitigation measures in the “Selected Options” (the “Detailed Mitigation Options”) shall be undertaken by a suitably qualified acoustics specialist prior to commencement of construction of the Project, and, subject to Condition NZTA.74, shall include, as a minimum, the following:

(a) Noise barriers with the location, length and height in general accordance with Table 12-22 of the Acoustics Assessment; and

(b) Open graded porous asphalt or equivalent low-noise road surfaces in general accordance with Table 12-21 of the Acoustics Assessment.

NZTA.74 Where the design of the Detailed Mitigation Options identifies that it is not practicable to implement a particular Structural Mitigation measure in the location or of the length or height included in the “Selected Options” either:

(a) if the design of the Structural Mitigation measure could be changed and the measure would still achieve the same Identified Category or Category B at all relevant PPFs, and a suitably qualified or experienced planner, in consultation with a suitably qualified acoustics specialist, approved by the Council certifies to the Council that the changed Structural Mitigation would be consistent with adopting the BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure; or

(b) if the changed design of the Structural Mitigation measure would change the Noise Criteria Category at any relevant PPF from Category A or B to Category C, but the Council confirms that the changed Structural Mitigation measure would be consistent with adopting BPO in accordance with NZS 6806:2010, the Detailed Mitigation Options may include the changed mitigation measure.

NZTA.75 The Detailed Mitigation Options shall be implemented prior to completion of construction of the Project, with the exception of any low-noise road surfaces, which shall be

implemented within 12 months of completion of construction of the Project.

NZTA.76 Prior to construction of the Project, a suitably qualified acoustics specialist shall identify those PPFs ("Qualifying Buildings") which following implementation of all the Structural Mitigation measures included in the Detailed Mitigation Options (notwithstanding the distance from the road) are in:

- a) Noise Criteria Category C by an altered road, and
- b) Noise Criteria Category B and C by a new road.

NZTA.76A (a) Prior to commencement of construction of the Project in the vicinity of a Qualifying Building, the Requiring Authority shall write to the owner of each Qualifying Building seeking access to such building for the purpose of measuring internal noise levels and assessing the existing building envelope in relation to noise reduction performance.

(b) If the owner of the Qualifying Building consents to the Requiring Authority request for access to the property within 12 months of the date of the Requiring Authority's letter (sent pursuant to Condition NZTA.76(a)), then no more than six months prior to commencement of construction of the Project, the Requiring Authority shall instruct a suitably qualified acoustics specialist to visit the building to measure internal noise levels and assess the existing building envelope in relation to noise reduction performance.

NZTA.77 Where a Qualifying Building is identified, the Requiring Authority shall be deemed to have complied with Condition NZTA.76 above where:

- (a) The Requiring Authority (through its acoustics specialist) has visited the building; or
- (b) The owner of the Qualifying Building consented to the Requiring Authority's request for access, but the Requiring Authority could not gain entry for some reason (such as entry being denied by a tenant); or
- (c) The owner of the Qualifying Building did not approve the Requiring Authority's access to the property within the time period set out in Condition NZTA.77(b) (including where the owner(s) did not respond to the Requiring Authority's letter (sent pursuant to Condition NZTA.76(a) within that period)); or
- (d) The owner of the Qualifying Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

If any of (b) to (d) above apply to a particular Qualifying Building, the Requiring Authority shall not be required to implement any Building-Modification Mitigation at that Qualifying Building.

NZTA.78 Subject to Condition NZTA.77, no more than six months after the assessment required under Condition NZTA.76(b), the Requiring Authority shall give written notice to the

owner of each Qualifying Building:

- (a) Advising of the options available for Building-Modification Mitigation to the building; and
- (b) Advising that the owner has three months within which to decide and advise the Requiring Authority whether to accept Building-Modification Mitigation for the building to achieve an internal level of 40 dB $L_{Aeq(24h)}$, and if the Requiring Authority has advised the owner that more than one option for Building-Modification Mitigation is available, to advise the Requiring Authority which of those options the owner prefers.

NZTA.79 Once an agreement on Building-Modification Mitigation is reached between the Requiring Authority and the owner of an affected building, the mitigation shall be implemented in a reasonable and practical timeframe agreed between the Requiring Authority and the owner.

NZTA.80 Subject to Condition NZTA.77, where Building-Modification Mitigation is required, the Requiring Authority shall be deemed to have complied with Condition NZTA.79 above where:

- (a) The Requiring Authority has completed Building-Modification Mitigation to the Qualifying Building; or
- (b) The owner of the Qualifying Building did not accept the Requiring Authority's offer to implement Building-Modification Mitigation prior to the expiry of the timeframe stated in Condition NZTA.78(b) above (including where the owner did not respond to the Requiring Authority within that period); or
- (c) The owner of the Qualifying Building cannot, after reasonable enquiry, be found prior to completion of construction of the Project.

NZTA.81 The Requiring Authority shall manage and maintain the Detailed Mitigation Options to ensure that, to the extent practicable, those mitigation works retain their noise reduction performance.

NZTA.81A A Noise Mitigation Plan shall be prepared by a suitably qualified acoustics specialist prior to commencement of construction including details of:

- a) Detailed Mitigation Options
- b) Qualifying Buildings
- c) Methods for post-construction validation of the noise assessment. This shall include:
 - i. Prior to opening: confirmation of the location of the as-built alignment in the noise model, visual inspection from the far-side carriageway of the relationship of PPFs to earthworks and noise barriers, verification of as-built noise barrier

dimensions, and confirmation of as-built road surfaces,

- ii. 3 to 9 months after opening and checking the actual traffic volumes, and
- iii. Noise monitoring to validate the noise model to be undertaken within 6 months of the design road surfaces being laid.

NZTA.81B A report detailing the results and any corrective actions arising from the post construction validation of the noise assessment shall be provided to the Council within nineteen months of opening of the road in areas with low-noise road surfaces, and within ten months of opening the road in all other areas.

Permanent Lighting

NZTA.82 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall demonstrate that:

- (a) All motorway lighting shall be designed in accordance with "Road lighting Standard AS/NZS1158"; and
- (b) All other lighting shall be designed in accordance with the rules of the relevant District Plan (if any).

Traffic Safety Audit

NZTA.83 No earlier than 6 months after the commencement of operation of the Transmission Gully Motorway, and no later than 12 months from that date, the Requiring Authority shall complete a traffic safety audit (in accordance with the NZ Transport Agency Guidelines 'Road Safety Audit Procedures for Projects' (November 2004) to ascertain the effects of reduced traffic and potentially higher environmental speeds on the coastal route resulting from the operation of the Transmission Gully Motorway. The audit shall outline what measures are necessary to remedy those effects. A copy of the audit and its findings shall be sent to the relevant territorial authorities.

APPENDIX D: K1062 WHITBY LINK ROAD

BOARD OF INQUIRY

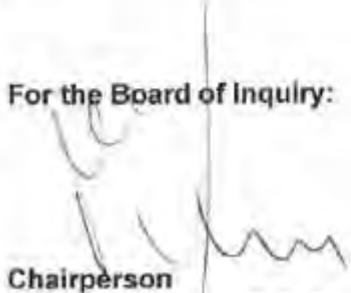
Transmission Gully Notices
of Requirement and Consents

NOR 7 – Notice of Requirement confirmed in the jurisdiction of the Porirua City Council

Pursuant to sections 149R and 149P(4), and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a Notice of Requirement is confirmed regarding:

Requiring Authority	Porirua City Council
District Plan	Porirua City District Plan
Designation Purpose	Whitby Link Road
Purpose for which right is granted	Construction, operation and maintenance of the Whitby Link Road
Conditions	As attached

For the Board of Inquiry:


Chairperson

Dated:

B P Dwyer
Environment Judge

12-6-12

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Porirua City Council – Conditions on Confirmed Notices of Requirement for K1062 Whitby Link Road

Please note: The following are the specific conditions applied by the Board of Inquiry to the K1062 Whitby Link Road Designation. It should be noted that these conditions are numbered according to the decision of the Board of Inquiry. The Board of Inquiry did not include conditions for the following: PCC.5 and PCC.9. On 27/11/13 this designation was altered as to its location and some of its conditions

General Conditions and Administration

PCC.1 Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated August 2011 and July 2013 and supporting documents being:

- (a) Assessment of Environmental Effects report, dated 8 August 2011 and 10 July 2013
- (b) Plans:
 - i. NZ0113122-P121 Rev1 and NZ0113122-P122 Rev1 Land requirement plans
 - ii. GM14 except as amended by W07172-C141 Rev 8 and GM15: Road layout plans
 - iii. GM23 and GM33 except as amended by W07172-C146 Rev 2: Longitudinal sections and cross sections
 - iv. DR14-15: Drainage layout plans
 - v. S29: Structures plans
 - vi. LA14 except as amended by W07172-C160 Rev 2 and LA15: Landscape plans

For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, OPs or OP waivers may be required for any such works.

Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.

PCC.2 As soon as practicable following completion of construction of the Project, the Requiring Authority shall:

- (a) Review the width of the area designated for the Project;
- (b) Identify any areas of designated land that are no longer necessary for the ongoing operation and maintenance of the Project or for ongoing mitigation measures; and
- (c) Give notice to the Council in accordance with Section 182 of the RMA for the removal of those parts of the designation identified in PCC.2b above.

PCC.3 The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan under Section 175 of the RMA.

PCC.3A The Requiring Authority shall reimburse the Council for its actual and reasonable costs incurred in carrying out its functions pursuant to Section 36(1)(d) of the RMA.

Outline Plans and Management Plans

PCC.4 Review the width of the area designated for the Project;

PCC.6 The OP(s) shall include the following Plans for the relevant stage(s) of the Project:

- (a) Construction Traffic Management Plan (CTMP);
- (b) Landscape and Urban Design Management Plan (LUDMP);
- (c) Construction Noise and Vibration Management Plan; and
- (d) Construction Air Quality (Dust) Management Plan.

Advice Note: The Construction Environmental Management Plan (CEMP) may be submitted with the OP for information – but recognising that the Wellington Regional Council shall have the role of certifying this Plan, the Requiring Authority shall ensure that if the CEMP is changed or updated as a result of the WRC certification process that the most up to date version is provided to the Council.

PCC.7 All works shall be carried out in accordance with the Outline Plan and management plans required by these conditions.

PCC.8 The Requiring Authority shall provide the Manager with an updated schedule of construction activities and timing of management plans for the Project at monthly intervals throughout the construction phase of the entire Project.

PCC.10 The following Outline Plan(s) and management plans shall be made available for public viewing at one or more of the Project site offices:

- (a) Confirmed Outline Plan(s)
- (b) Construction Environmental Management Plan (CEMP);

-
- (c) Construction Noise and Vibration Management Plan (CNVMP);
 - (d) Construction Air Quality Management Plan (CAQMP);
 - (e) Construction Traffic Management Plan (CTMP); and
 - (f) Landscape and Urban Design Management Plan (LUDMP).

Where practicable, electronic copies of the management plans shall be made available upon request.

Communications and Public Liaison – Construction

- PCC.11 A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact at all times for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. If the liaison person will not be available for any reason, an alternative person shall be nominated. The Requiring Authority shall seek to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.
- PCC.12 Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include:
- (a) Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times;
 - (b) Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours;
 - (c) Methods to record concerns raised about hours of construction activities and, where practicable, methods to avoid particular times of day which have been identified as being particularly sensitive for neighbours;
 - (d) Details of communications activities proposed including:
 - i. Publication of a newsletter, or similar, and its proposed delivery area.
 - ii. Newspaper advertising
 - iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities;

The Communications Plan shall also include linkages and cross-references to methods set out in other management plans where relevant.

Complaints – Construction

PCC.13 During construction Work, the Requiring Authority shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this designation. The record shall include:

- (a) the name and address (as far as practicable) of the complainant;
- (b) identification of the nature of the complaint;
- (c) location, date and time of the complaint and of the alleged event;
- (d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality.
- (e) the outcome of the Requiring Authority's investigation into the complaint;
- (f) measures taken by the Requiring Authority to respond to the complaint; and
- (g) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.

The Requiring Authority shall also keep a record of any remedial actions undertaken.

This record shall be maintained on site and shall be made available to the Manager and Wellington Regional Council, upon request. The Requiring Authority shall notify the Manager and Wellington Regional Council in writing of any such complaint within 5 working days of the complaint being brought to the attention of the Requiring Authority.

Archaeology and Heritage

PCC.14 The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol, and provide a copy to the Council at the same time as submission of the Outline Plan. The protocol shall be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. The protocol shall include, but not be limited to:

- (a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered;
- (b) Parties to be notified in the event of an accidental discovery shall include, but need

not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places Trust, the WRC, Porirua City Council and the New Zealand Police (if koiwi are discovered);

- (c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and
- (d) Procedures to be undertaken before Work under this designation may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery.

Construction Environmental Management Plan

Advice Note: The CEMP is required to be certified by the Wellington Regional Council and the relevant Territorial Authority. The CEMP is to be supplied to the Councils for an initial consultation process, and then the final document is required to be supplied for information, and display in a site office.

PCC.15 The Requiring Authority shall, at least 20 working days prior to submitting the Construction Environmental Management Plan required by Condition PCC.16 (and by the regional consent conditions) to the Regional Council and Porirua City Council for certification, submit a draft to the Councils for comment. Any comments received shall be supplied to the Regional Council and Porirua City Council when the CEMP is submitted, along with clear explanation of where any comments have not been incorporated and the reasons why.

PCC.16 The CEMP shall confirm final Project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards imposed on this designation and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions imposed on this designation, and any resource consents granted to assist the Requiring Authority in constructing the Project.

The draft CEMP submitted with the application (dated July 2011) shall be used as a basis for the preparation of the CEMP. The CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for Project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures.

A CEMP shall include but need not be limited to:

(1) Quality Assurance

A Quality Assurance section shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions imposed on this designation. Among other matters this section shall provide

details of the following:

- a. Name, qualifications, relevant experience and contact details of a appropriately qualified and experienced Project manager, who shall be responsible for overseeing compliance with the CEMP;
- b. Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities;
- c. Methods and systems to inform and train all persons working on site of potential environmental issues and how to avoid, remedy or mitigate any potential adverse construction effects;
- d. Systems and processes whereby the public are informed of contact details of the Project manager and person or persons identified above;
- e. Liaison procedures with the Council; and
- f. Communication protocols.

(2) Site Management

The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. Among other matters this section shall provide details of the following

- a. Details of the site access for all works associated with construction of the part of the Project;
- b. Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
- c. Location of workers' conveniences (e.g. portaloos);
- d. Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, (including identifying the location of wheel wash facilities);
- e. A contingency plan in the event that there is any unconsented discharge to watercourses/streams;
- f. Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages);
- g. Details of the proposed maintenance of machinery and plant to minimise the

potential for leakage of fuels and lubricants;

- h. Location of vehicle and construction machinery access and storage during the period of site works;
- i. Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site and any other methods to avoid the introduction of unwanted pests to site;
- j. Methods for the clear identification and marking of the construction zones including those which extend into watercourses;
- k. A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation;
- l. Methods to ensure public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction;
- m. Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; and
- n. Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities.

(3) Construction Programme and Methodology

A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:

- a. A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and
- b. A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.

(4) Layout Drawings

Drawings showing the proposed layout of the construction yards, including associated buildings, fencing and site access. The layout drawings shall, as far as practicable, incorporate the following:

- a. The main access to the construction yards to be located as far as practicable from

residential dwellings;

- b. Noisy construction activities shall be located as far as practicable from residential dwellings;
- c. Temporary acoustic fences and visual barriers.

Traffic Management and Roading – Construction

PCC.17 An Outline Plan (or Plans) shall include a Construction Traffic Management Plan (CTMP). The CTMP submitted with the application (dated May 2011) shall be updated and used as a basis for developing and finalising this plan.

This CTMP shall address the following:

- (a) The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;
- (b) Details of construction yard access points where they gain access directly from a local road;
- (c) A general methodology for selecting detour routes; and
- (d) The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users.

PCC.18 A copy of the CTMP shall be provided to the Road Asset Manager at least 20 working days prior to commencement of construction of any part of the Project within the District.

PCC.19 1. Site Specific Traffic Management Plan(s) (SSTMP) shall be prepared following consultation with the following key stakeholders:

- (a) The Council;
- (b) Emergency services (police, fire and ambulance).
- (c) Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place.

2. The SSTMPs shall be provided to the Manager at least 5 working days for a “minor” SSTMP and at least 10 working days for a “major” SSTMP prior to the commencement of work in that area for certification that:

- (a) They are consistent with the CTMP
- (b) Consultation has been undertaken with key stakeholders; and

-
- (c) That all the details required under this condition are shown, along with any other matters relevant to managing the effects of construction traffic.

3. The SSTMP shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to construction of the relevant part(s) of the Project commencing.

In particular SSTMP(s) shall describe:

- (a) How it is consistent with the CTMP;
- (b) Temporary traffic management measures required to manage impacts on road users during proposed working hours;
- (c) Delay calculations associated with the proposed closure/s and detour routes;
- (d) The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues;
- (e) Individual traffic management plans for intersections of the proposed Project with arterial roads;
- (f) Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses;
- (g) Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours which it is reasonably practicable to provide, having regard to safety;
- (h) Any proposed temporary changes in speed limit;
- (i) Provision for safe and efficient access of construction vehicles to and from construction site(s); and
- (j) The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders.

For the purposes of this condition, a “minor” SSTMP shall be defined as involving works of 5 or less days in duration, and a “major” SSTMP shall be defined as involving works of more than 5 days in duration.

PCC.20 The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.

- PCC.21 The Requiring Authority shall carry out regular inspections of the road networks affected by the Project during construction, to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.
- PCC.21A The Requiring Authority shall ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Procedures shall include but not be limited to use of an on-site wheel wash.
- PCC.22 As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall at its expense arrange for repair of any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project.

Construction Noise and Vibration Management

- PCC.23 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Noise and Vibration Management Plan (CNVMP). The draft CNVMP submitted with the application (dated July 2011) shall be used as a basis for preparing this plan.

The CNVMP shall:

- (a) Be prepared by a suitably qualified acoustics specialist;
- (b) Include specific details relating to methods for the control of noise associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:

Day	Time	L _{Aeq} (15 min)	L _{AFmax}
Weekdays	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

Sundays and public holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

- (c) Address the following aspects with regard to managing the adverse effects of construction noise:
- Noise sources, including machinery, equipment and construction techniques to be used;
 - Predicted construction noise levels;
 - Hours of operation, including times and days when noisy construction work and blasting would occur;
 - The identification of activities and locations where structural noise mitigation measures such as temporary barriers or enclosures may be used;
 - Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise;
 - The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders;
 - Mitigation options, including alternative strategies where full compliance with the noise criteria cannot practicably be achieved;
 - Schedules containing site specific information;
 - Methods for monitoring and reporting on construction noise; and
 - Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006:

Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h (transient vibration)	0.3 mm/s ppv	1 mm/s ppv
	Daytime 0630h - 2000h	1 mm/s ppv	5 mm/s ppv
All occupied	Daytime blasting	5 mm/s ppv	10 mm/s ppv

buildings	– vibration – airblast	120 dB L _{Zpeak}	-
All buildings	Vibration – transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2
	Vibration – continuous		BS 5228-2 50% of Table B.2 values
	Airblast	-	133 dB L _{Zpeak}

- (d) Describe the measures to be adopted in relation to construction vibration including:
- Vibration sources, including machinery, equipment and construction techniques to be used;
 - Procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria);
 - Procedures for management of vibration by a suitably qualified expert, if measured or predicted vibration and airblast levels exceed the Category A criteria;
 - Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and
 - The measures that will be undertaken by the Requiring Authority to communicate vibration management measures to affected stakeholders.

Construction Air Quality (including Dust) Management

PCC.24 An Outline Plan (or Plans) shall include a Construction Air Quality (Dust) Management Plan (CAQMP). The draft CAQMP submitted with the application (dated March 2011) shall be used as a basis for preparing a CAQMP for the Project. The CAQMP shall provide a methodology for managing the effects of dust from construction activities occurring at the site, and shall, as a minimum include:

- Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and
- Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as cleaning houses and buildings.

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- PCC.25 The CAQMP shall include a process for advising and consulting with the owners and/or occupiers of any residential property where construction activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land. The advice and consultation process shall be undertaken at least 20 working days prior to commencement of the works. The Requiring Authority shall manage construction activities as far as it is practicable to be in accordance with the methods discussed with the consulted property owners and occupiers. The CAQMP shall set out how any issues raised in consultation with the owners and occupiers of the properties listed above have been incorporated, and where they have not, the reasons why.

Construction Lighting

- PCC.25A The requiring authority shall implement procedures at all times during construction to manage lightspill (if any) to residential properties from any night lighting that is required on the site.

Landscape and Urban Design

- PCC.26 An Outline Plan (or Plans) for the construction of any part of the Project shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context. The LUDMP shall be prepared by a suitably qualified landscape architect and urban designer (or similar appropriate person(s) and shall implement:
- (a) the Landscape plans submitted with the applications numbered LA14-15 and W07172-C160 Rev2;
 - (b) the Transmission Gully Urban and Landscape Design Framework (dated August 2011) and in particular the design principles set out in this document; and
 - (c) the certified Ecological Management and Monitoring Plan.
- PCC.27 In order to confirm that the LUDMP is consistent with the ecological management measures in the EMMP, the certified EMMP required under the regional resource consents shall be submitted to the Council and Wellington Regional Council for certification. (NB. in respect to Wellington Regional Council certification, this shall be confined to the functions of the WRC including the interrelationship with site specific plans required to be certified by WRC).
- PCC.28 All LUDMP(s) shall provide amongst other matters, for:
- (a) Input to earthworks contouring;
 - (b) The integration of the Project's permanent works into the surrounding landscape;
 - (c) Landscape works within land acquired for the Project which mitigate the effects of

the Project on properties in the vicinity of the alignment;

- (d) Retention or relocation of significant existing trees, where practicable; and
- (e) Replacement planting for loss of existing trees, where appropriate and practicable.

PCC.29 The LUDMP(s) shall be prepared in consultation with Te Runanga o Toa Rangatira Inc, PCC (as asset owner), Waitangirua Community Park Design Team, Cannons' Creek Residents' and Ratepayers Association, Maraeroa Marae Executive, and Tokelauan Christian Church and Whitby Residents' Association and shall include but not be limited to the following:

- (a) Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;
- (b) A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.
- (c) Landscape Design Details – these shall include the following details:
 - i. Identification of vegetation to be retained;
 - ii. Identification and protection measures for vegetation to be retained, and make good planting along cleared edges;
 - iii. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials;
 - iv. Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;
 - v. Detailed specifications relating to (but not limited to) the following:
 - Vegetation protection (for desirable vegetation to be retained);
 - Weed control and clearance;
 - Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour);

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- Mulching; and
 - Plant supply and planting, including hydroseeding and grassing - which shall require:
 1. Any planting to reflect the natural plant associations of the area;
 2. Where practicable, the use of mixes of plant which are of a suitable richness and diversity to encourage self-sustainability once established; and
 3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;
 - vi. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;
 - vii. Landscape treatment for any pedestrian and cycle facilities;
 - viii. Consideration of:
 - The landscape character of the area;
 - The integration of the works into the natural environment, including streams;
 - Crime Prevention Through Environmental Design (CPTED) principles in urban areas.
 - (d) All planting works shall be undertaken in accordance with accepted horticultural practice.

PCC.30 Prior to the Requiring Authority undertaking any planting provided for in the LUDMP and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests in the Wellington region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LUDMP.

PCC.31 The planting identified in a LUDMP shall be implemented in accordance with the LUDMP within the first planting season following the completion of the construction works in each Project stage to which the LUDMP relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.

Ecology

PCC.32 As part of the detailed design, the Requiring Authority shall engage a suitably qualified ecologist to ensure that, where practicable, seral scrub and forest (kanuka scrub and

forest, mahoe dominated scrub and low forest) is avoided. This includes:

- (a) James Cook Drive Bush (PCC Ecosite 33).
- (b) Whitby Bush (PCC Ecosite 155b).
- (c) Exploration Drive Kanuka (PCC 190).

Where this vegetation can be avoided and/or effects on them minimised, fencing shall be established to demarcate them. Any contractors working in these areas shall be advised that the fence demarcates work boundaries that shall not be affected by construction work.

Where this vegetation cannot be avoided, all practicable steps shall be taken to minimise the areas of this vegetation that are removed.

Existing Network Utilities

- PCC.33 The Requiring Authority shall prepare and implement a Network Utilities Management Plan (NUMP) so that enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.
- PCC.34 A copy of the NUMP shall be submitted to the Manager for certification at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District. The purpose of the certification process is:
1. to confirm that the appropriate liaison with infrastructure providers has occurred and that their concerns have been taken into account where appropriate; and
 2. that the NUMP conditions NZTA.59 to NZTA.70 have been appropriately addressed.
- PCC.35 The NUMP shall include, but need not be limited to, the following matters:
- (a) The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to, the part of the Project in the District including the process for:
 - i. Network utility provider approval of proposed works on their utilities; process for obtaining any supplementary authorisations (e.g. easements and/or resource consents; and
 - ii. Protocols for inspection and final approval of works by network utility providers.
 - (b) The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to

access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring.

- (c) The methods the Requiring Authority will use to seek to ensure that all construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to, the part of the Project in the District, and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations.
- (d) How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.

PCC.36 The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition PCC.35, shall include:

- (a) Measures to be used to accurately identify the location of existing network utilities,
- (b) Measures for the protection, relocation and/or reinstatement of existing network utilities;
- (c) Measures to seek to ensure the continued operation and supply of infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing gas lines;
- (d) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities;
- (e) Measures to manage potential induction hazards to existing network utilities;
- (f) Earthworks management (including depth and extent of earthworks), for earthworks in close proximity to existing network utilities;
- (g) Vibration management for works in close proximity to existing network utilities;
- (h) Emergency management procedures in the event of any emergency involving existing network utilities;
- (i) As built drawings showing the relationship of the relocated utility to the Main Alignment shall be provided to utility owners within three months of completion of the utility relocation; and
- (j) Provision, both physical and legal, shall be made for future maintenance access to utilities to a standard at least equivalent to that currently existing.

-
- PCC.37 Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance purposes on an ongoing basis.
- PCC.38 Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of Powerco on the following property and, if requested by Powerco, physically peg out the extent of the designation boundary :
- Road reserve at the intersection of Warspite Avenue and Niagara Street
- PCC.39 The Requiring Authority shall give reasonable notice and make reasonable endeavors to:
- (a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
 - (b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

Transpower Specific Conditions (part of a separate agreement between PCC and Transpower)

Explanatory Note: Transpower conditions apply to both NoRs 7 and 8

- PCC.40 All works or activities associated with the the Project and ancillary roads and activities shall be designed and undertaken to comply with the Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001). In this regard, the Requiring Authority shall liaise with Transpower New Zealand Limited during the design of the Project. All works shall be designed to ensure the adequate protection of existing transmission lines and any potential adverse effects associated with the construction and operation of the roads within the designations. For completeness, NZECP 34:2001 includes the following requirements:
- (a) All machinery and mobile plant operated within the designation area shall maintain a minimum clearance distance of 4 metres from all transmission lines located within that area.
 - (b) In accordance with Section 4 of the NZECP 34:2001 no material shall be deposited (either permanent or temporary) under or near any National Grid transmission line without the approval of Transpower. This is to ensure the safe NZECP 34:2001 (Table 4) separation distances from the lines are always maintained.

All of the above requirement shall apply unless prior written approval is given by

Transpower.

- PCC.41 If compliance with NZECP 34:2001 cannot be achieved, the Requiring Authority shall consult with Transpower New Zealand Limited who will identify acceptable alternative options.
- PCC.42 The Requiring Authority shall ensure that existing access arrangements to Transpower's existing works are retained where practicable. Where the Requiring Authority requires or causes a change in access arrangements, alternative arrangements shall be provided, in consultation with Transpower New Zealand Limited that provides safe four wheel drive 24 hour access to the line conductors during the construction period or other options that will enable Transpower to undertake necessary works. Once construction has been completed the maintenance of access tracks shall be the responsibility of Transpower.
- PCC.43 All trees and vegetation planted shall be selected and located to ensure that no part of any tree (when mature) will encroach within a (4) metre clearance from transmission line conductors. The 4 metre clearance relates to vertical, horizontal and felling distance clearances and shall take account of the maximum conductor swing and sag.
- PCC.44 The Requiring Authority shall ensure that the discharge of contaminants to air from the site during construction of the Project does not create any dust hazard or nuisance to the transmission assets managed by Transpower New Zealand Limited. The Requiring Authority shall produce, in consultation with Transpower New Zealand Limited, as part of the Construction Management Plan, measures to identify how those potential dust effects will be managed around the transmission network.

Permanent Lighting

- PCC.45 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall be designed in accordance with the relevant rules of the District Plan.

APPENDIX E: K1063 WAITANGIRUA LINK ROAD

BOARD OF INQUIRY

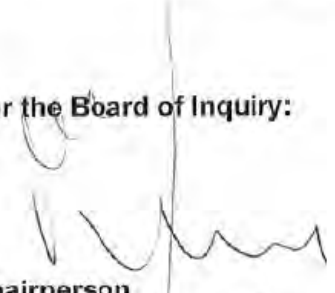
Transmission Gully Notices
of Requirement and Consents

NOR 8 – Notice of Requirement confirmed in the jurisdiction of the Porirua City Council

Pursuant to sections 149R and 149P(4), and subject to all the relevant provisions of the Resource Management Act 1991 and any regulations made thereunder, a Notice of Requirement is confirmed regarding:

Requiring Authority	Porirua City Council
District Plan	Porirua City District Plan
Designation Purpose	Waitangirua Link Road
Purpose for which right is granted	Construction, operation and maintenance of the Waitangirua Link Road
Conditions	As attached

For the Board of Inquiry:


Chairperson

Dated:

B P Dwyer
Environment Judge

12-6-12

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Porirua City Council – Conditions on Confirmed Notices of Requirement for K1063 Waitangirua Link Road

Please note: The following are the specific conditions applied by the Board of Inquiry to the K1063 Waitangirua Link Road Designation. It should be noted that these conditions are numbered according to the decision of the Board of Inquiry. The Board of Inquiry did not include conditions for the following: PCC.5 and PCC.9.

General Conditions and Administration

PCC.1 Except as modified by the conditions below, and subject to final design, the Project shall be undertaken in general accordance with the information provided by the Requiring Authority in the Notice of Requirement dated August 2011 and supporting documents being:

(a) Assessment of Environmental Effects report, dated 8 August 2011

(b) Plans:

- i. LR17 and LR20: Land requirement plans
- ii. GM14-15: Road layout plans
- iii. GM23 and GM33: Longitudinal sections and cross sections
- iv. DR14-15: Drainage layout plans
- v. S29: Structures plans
- vi. LA14-15: Landscape plans

For the avoidance of doubt, none of these conditions prevent or apply to works required for the ongoing operation or maintenance of the Project following construction such as changes to street furniture or signage over time. Depending upon the nature of such works, OPs or OP waivers may be required for any such works.

Where there is conflict between the documents listed above and these conditions, these conditions shall prevail.

PCC.2 As soon as practicable following completion of construction of the Project, the Requiring Authority shall:

- (a) Review the width of the area designated for the Project;
- (b) Identify any areas of designated land that are no longer necessary for the ongoing operation and maintenance of the Project or for ongoing mitigation measures; and
- (c) Give notice to the Council in accordance with Section 182 of the RMA for the

removal of those parts of the designation identified in PCC.2b above.

- PCC.3 The Requiring Authority shall reimburse the Council for its actual and reasonable costs incurred in carrying out its functions pursuant to Section 36(1)(d) of the RMA.
- PCC.3A The Requiring Authority shall reimburse the Council for its actual and reasonable costs incurred in carrying out its functions pursuant to Section 36(1)(d) of the RMA.

Outline Plans and Management Plans

- PCC.4 The Requiring Authority shall submit an Outline Plan (OP) to the Council for the part of the Project or for each Project stage, in accordance with section 176A of the RMA.
- NZTA.6 The OP(s) shall include the following Plans for the relevant stage(s) of the Project:
- (a) Heritage Management Plan (HMP);
 - (b) Construction Traffic Management Plan (CTMP);
 - (c) Landscape and Urban Design Management Plan (LUDMP);
 - (d) Construction Noise and Vibration Management Plan; and
 - (e) Construction Air Quality (Dust) Management Plan.

Advice Note: The Construction Environmental Management Plan (CEMP) may be submitted with the OP for information – but recognising that the Wellington Regional Council shall have the role of certifying this Plan, the Requiring Authority shall ensure that if the CEMP is changed or updated as a result of the WRC certification process that the most up to date version is provided to the Council.

- PCC.7 All works shall be carried out in accordance with the Outline Plan and management plans required by these conditions.
- PCC.8 The Requiring Authority shall provide the Manager with an updated schedule of construction activities and timing of management plans for the Project at monthly intervals throughout the construction phase of the entire Project.
- PCC.10 The following Outline Plan(s) and management plans shall be made available for public viewing at one or more of the Project site offices:
- (a) Confirmed Outline Plan(s)
 - (b) Construction Environmental Management Plan (CEMP);
 - (c) Construction Noise and Vibration Management Plan (CNVMP);

- (d) Construction Air Quality Management Plan (CAQMP);
- (e) Construction Traffic Management Plan (CTMP); and
- (f) Landscape and Urban Design Management Plan (LUDMP).

Where practicable, electronic copies of the management plans shall be made available upon request.

Communications and Public Liaison – Construction

- PCC.11 A liaison person shall be appointed by the Requiring Authority for the duration of the construction phase of the Project to be the main and readily accessible point of contact at all times for persons affected by the construction work. The Requiring Authority shall take appropriate steps to seek to advise all affected parties of the liaison person's name and contact details. If the liaison person will not be available for any reason, an alternative person shall be nominated. The Requiring Authority shall seek to ensure that a Project contact person is available by telephone 24 hours per day/seven days per week during the construction phase of the Project.
- PCC.12 Prior to the commencement of construction and/or enabling works, the Requiring Authority shall prepare and implement a Communications Plan that sets out procedures detailing how the public will be communicated with throughout the construction period. As a minimum, the Communications Plan shall include:
- (a) Details of a contact person available on site at all times during works. Contact details shall be prominently displayed at the entrance to the site(s) so that they are clearly visible to the public at all times;
 - (b) Methods to consult on and to communicate the proposed hours of construction activities outside of normal working hours and on weekends and public holidays, to surrounding residential communities, and methods to deal with concerns raised about such hours;
 - (c) Methods to record concerns raised about hours of construction activities and, where practicable, methods to avoid particular times of day which have been identified as being particularly sensitive for neighbours;
 - (d) Details of communications activities proposed including:
 - i. Publication of a newsletter, or similar, and its proposed delivery area.
 - ii. Newspaper advertising
 - iii. Notification and consultation with individual property owners and occupiers with dwellings within 20 metres of construction activities;

The Communications Plan shall also include linkages and cross-references to methods

set out in other management plans where relevant.

Complaints – Construction

PCC.13 During construction Work, the Requiring Authority shall maintain a permanent record of any complaints received alleging adverse effects from, or related to, the exercise of this designation. The record shall include:

- (a) the name and address (as far as practicable) of the complainant;
- (b) identification of the nature of the complaint;
- (c) location, date and time of the complaint and of the alleged event;
- (d) weather conditions at the time of the complaint (as far as practicable), and including wind direction and approximate wind speed if the complaint relates to air quality.
- (e) the outcome of the Requiring Authority's investigation into the complaint;
- (f) measures taken by the Requiring Authority to respond to the complaint; and
- (g) any other activities in the area, unrelated to the Project that may have contributed to the complaint, such as non-Project construction, fires, traffic accidents or unusually dusty conditions generally.

The Requiring Authority shall also keep a record of any remedial actions undertaken.

This record shall be maintained on site and shall be made available to the Manager and Wellington Regional Council, upon request. The Requiring Authority shall notify the Manager and Wellington Regional Council in writing of any such complaint within 5 working days of the complaint being brought to the attention of the Requiring Authority.

Archaeology and Heritage

PCC.14 The Requiring Authority, in consultation with, Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust, shall prepare an accidental discovery protocol, and provide a copy to the Council at the same time as submission of the Outline Plan. The protocol shall be implemented in the event of accidental discovery of cultural or archaeological artefacts or features during the construction of the Project. The protocol shall include, but not be limited to:

- (a) Training procedures for all contractors regarding the possible presence of cultural or archaeological sites or material, what these sites or material may look like, and the relevant provisions of the Historic Places Act 1993 if any sites or material are discovered;
- (b) Parties to be notified in the event of an accidental discovery shall include, but need not be limited to Te Runanga o Toa Rangatira Inc, the New Zealand Historic Places

Trust, the WRC, Porirua City Council and the New Zealand Police (if koiwi are discovered);

- (c) Procedures to be undertaken in the event of an accidental discovery (these shall include immediate ceasing of all physical works in the vicinity of the discovery); and
- (d) Procedures to be undertaken before Work under this designation may recommence in the vicinity of the discovery. These shall include allowance for appropriate tikanga (protocols), recording of sites and material, recovery of any artefacts, and consulting with Te Runanga o Toa Rangatira Inc and the New Zealand Historic Places Trust prior to recommencing works in the vicinity of the discovery.

Construction Environmental Management Plan

Advice Note: The CEMP is required to be certified by the Wellington Regional Council and the relevant Territorial Authority. The CEMP is to be supplied to the Councils for an initial consultation process, and then the final document is required to be supplied for information, and display in a site office.

PCC.15 The Requiring Authority shall, at least 20 working days prior to submitting the Construction Environmental Management Plan required by Condition PCC.16 (and by the regional consent conditions) to the Regional Council and Porirua City Council for certification, submit a draft to the Councils for comment. Any comments received shall be supplied to the Regional Council and Porirua City Council when the CEMP is submitted, along with clear explanation of where any comments have not been incorporated and the reasons why.

PCC.16 The CEMP shall confirm final Project details, staging of Work, and detailed engineering design to seek to ensure that the Project remains within the limits and standards imposed on this designation and that the construction and operation activities avoid, remedy or mitigate adverse effects on the environment in accordance with the conditions imposed on this designation, and any resource consents granted to assist the Requiring Authority in constructing the Project.

The draft CEMP submitted with the application (dated July 2011) shall be used as a basis for the preparation of the CEMP. The CEMP shall provide details of the responsibilities, reporting frameworks, coordination and management required for Project quality assurance; final detailed design; construction methodologies; timeframes and monitoring processes and procedures.

A CEMP shall include but need not be limited to:

(1) Quality Assurance

A Quality Assurance section shall include management frameworks, systems and procedures for quality management of all on-site activities and compliance with the conditions imposed on this designation. Among other matters this section shall provide

details of the following:

- a. Name, qualifications, relevant experience and contact details of a appropriately qualified and experienced Project manager, who shall be responsible for overseeing compliance with the CEMP;
- b. Names, qualifications, relevant experience, and methods for contacting principal staff employed on the relevant part of the Project, along with details of their roles and responsibilities;
- c. Methods and systems to inform and train all persons working on site of potential environmental issues and how to avoid, remedy or mitigate any potential adverse construction effects;
- d. Systems and processes whereby the public are informed of contact details of the Project manager and person or persons identified above;
- e. Liaison procedures with the Council; and
- f. Communication protocols.

(2) Site Management

The Site Management section of the CEMP shall detail procedures to manage the relevant part of the Project throughout the entire construction process in a safe manner. Among other matters this section shall provide details of the following

- a. Details of the site access for all works associated with construction of the part of the Project;
- b. Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage and unloading of building materials and similar construction activities;
- c. Location of workers' conveniences (e.g. portaloos);
- d. Procedures for controlling sediment run-off into the watercourses/streams, dust and the removal of soil, debris and construction materials from the watercourses/streams and riparian margins, (including identifying the location of wheel wash facilities);
- e. A contingency plan in the event that there is any unconsented discharge to watercourses/streams;
- f. Details of the storage of fuels and lubricants (which shall require that storage be bunded or contained in such a manner so as to prevent the discharge of contaminants from spillages);
- g. Details of the proposed maintenance of machinery and plant to minimise the

potential for leakage of fuels and lubricants;

- h. Location of vehicle and construction machinery access and storage during the period of site works;
- i. Procedures for thoroughly cleaning all machinery of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site and any other methods to avoid the introduction of unwanted pests to site;
- j. Methods for the clear identification and marking of the construction zones including those which extend into watercourses;
- k. A methodology that prescribes the extent to which machinery can operate in the vicinity of watercourses so as to minimise disruption and damage to the watercourses and associated vegetation;
- l. Methods to ensure public health and safety during the construction works, and notification to the public of temporary access restrictions to the immediate works area during the staged construction;
- m. Confirmation that no equipment or machinery will be cleaned, or refuelled in any part of any watercourses/streams, except as otherwise specifically provided for in the CEMP or an SSEMP; and
- n. Procedures for removing all contaminants (e.g. fuel, hydraulic oils, lubricants etc) from the site at the end of the construction period, except for those required for ongoing maintenance of the road and operational activities.

(3) Construction Programme and Methodology

A Construction Programme which shall include a programme of works that seeks to enable the relevant part of the Project to be constructed in a manner that is timely, adequately co-ordinated and manages the adverse effects of construction on the environment. This section shall, among other matters, provide details on the following:

- a. A detailed staging programme and anticipated timetable for construction works during the relevant part of the Project; and
- b. A methodology to identify how earthworks will be staged during the relevant part of the Project to manage the effects of the Project on the Pauatahanui Inlet.

(4) Layout Drawings

Drawings showing the proposed layout of the construction yards, including associated buildings, fencing and site access. The layout drawings shall, as far as practicable, incorporate the following:

- a. The main access to the construction yards to be located as far as practicable from

residential dwellings;

- b. Noisy construction activities shall be located as far as practicable from residential dwellings;
- c. Temporary acoustic fences and visual barriers.

Traffic Management and Roading – Construction

PCC.17 An Outline Plan (or Plans) shall include a Construction Traffic Management Plan (CTMP). The CTMP submitted with the application (dated May 2011) shall be updated and used as a basis for developing and finalising this plan.

This CTMP shall address the following:

- (a) The staging of the works, including details of any proposals to work on multiple sections of the Project route concurrently;
- (b) Details of construction yard access points where they gain access directly from a local road;
- (c) A general methodology for selecting detour routes; and
- (d) The potential effects on the detour routes selected and how these will be managed to seek to ensure safety for all road users.

PCC.18 A copy of the CTMP shall be provided to the Road Asset Manager at least 20 working days prior to commencement of construction of any part of the Project within the District.

PCC.19 1. Site Specific Traffic Management Plan(s) (SSTMP) shall be prepared following consultation with the following key stakeholders:

- (a) The Council;
- (b) Emergency services (police, fire and ambulance).
- (c) Schools and childcare centres with frontage or access to roads within which works in relation to the relevant part of the Project will take place.

2. The SSTMPs shall be provided to the Manager at least 5 working days for a “minor” SSTMP and at least 10 working days for a “major” SSTMP prior to the commencement of work in that area for certification that:

- (a) They are consistent with the CTMP
- (b) Consultation has been undertaken with key stakeholders; and
- (c) That all the details required under this condition are shown, along with any other

matters relevant to managing the effects of construction traffic.

3. The SSTMP shall describe the measures that will be taken to manage the traffic effects associated with the construction of specific parts of the Project prior to construction of the relevant part(s) of the Project commencing.

In particular SSTMP(s) shall describe:

- (a) How it is consistent with the CTMP;
- (b) Temporary traffic management measures required to manage impacts on road users during proposed working hours;
- (c) Delay calculations associated with the proposed closure/s and detour routes;
- (d) The capacity of any proposed detour route(s) and their ability to carry the additional traffic volumes and any known safety issues associated with the detour route, including any mitigation measures the Requiring Authority proposes to put in place to address any identified safety issues;
- (e) Individual traffic management plans for intersections of the proposed Project with arterial roads;
- (f) Measures to maintain, where practicable, existing vehicle access to adjacent properties and businesses;
- (g) Measures to maintain, where practicable, safe and clearly identified pedestrian and cyclist access on roads and footpaths adjacent to the construction works. Where detours are necessary to provide such access the Requiring Authority shall provide for the shortest and most convenient detours which it is reasonably practicable to provide, having regard to safety;
- (h) Any proposed temporary changes in speed limit;
- (i) Provision for safe and efficient access of construction vehicles to and from construction site(s); and
- (j) The measures that will be undertaken by the Requiring Authority to communicate traffic management measures to affected road users and stakeholders.

For the purposes of this condition, a “minor” SSTMP shall be defined as involving works of 5 or less days in duration, and a “major” SSTMP shall be defined as involving works of more than 5 days in duration.

PCC.20 The CTMP and SSTMP(s) shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management (COPTTM) which applies at the time the CTMP or the relevant SSTMP is prepared.

- PCC.21 The Requiring Authority shall carry out regular inspections of the road networks affected by the Project during construction, to ensure that all potholes and other damage resulting from the construction of the Project are repaired as soon as practicable.
- PCC.21A The Requiring Authority shall ensure that procedures are adopted to prevent the deposition of slurry, clay or other materials on the roads by vehicles leaving the site where such material is liable to cause a nuisance or hazard. Procedures shall include but not be limited to use of an on-site wheel wash.
- PCC.22 As soon as practicable following completion of construction of the Project the Requiring Authority shall, at its expense, conduct a post-construction condition survey of the road network affected by the Project. The results of the pre and post construction surveys will be compared and where necessary, the Requiring Authority shall at its expense arrange for repair of any damage to the carriageways and footpaths (and associated road components), for which the Council is the road controlling authority, where that damage has resulted from the impacts of construction of the Project.

Construction Noise and Vibration Management

- PCC.23 An Outline Plan (or Plans) for the construction of any part of the Project located within the District or for the construction of any Project stage within the District shall include a Construction Noise and Vibration Management Plan (CNVMP). The draft CNVMP submitted with the application (dated July 2011) shall be used as a basis for preparing this plan.

The CNVMP shall:

- (a) Be prepared by a suitably qualified acoustics specialist;
- (b) Include specific details relating to methods for the control of noise associated with all relevant Project works, which shall be formulated to, as far as practicable, comply with the following criteria in accordance with NZS 6803:1999:

Day	Time	L _{Aeq(15 min)}	L _{AFmax}
Weekdays	0630h - 0730h	55 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	65 dB	80 dB
	2000h - 0630h	45 dB	75 dB
Saturday	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	70 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

Sundays and public holidays	0630h - 0730h	45 dB	75 dB
	0730h - 1800h	55 dB	85 dB
	1800h - 2000h	45 dB	75 dB
	2000h - 0630h	45 dB	75 dB

- (c) Address the following aspects with regard to managing the adverse effects of construction noise:
- i. Noise sources, including machinery, equipment and construction techniques to be used;
 - ii. Predicted construction noise levels;
 - iii. Hours of operation, including times and days when noisy construction work and blasting would occur;
 - iv. The identification of activities and locations where structural noise mitigation measures such as temporary barriers or enclosures may be used;
 - v. Details of which road-traffic noise mitigation options will be implemented early to also mitigate construction noise;
 - vi. The measures that will be undertaken by the Requiring Authority to communicate noise management measures to affected stakeholders;
 - vii. Mitigation options, including alternative strategies where full compliance with the noise criteria cannot practicably be achieved;
 - viii. Schedules containing site specific information;
 - ix. Methods for monitoring and reporting on construction noise; and
 - x. Include specific details relating to methods for the control of vibration and airblast associated with all relevant Project construction works, which shall be formulated to, as far as practicable, comply with the Category A criteria in the following table, measured in accordance with ISO 4866:2010 and AS 2187-2:2006:

Receiver	Details	Category A	Category B
Occupied dwellings	Night-time 2000h - 0630h (transient vibration)	0.3 mm/s ppv	1 mm/s ppv
	Daytime 0630h - 2000h	1 mm/s ppv	5 mm/s ppv
All occupied	Daytime blasting	5 mm/s ppv	10 mm/s ppv

buildings	– vibration – airblast	120 dB L _{Zpeak}	-
All buildings	Vibration – transient (including blasting)	5 mm/s ppv	BS 5228-2 Table B.2
	Vibration – continuous		BS 5228-2 50% of Table B.2 values
	Airblast	-	133 dB L _{Zpeak}

- (d) Describe the measures to be adopted in relation to construction vibration including:
- Vibration sources, including machinery, equipment and construction techniques to be used;
 - Procedures for building condition surveys at locations close to activities generating significant vibration, prior to and after completion of the works (including all buildings predicted to experience vibration which exceeds the Category A vibration criteria);
 - Procedures for management of vibration by a suitably qualified expert, if measured or predicted vibration and airblast levels exceed the Category A criteria;
 - Procedures for approval by the Council and continuous monitoring of vibration levels and effects by suitably qualified experts if measured or predicted vibration and airblast levels exceed the Category B criteria; and
 - The measures that will be undertaken by the Requiring Authority to communicate vibration management measures to affected stakeholders.

Construction Air Quality (including Dust) Management

PCC.24

An Outline Plan (or Plans) shall include a Construction Air Quality (Dust) Management Plan (CAQMP). The draft CAQMP submitted with the application (dated March 2011) shall be used as a basis for preparing a CAQMP for the Project. The CAQMP shall provide a methodology for managing the effects of dust from construction activities occurring at the site, and shall, as a minimum include:

- Identification and implementation of dust suppression measures appropriate to the environment in which the works are located, and the sensitivity of nearby receptors; and
- Identification of contingency measures to address identified and verified adverse effects on sensitive receptors. Contingency measures may include options such as cleaning houses and buildings.

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- PCC.25 The CAQMP shall include a process for advising and consulting with the owners and/or occupiers of any residential property where construction activities that have the potential to generate dust will be undertaken within 100 metres of a residential dwelling on that land. The advice and consultation process shall be undertaken at least 20 working days prior to commencement of the works. The Requiring Authority shall manage construction activities as far as it is practicable to be in accordance with the methods discussed with the consulted property owners and occupiers. The CAQMP shall set out how any issues raised in consultation with the owners and occupiers of the properties listed above have been incorporated, and where they have not, the reasons why.

Construction Lighting

- PCC.25A The requiring authority shall implement procedures at all times during construction to manage lightspill (if any) to residential properties from any night lighting that is required on the site.

Landscape and Urban Design

- PCC.26 An Outline Plan (or Plans) for the construction of any part of the Project shall include a Landscape and Urban Design Management Plan (LUDMP) for the relevant part of the Project. The purpose of the LUDMP is to integrate the Project's permanent works into the surrounding landscape and urban design context. The LUDMP shall be prepared by a suitably qualified landscape architect and urban designer (or similar appropriate person(s) and shall implement:

- (a) the Landscape plans submitted with the applications numbered LA14-15;
- (b) the Transmission Gully Urban and Landscape Design Framework (dated August 2011) and in particular the design principles set out in this document; and
- (c) the certified Ecological Management and Monitoring Plan.

- PCC.27 In order to confirm that the LUDMP is consistent with the ecological management measures in the EMMP, the certified EMMP required under the regional resource consents shall be submitted to the Council and Wellington Regional Council for certification. (NB. in respect to Wellington Regional Council certification, this shall be confined to the functions of the WRC including the interrelationship with site specific plans required to be certified by WRC).

- PCC.28 All LUDMP(s) shall provide amongst other matters, for:
- (a) Input to earthworks contouring;
 - (b) The integration of the Project's permanent works into the surrounding landscape;
 - (c) Landscape works within land acquired for the Project which mitigate the effects

of the Project on properties in the vicinity of the alignment;

- (d) Retention or relocation of significant existing trees, where practicable; and
- (e) Replacement planting for loss of existing trees, where appropriate and practicable.

PCC.29 The LUDMP(s) shall be prepared in consultation with Te Runanga o Toa Rangatira Inc, PCC (as asset owner), Waitangirua Community Park Design Team, Cannons' Creek Residents' and Ratepayers Association, Maraeroa Marae Executive, and Tokelauan Christian Church and shall include but not be limited to the following:

- (a) Demonstration of how the design principles in the ULDF have been adhered to in the development of the design concepts, including (but not limited to) principles for noise walls, boundary walls and structures (including bridges underpasses and associated retaining walls) which are identified in the ULDF as being in highly sensitive locations;
- (b) A Concept Plan/Report – this shall depict the overall landscape and urban design concept, and provide a framework for the design intent, layout and mitigation proposals.
- (c) Landscape Design Details – these shall include the following details:
 - i. Identification of vegetation to be retained;
 - ii. Identification and protection measures for vegetation to be retained, and make good planting along cleared edges;
 - iii. Proposed planting including plant species, plant/grass mixes, spacing/densities, sizes (at the time of planting) and layout and planting methods including trials;
 - iv. Planting programme – the staging of planting in relation to the construction programme which shall, as far as practicable, include provision for planting within each planting season following completion of works in each stage of the Project;
 - v. Detailed specifications relating to (but not limited to) the following:
 - Vegetation protection (for desirable vegetation to be retained);
 - Weed control and clearance;
 - Ground preparation (topsoiling and decompaction to provide for rapid plant establishment and ongoing vigour);
 - Mulching; and

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- Plant supply and planting, including hydroseeding and grassing - which shall require:
 1. Any planting to reflect the natural plant associations of the area;
 2. Where practicable, the use of mixes of plant which are of a suitable richness and diversity to encourage self-sustainability once established; and
 3. Any native plants to, so far as practicable, be genetically sourced from the relevant Ecological District;
 - vi. A maintenance regime including monitoring and reporting requirements, which is to apply for the three years following that planting being undertaken;
 - vii. Waitangirua Entrance feature
 - viii. Landscape treatment for noise barriers (for Waitangirua Link Road);
 - ix. Landscape treatment for any pedestrian and cycle facilities;
 - x. Consideration of:
 - The landscape character of the area;
 - The integration of the works into the natural environment, including streams;
 - Crime Prevention Through Environmental Design (CPTED) principles in urban areas.
 - (d) All planting works shall be undertaken in accordance with accepted horticultural practice.

PCC.30 Prior to the Requiring Authority undertaking any planting provided for in the LUDMP and throughout the ensuing landscaping maintenance period, all weed species declared as plant pests in the Wellington region by the Wellington Regional Pest Management Strategy shall be controlled and removed from the site of any planting undertaken pursuant to the LUDMP.

PCC.31 The planting identified in a LUDMP shall be implemented in accordance with the LUDMP within the first planting season following the completion of the construction works in each Project stage to which the LUDMP relates, providing climatic conditions are suitable; otherwise at the first practicable opportunity thereafter.

Ecology

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- PCC.32 As part of the detailed design, the Requiring Authority shall engage a suitably qualified ecologist to ensure that, where practicable, seral scrub and forest (kanuka scrub and forest, mahoe dominated scrub and low forest) is avoided.

Where this vegetation can be avoided and/or effects on them minimised, fencing shall be established to demarcate them. Any contractors working in these areas shall be advised that the fence demarcates work boundaries that shall not be affected by construction work.

Where this vegetation cannot be avoided, all practicable steps shall be taken to minimise the areas of this vegetation that are removed.

Existing Network Utilities

- PCC.33 The Requiring Authority shall prepare and implement a Network Utilities Management Plan (NUMP) so that enabling works, design and construction of the Project adequately take account of, and include measures to address, the safety, integrity, protection or, where necessary, relocation of, existing network utilities.

- PCC.34 A copy of the NUMP shall be submitted to the Manager for certification at least 10 working days prior to the commencement of any enabling or construction works on any part of the Project located within the District. The purpose of the certification process is:

1. to confirm that the appropriate liaison with infrastructure providers has occurred and that their concerns have been taken into account where appropriate; and
2. that the NUMP conditions NZTA.59 to NZTA.70 have been appropriately addressed.

- PCC.35 The NUMP shall include, but need not be limited to, the following matters:

- (a) The methods the Requiring Authority will use to liaise with all infrastructure providers who have existing network utilities that are directly affected by, or located in close proximity to, the part of the Project in the District including the process for:
 - i. Network utility provider approval of proposed works on their utilities; process for obtaining any supplementary authorisations (e.g. easements and/or resource consents; and
 - ii. Protocols for inspection and final approval of works by network utility providers.
- (b) The methods the Requiring Authority will use to enable infrastructure providers to access existing network utilities for maintenance at all reasonable times, and to access existing network utilities for emergency works at all times, whilst construction activities associated with the Project are occurring.
- (c) The methods the Requiring Authority will use to seek to ensure that all

construction personnel, including contractors, are aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to, the part of the Project in the District, and the restrictions in place in relation to those existing network utilities. This shall include plans identifying the locations of the existing network utilities and appropriate physical indicators on the ground showing specific surveyed locations.

- (d) How the Requiring Authority will meet the costs of any Project-related works that are required in order to protect, relocate and/or reinstate existing network utilities. Such methods shall be consistent with the provisions of the Gas Act 1992, the Electricity Act 1992 and the Telecommunications Act 2001.

PCC.36 The NUMP shall be prepared in consultation with the relevant infrastructure providers who have existing network utilities that are directly affected by the Project and, in addition to the matters listed in Condition PCC.35, shall include:

- (a) Measures to be used to accurately identify the location of existing network utilities,
- (b) Measures for the protection, relocation and/or reinstatement of existing network utilities;
- (c) Measures to seek to ensure the continued operation and supply of infrastructure services which may include, but not be limited to, any new or relocated gas pipes being made operational prior to the termination of existing gas lines;
- (d) Measures to provide for the safe operation of plant and equipment, and the safety of workers, in proximity to live existing network utilities;
- (e) Measures to manage potential induction hazards to existing network utilities;
- (f) Earthworks management (including depth and extent of earthworks), for earthworks in close proximity to existing network utilities;
- (g) Vibration management for works in close proximity to existing network utilities;
- (h) Emergency management procedures in the event of any emergency involving existing network utilities;
- (i) As built drawings showing the relationship of the relocated utility to the Main Alignment shall be provided to utility owners within three months of completion of the utility relocation; and
- (j) Provision, both physical and legal, shall be made for future maintenance access to utilities to a standard at least equivalent to that currently existing.

PCC.37 Prior to the commencement of construction, the Requiring Authority shall, as part of the NUMP, seek to ensure that the operation and maintenance of the Project does not unduly constrain access to existing and/or relocated network utilities for maintenance

purposes on an ongoing basis.

PCC.38 Prior to the commencement of construction, the Requiring Authority shall, accurately locate the assets of Powerco on the following property and, if requested by Powerco, physically peg out the extent of the designation boundary :

- Road reserve at the intersection of Warspite Avenue and Niagara Street

PCC.39 The Requiring Authority shall give reasonable notice and make reasonable endeavors to:

- (a) Liaise with all relevant network utility operators in relation to any part of the works within the designation where their infrastructure may be affected; and
- (b) Make reasonable and relevant changes requested by such network utility operators, to the relevant design plans and methodologies, to ensure that access to, maintenance and the operation of all network utility infrastructure within the designated area is not adversely affected.

Transpower Specific Conditions (part of a separate agreement between PCC and Transpower)

Explanatory Note: Transpower conditions apply to both NoRs 7 and 8

PCC.40 All works or activities associated with the the Project and ancillary roads and activities shall be designed and undertaken to comply with the Code of Practice for Electrical Safety Distances 2001 (NZECP 34:2001). In this regard, the Requiring Authority shall liaise with Transpower New Zealand Limited during the design of the Project. All works shall be designed to ensure the adequate protection of existing transmission lines and any potential adverse effects associated with the construction and operation of the roads within the designations. For completeness, NZECP 34:2001 includes the following requirements:

- (a) All machinery and mobile plant operated within the designation area shall maintain a minimum clearance distance of 4 metres from all transmission lines located within that area.
- (b) In accordance with Section 4 of the NZECP 34:2001 no material shall be deposited (either permanent or temporary) under or near any National Grid transmission line without the approval of Transpower. This is to ensure the safe NZECP 34:2001 (Table 4) separation distances from the lines are always maintained.

All of the above requirement shall apply unless prior written approval is given by Transpower.

PCC.41 If compliance with NZECP 34:2001 cannot be achieved, the Requiring Authority shall consult with Transpower New Zealand Limited who will identify acceptable alternative

options.

- PCC.42 The Requiring Authority shall ensure that existing access arrangements to Transpower's existing works are retained where practicable. Where the Requiring Authority requires or causes a change in access arrangements, alternative arrangements shall be provided, in consultation with Transpower New Zealand Limited that provides safe four wheel drive 24 hour access to the line conductors during the construction period or other options that will enable Transpower to undertake necessary works. Once construction has been completed the maintenance of access tracks shall be the responsibility of Transpower.
- PCC.43 All trees and vegetation planted shall be selected and located to ensure that no part of any tree (when mature) will encroach within a (4) metre clearance from transmission line conductors. The 4 metre clearance relates to vertical, horizontal and felling distance clearances and shall take account of the maximum conductor swing and sag.
- PCC.44 The Requiring Authority shall ensure that the discharge of contaminants to air from the site during construction of the Project does not create any dust hazard or nuisance to the transmission assets managed by Transpower New Zealand Limited. The Requiring Authority shall produce, in consultation with Transpower New Zealand Limited, as part of the Construction Management Plan, measures to identify how those potential dust effects will be managed around the transmission network.

Permanent Lighting

- PCC.45 Lighting shall be designed and screened to minimise the amount of lighting overspill and illumination of residential areas, and shall be designed in accordance with the relevant rules of the District Plan.

APPENDIX F: K0411 STATE HIGHWAY 1 (Rural Section)**Conditions for Rural Section Upgrade (Pukerua Bay-Plimmerton)****Introduction**

1. In this designation all references made to meterages are to those numerical references specified in the Landscape Mitigation and Enhancement Proposal Plans in Appendix 3. Until detailed design is carried out it is impracticable to be definitive about the precise locations. Accordingly all locations referred to are approximate unless the text states otherwise. Actual locations are to be identified in the drawings and specifications to be certified as required by these conditions.

Scope and extent of work

2. The location, design, construction and implementation of the works shall be as described in the notice of requirement dated 17 July 1997 and in the supporting information entitled *State Highway 1 Upgrade, Rural Section Upgrade (Pukerua Bay – Plimmerton) Notice of Requirement, Resource Consent Applications, Assessment of Effects on the Environment* dated July 1997 as prepared for Transit by Beca Carter Hollings and Ferner Ltd, together with its associated annexes, reports, plans and cross sections, subject to final design and subject to any modifications required to comply with any of the conditions of the requirements.

Certification of final design

3.
 - (a) Prior to commencing the Rural Section upgrade, Transit shall submit to the PCC detailed drawings, specifications and such other information as the General Manager, Environment and Regulatory Services, PCC may require to enable that officer to certify that the proposed work complies with the designation;
 - (b) Transit shall not commence the Rural Section upgrade until that PCC officer has certified that the proposed work complies with this designation.
 - (c) The General Manager, Environment and Regulatory Services, PCC may give such certificates in respect of sections of the work if that officer considers it is practical to do so.
 - (d) Such certificates may be given subject to a condition that details of specified aspects of the upgrade are provided later if the said officer considers it is impractical to certify an aspect of the work until a later time, provided that the

relevant aspect of the work must not be undertaken without certification.

- (e) When certifying final proposals particular regard shall be had to the intention to avoid, if practical, any adverse environment effects on the Taupo Swamp and to remedy and mitigate any such effects which do occur.

Complaints Register

- 4. Transit shall maintain a permanent record of any complaints received alleging adverse effects from its operations within the designation or any breach of these conditions. The record shall include the name and address (as far as practicable) of the complainant; identification of the nature of the matter complained about; date and time of complaint and of the alleged event; weather conditions at the time of the alleged event (as far as practicable); and any remedial action taken. This record shall be made available to the General Manager, Environment and Regulatory Services, PCC, on request.

Protocol for discovery of koiwi, taonga or other artefact material

- 5. If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop for a reasonable time (to be determined if necessary by the General Manager, Environment and Regulatory Services, PCC) to allow a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to allow recovery of the artefacts prior to work resuming.

Protection of landscape and ecological values of Taupo Swamp

- 6. To protect the landscape and ecological values of the Taupo Swamp, Transit shall, after consultation with the Queen Elizabeth II National Trust, undertake the following measures within the boundaries of the designation, in general accordance with the *Landscape Mitigation and Enhancement Proposal Plans* in Appendix 3 and as summarised in the Table 1 Appendix 2 and to the satisfaction of the General Manager, Environment and Regulatory Services, PCC:
 - (a) South of Airlie Road intersection, between approximately meterage 4250 west and 6550 west provide for farm runoff through the proposed culvert drainage system but treat road runoff separately from farm runoff.
 - (b) Between meterage 4250 and 6550 west, provide erosion control measures and

scour protection at the culvert outlets. To achieve erosion and sedimentation mitigation, provide small swales at the culvert outlets to spread the flow and maximise the buffering effect of the Taupo Swamp itself.

- (c) For road runoff along the length of the designation, provide a kerb and channel in the cut areas and either a kerb and channel or a dish channel along the edges of the highway (with preference being for a dish channel where the road abuts the existing Taupo swamp edge).
- (d) For the channels specified in condition 6c. hereof, between meterage 4250-6550 east and west as gradient dictates, provide and maintain in good operational condition, siphon sumps which incorporate a sediment debris collection sump in the base and a siphon outlet to prevent the discharge of floatable material.
- (e) Between meterage 4250-6550 west, direct storm water discharge from the siphon sumps on the eastern side of Stage Highway 1 to the small eastern wetlands unless the General Manager, Environment and Regulatory Services, PCC, certifies that it is impractical to do so, in which case it may be discharged directly into the main Taupo Swamp on the western side of the highway.
- (f) Between meterage 4400-6550 west, control and take all practicable steps to eradicate invasive grasses and exotic weeds between the road edge and toe of the batter abutting the swamp and also replant the batter using locally sourced native seedlings to encourage self-sustaining regeneration, suppress weeds and filter runoff.
- (g) As far as practicable between meterage 4400-6550, control grasses, blackberry, broom and other exotic weeds between the toe of the batter abutting the swamp and the designation boundary from meterage 4400-6550 west. Allow reasonable access to enable Queen Elizabeth II National Trust to re-vegetate these areas by planting locally cut flax fans and other native plants.
- (h) Provide for fish passage in the design and installation of culverts and other works. All culverts south of meterage 4550 shall be designed and constructed so as to maintain upstream water levels in the two remnant swamp areas east of State Highway 1 (located at 5050 west and 5400 west).

Restoration and enhancement of southern remnant wetland area east of SH1

7. Other than to the extent necessary as a consequence of final design of the road carriageway or to comply with any other condition of this designation, the area of the southern remnant wetland area to be filled shall be confined to that shown in the Landscape Mitigation and Enhancement Proposals Plans in Appendix 3, and all earthworks required to fill that area shall not encroach further into the wetland than 3m beyond the toe of the proposed filled batter shown on Plan 5.
8. In the design and construction of the realigned road Transit shall ensure that finished water levels are sufficient to facilitate the regeneration of the flax tussock land ecosystem within the southern remnant wetland east of SH1 that is within the designation boundaries. Finished water levels shall not be raised beyond the designation boundaries.

Encroachment into northern remnant wetland

9. Other than to the extent necessary as a consequence of final design of the road carriageway or to comply with any other condition of this designation, the area of the southern remnant wetland area to be filled shall be confined to that shown in the Landscape Mitigation and Enhancement Proposals Plans in Appendix 3, and all earthworks required to fill that area shall not encroach further into the wetland than 3m beyond the toe of the proposed filled batter shown on Plan 5.

Retention of key views of Taupo Swamp

10. To retain key views of the Taupo Swamp from the State highway (in particular between meterages 4500-4650, 4900-5200 and 6200-6300), Transit shall, to the satisfaction of the General Manager, Environment and Regulatory Services, PCC, undertake the following measures within the boundaries of the designation, in general accordance with the Landscape Mitigation and Enhancement Proposal Plans in Appendix 3 and as summarised in Table 1 in Appendix 2:
 - (a) Investigate at detailed design stage (having regard to the need to avoid flooding and the issues of safety and efficiency) the practicality of raising and/or splitting the road into two levels, with the eastern lanes being slightly higher in order to assist motorists to gain views of the swamp across the western lanes and to assist reduce the apparent mass of the road.
 - (b) Use wire rope (or similar suitable barrier) instead of concrete for any safety

barrier at meterages 4400-6550 unless the General Manager, Environment and Regulatory Services, PCC, certifies that an alternative is acceptable.

- (c) Keep mown any strips of grass along the edge of the highway.
- (d) Develop a viewing location beside part of the former Stage Highway 1 road near Airlie Road turnoff at meterage 4450 west. Remove the willows from the swamp immediately adjoining the viewing area.

Landscape restoration at the eastern edge of Taupo Swamp, on redundant areas of highway and along the entire road corridor

11. Transit shall reinstate the native vegetation character within the roading corridor by planting on the mounded areas and on the cut and fill batters, including the interface between the road and the Taupo Swamp. In particular, Transit shall undertake the following measures within the designation boundaries, in general accordance with the Landscape Mitigation and Enhancement Proposal Plans in Appendix 3, and as summarised in Table 1 in Appendix 2 and to the satisfaction of the General Manager, Environment and Regulatory Services, PCC:
 - (a) On the cut batters along both sides of the highway throughout the entire length of the designation shape the upper portion of the cut batters to a rounded top to blend in with the landform.
 - (b) On the cut batters along both sides of the highway throughout the entire length of the designation cut numerous, small, random shelves across the face of the cut batters, place fine material onto the shelves and plant with colonising native species.
 - (c) Plant around the contour part way up side valleys at the following selected locations to reduce the appearance of strip vegetation along the road edge at meterages 3850w (west), 4550w, 4670w, 5050w, 5400w, 5750w, 5850w, 5950w, 6150w, 6250w, 6300w.
 - (d) Rip and remove all redundant roading as a preliminary step before re-vegetation, including at meterages 3450-3900, 4650-4950, 5300-5650 west.
 - (e) Build up mounds on selected areas of redundant road and old areas of cut at meterages 3450-3900, 4650-4950, 5300-5650, 6050, 6170, 6350, and 6450 west. Re-vegetate these mounds with native seedlings, except that grass may be used at meterages 4650-4850.
 - (f) Use locally-sourced indigenous plants for any re-vegetation.

Landscape planting and screening at the Airlie Road intersection and in the vicinity of Whenua Tapu Cemetery

12. Transit shall, to the satisfaction of the General Manager, Environment and Regulatory Services, PCC, design and implement, for the changed intersection at Airlie Road between meterages 4050 to 4250 west, landscape restoration measures which shall incorporate:
- (a) An effective and long term planted screen between Whenua Tapu Cemetery and the road carriageway.
 - (b) Landscape planting and earth shaping of earth worked areas, cut or batter slopes, and redundant areas of road.

Timing of landscape work

13. Landscape restoration work (other than maintenance and other ongoing work) shall be completed within two planting seasons of the completion of the SH1 road construction works authorised by this designation.

Landscape Management Plan

14. Transit shall prepare a comprehensive landscape management plan for the entire designated road corridor incorporating the measures specified in conditions (6) to (12) hereof. This plan shall be prepared by a qualified landscape architect to the satisfaction of the General Manager, Environment and Regulatory Services, PCC, and in consultation with the QE II National Trust particularly in relation to any proposals in the vicinity of the Taupo Swamp. The plan shall detail the proposed timing of restoration work and shall be consistent with the Landscape Mitigation and Enhancement Proposal Plans in Appendix 3 and Table 1 in Appendix 2.
15. The Landscape Management Plan shall specify the continuing steps to be taken to fulfil the intention of these conditions, including replacement of plants which die and maintenance of plants, mown areas and the built environment.

Noise

16. Construction noise shall not exceed the limits specified in Table 1 on page 10 of NZS 4803P:1984: "The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work" and shall be measured in accordance with that Standard except that on Saturdays and Sundays the week day standards will apply

provided the occupier of any dwelling where the noise levels exceed the Saturday and Sunday Standards consents in writing to the week day standards applying and a copy of that written consent is supplied to the General Manager, Environment and Regulatory Services, PCC.

17. The proposed work shall be designed so that in relation to dwelling noise levels shall comply with the Transit draft document entitled "Guidelines for the Management of Road Traffic Noises-State Highway Improvement" dated November 1994.
18. The road surface in the vicinity of the Airlie Road intersection shall be designed and constructed so the operational noise at the Whenua Tapu Cemetery or houses in the vicinity from vehicles using the road shall be no greater than that which would arise from the use of a small grade chip seal surface finish.

Overhead lighting at Airlie Road intersection

19. Any new or changed overhead lighting at the Airlie Road intersection shall be designed so as not to exceed 8 lux on the face of any residential houses close to the intersection.

Protection of trunk sewer and water main

20. Transit shall consult with both PCC and WRC in respect of services and Transit shall ensure that the proposed realignment and construction works do not compromise the function of either the trunk sewer main or the water supply main of the WRC.

Mitigation of dust

21. In order to minimise dust nuisance, Transit shall ensure:
 - (a) That all exposed areas of earth works, stockpiles of earth, and other dust sources which are liable to give rise to dust nuisance beyond the construction site are kept moist so as to avoid any such nuisance.
 - (b) That all earth works materials on trucks which are carted near urban areas or in any other locality liable to give rise to any dust nuisance beyond the construction site are covered and/or kept moist so as to avoid any such nuisance.

Council Officer

22. The position of General Manager, Environment and Regulatory Services, PCC, is referred to in these conditions. If at any material time there is no such position then the Chief Executive or the Mayor of the PCC may, by notice in writing to Transit, identify the relevant officer within the PCC who is at the time responsible for the relevant functions of the former General Manager, Environment and Regulatory Services.

APPENDIX G: K0412 STATE HIGHWAY 1 (Urban Section)

Transit New Zealand Urban Section Upgrade (Paremata-Plimmerton)

RESTRICTIONS, TERMS AND CONDITIONS

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Note: the following conditions are those imposed by Environment Court decision W52/2001 and amended by Consent Order dated 15/3/2011.

Requiring authority

- I. *Transit New Zealand ("Transit") is the requiring authority responsible for the designation.*

Objectives of the Work

- II. *The objectives of the Work are as follows:*
 - *To relieve existing congestion problems associated with this section of the State Highway 1 coastal route; and*
 - *To assist in ensuring that, during the interim period pending construction of the Inland Highway route, there is a sufficient level of service afforded in relation to the existing coastal highway route by enhancing traffic capacity between Plimmerton and Paremata.*

Boundaries of the designation

1. The land (in this designation called "the Land") which is subject to the designation and to which this designation applies is within the Porirua City Council (in this designation referred to as "PCC") district boundaries, and is as follows:
 - 1.1 The road reserve for the existing SH1 including the land shown in the Porirua City District Plan ("POP") as designated for "Limited Access Road" (Reference K0401) and for "Road (State Highway)" (Reference K0402);
 - 1.2 Specified additional land adjacent to the existing SH1, including land contained within the boundaries of various properties with frontages to SH1; and
 - 1.3 Specified additional land in the vicinity of the approaches to a new bridge proposed to be constructed in the vicinity of Pauatahanui Inlet near Paremata to the west of the existing SH1 bridge; and
 - 1.4 Specified additional land in the vicinity of Taupo Stream, in Plimmerton and various specified roads and streets including Plimmerton Drive, James Street in Plimmerton and portions of various other streets in the vicinity of their intersections with the existing SH1, including Steyne Avenue, Pope Street, Pascoe Avenue and other land – each as shown on the Plans in Appendix 1 attached hereto as being within the PCC district boundaries.

Properties subject to the designation

2. Those properties which are the subject of this designation are all of those properties listed in Appendix 2.

Building Line Restrictions

3. The parts of the land at 182, 184, 186 and 188 St Andrews Road, Plimmerton to which the proposed Building Line Restrictions apply are shown on Plans E and RLR E in **Appendix 1**. On those parts of the Land within the areas shown on those Plans, the nature of the proposed restrictions is that in respect of each of the relevant properties no person may without the prior written consent of Transit New Zealand:
 - 3.1 Erect, reconstruct, place, alter or extend any structure in, on, under or over the Land where this would involve any excavation or disturbance of Land;
 - 3.2 Introduce or plant any tree, bush or other plant or vegetation (excluding any grass or other shallow rooting vegetation) where this would involve any excavation or disturbance of the Land or the intrusion of any root system into that Land, and which may affect any retaining wall or anchor support; or
 - 3.3 Excavate, drill, tunnel or disturb the Land (except where this is necessary for and in relation to the planting or removal of any grass or other shallow rooting vegetation).

Scope and extent of work

4. Subject to and in accordance with its terms and conditions, this designation authorises the NZTA to undertake a work (in this designation called 'the Work') being the construction, operation and maintenance of that section of SH1 as shown on preliminary design plans A to M inclusive in **Appendix 1** (the 'Plans') and associated works and activities. The scope and extent of the Work shall be generally in accordance with the Plans, subject to final design and any minor modifications required to comply with any condition of this designation. This condition is subject to the following, 1 March 2012:
 - (a) The portions of the northbound and southbound kerbside lanes where Clearway Hours will operate shall be those shown marked 'Parking Permitted Except When Clearway Operates' on Plans GA (November 2010) to JA in **Appendix 1a**, unless and until replaced with plans amended in accordance with condition 55.1a.
 - (b) The modifications to the Work shown on Plans Ga (November 2010) to Ja in **Appendix 1a** (or plans amended in accordance with condition 55.1a) may be constructed, operated, maintained and upgraded.

Certificate of final design

5. The following shall apply to all aspects of the Work other than landscaping (to which conditions 6 to 8.17 apply) and operational and construction noise mitigation (to which conditions 18 to 27 apply):
 - 5.1 Prior to commencing the Work, Transit shall submit to the PCC detailed drawings, specifications and other such information as the PCC may reasonably require to enable the PCC to certify that the Work is in accordance with the designation.
 - 5.2 Transit can seek such certificates in respect of any particular section or aspect of or for the whole Work.
 - 5.3 Transit shall not commence the Work (or any section or aspect of it) until the PCC has certified that the Work (or that section or aspect of it) is in accordance with the designation.
 - 5.4 Any certificates under **condition** 5.3 may be given subject to a condition that details of specified aspects of the Work be provided at a later date if the PCC is satisfied that it is impractical or unreasonable for Transit to be required to provide those details at the time certification is sought.

Maintenance of built structures

- 5A Transit shall, following completion of the Work, maintain all structures located within the designation boundaries that are built in accordance with these conditions [8,7] (cut face at Steyne Avenue, [8.8] (Goat Point access way and fence or wall), [11 &12] (lighting), [23] (acoustic fence), [29] (Plimmerton Pedestrian over bridge), [35] (signage), and [46] (handrails).

Landscaping

6. In carrying out the detailed design for the Work, Transit shall engage a practising landscape architect to advice on the carrying out of landscaping in accordance with the conditions of this designation.
7. Landscaping work (other than maintenance and other ongoing work) shall be:
 - 7.1 Commenced and substantially progressed within one planting season after the completion of construction of the Work authorised by this designation; and

7.2 Completed before the end of the next planting season.

Maintenance of landscaping

7A Transit shall, following completion of the Work, maintain all landscaping work undertaken in accordance with these conditions. Maintenance shall include replacement of any plants that perish or are damaged by the Work (e.g. because of changes to ground water or damage to root systems or canopies).

8. Landscaping shall be undertaken by Transit in accordance with the following:

Landscape design principles

- 8.1 (a) Transit shall retain as far as practicable the essential elements that contribute to the character of the area;
- (b) To retain some of the diversity of character which currently exists, new fences shall vary in height, materials, vegetation, line and setback, subject to agreement with individual property owners;
- (c) The various treatment methods used shall include varying materials, design and planting to create a non-uniform streetscape.

Plimmerton Weighstations – James Street

8.2 Transit shall landscape the area of the Plimmerton Weighstations south through to the vicinity of the intersection of James Street with St Andrews Road (including the Plimmerton Roundabout and environs) shown in the Plimmerton Weighstations - James Street Concept Plan (being Concept Plans 1A, 1B, 1C, 1D, 1E, 1F and, 1G in **Appendix 3**) in general accordance with that Concept Plan and the Landscape Plan required to be submitted under **condition 8.17** and to the reasonable satisfaction of the PCC.

8.2A In addition to the landscaping required by **condition 8.2**, Transit shall enter into consultation with Commercial Vehicle Investigation Unit of NZ Police (CVIU) to seek agreement to:

- (a) Carry out additional excavation to reduce the slope of the batter east of the proposed Weigh Station, and plant the batter with native vegetation;
- (b) Determine the requirement for the paved area north and south of the Weighstation buildings, and determine whether it is possible to include additional planting in areas within the vicinity of the Weigh Station; and
- (c) Substitute the concrete barrier with a vegetated strip of approximately 2 to 2.5 m wide with a centrally located steel W-Section [ARMCO) guard rail.

Such modifications shall be in accordance with condition 8.2 and to the reasonable satisfaction of PCC.

Plimmerton roundabout to Steyne Avenue

8.3 Transit shall offer to the owner to replace, at Transit's cost, the existing hedge outside the SH1 frontage of the Spinnaker Motel (located at the south eastern corner of Grays Road and St Andrews Road), with a hedge or fence within the motel site and in consultation with the property owner and, if the owner so desires, shall undertake that replacement.

8.4 Transit shall, as far as practicable, ensure undisturbed retention of the group of Pohutakawa trees on the northern side of Grays Road along the Grays Road frontage of number 1 Grays Road and adjacent to SH1.

8.5 Transit shall retain, where practicable, the trees on the northern side of Steyne Avenue at the intersection with SH1, within the designation boundary adjacent to 75 Andrews Road.

8.5A If it is not practicable to retain undisturbed trees specified in **conditions 8.4 and 8.5**. Transit shall where practicable and under the supervision of Transit's landscape architect transplant the subject tree(s) to a nearby suitable position within the designation boundary.

St Andrews Road property frontages

8.6 Transit shall construct and finish the fence referred to in **condition 23** in general accordance with a fencing plan which shall incorporate the following principles:

- (a) Varied faces, styles and heights, incorporating features shown in the examples in Appendix 4 Figures 2, 3, 6 of the Agreed Memorandum; and
- (b) An alternating of the position of the fence within the 500mm available space.

The fencing plan shall be developed as follows:

- i. Transit shall consult as to the street-facing treatment and finish of the fence with the PCC;
- ii. Transit shall consult as to the property-facing treatment and finish of the fence (including with regard to the selection of materials and design) with the owners of the properties at 75-91 St Andrews Road;
- iii. After incorporating such reasonable changes as may be requested during such consultation, Transit shall finalise the fencing plan (the street-facing treatment and finish thereof being to the reasonable satisfaction of the PCC) and provide copies of it to those property owners and the PCC prior to commencing construction of the fence.

Cut Face at Steyne Avenue Intersection

8.7 Transit shall landscape the cut face opposite the intersection of Steyne Avenue and - St Andrews Road shown in the Steyne Avenue Cut Face Landscape Concept Plan (being Concept Plan 2 in **Appendix 3**) in general accordance with that Concept Plan and the Landscape Plan required to be submitted under **condition 8.17** and to the reasonable satisfaction of the PCC.

Goat Point

8.8 Transit shall provide a pedestrian access way west of State Highway 1 in the vicinity of Goat Point. Transit shall, in designing such pedestrian access way consult with the Plimmerton and Paremata Residents' Associations and the PCC about alternative design options, for structures for the provision of the pedestrian access way including options relating to fences, location and height of the access way relative to the carriageway, and surface treatment of any vertical structures. In the design of the pedestrian access way regard shall be given to the following design principles:

- (a) The protection of pedestrians from vehicle traffic;
- (b) Vertical and horizontal separation of pedestrians from vehicle traffic where

practicable;

- (c) The safety and security of pedestrians including night security;
- (d) The importance of westward views of the sea from numbers 150 to 166 St Andrews Road and from passing vehicles;
- (e) The finished appearance of any fences or structures.

Mana commercial area frontage

8.9 Transit shall seek agreement from the owner of that privately-owned land shown in the Mana Retail Area Frontage Concept Plan (being Concept Plan 3 in **Appendix 3**) and, for this purpose, not less than 3 months prior to the commencement of construction of that section of the Work shown on plan G in **Appendix 1** as south of Acheron Road, Transit shall:

- (a) Give written notice to the owner of that privately-owned land shown in that Concept Plan, specifying the following:
 - i. A copy of the Concept Plan; and
 - ii. A description of the landscaping which Transit seeks to undertake Oil that land (at Transit's cost) in accordance with that Concept Plan, if the owner so agrees; and
 - iii. An offer to the owner to agree to allow Transit to undertake the landscaping of that land; and
- (b) Pursue all reasonable endeavours in consultation with the owner during that period of not less than 3 months in order to secure such agreement.

8.10 Except as provided in **condition 8.11**, Transit shall landscape those parts of the privately - owned land shown in Concept Plan 3 in **Appendix 3** in general accordance with that Concept Plan and any Landscape Plan required to be submitted under condition 8.17 and to the reasonable satisfaction of the PCC.

8.11 Where, on the expiry of 3 months after Transit has given notice to the owner of the privately - owned land shown in Concept Plan 3 in **Appendix 3**, the owner has not agreed to the landscaping of that land:

- (a) Transit shall inform PCC accordingly; and
- (b) Transit shall not be required to comply with condition 8.10.

8.12 Transit shall keep available for inspection on request by the PCC, records of the following:

- (a) The written notice given in accordance with **condition 8,9(a)**;
- (b) Any response to that written notice.

Modifications to property frontages

8.13 In respect of all properties adjacent to the Work except those covered by Conditions 8.3 to 8.6 (dealing with hedges and trees from Plimmerton roundabout to Steyne Avenue and St Andrews Rd property frontages) and 8.9 to 8.12 (dealing with the Mana commercial area frontage) the following shall apply:

(a) Prior to the commencement of construction, Transit shall:

- i. Provide to the PCC, a list of all such properties (in this **condition** called "Affected Property" or "Affected Properties") in respect of which SH 1 road reserve immediately contiguous with that land (in this condition referred to as "road reserve frontage") will be modified by the carrying out of the Work;
- ii. Consult with the PCC as to:
 - A. The nature of the road reserve frontage modifications proposed to be undertaken contiguous with the Affected Properties;
 - B. The options proposed to be offered to owners for reinstatement including reinstatement of boundary fences and retaining walls (including, but not limited to, the cottons illustrated in Figures 2 to 8 in **Appendix 4**), replacement of boundary plantings of hedges and vegetation and reinstatement of vehicle crossing places; *and*
 - C. The process which Transit will follow in its dealings with the owners on these matters;

(b) Not less than 3 months prior to the carrying out of any modification of the road reserve frontage contiguous with any Affected Property, Transit shall give written notice to the owner of the Affected Property specifying the following:

- i. A description of the nature of the modification proposed to be undertaken of the road reserve frontage contiguous with the Affected Property (including in relation to boundary fences and retaining walls, hedges, trees or other vegetation, and driveway entrances);
- ii. A description of options proposed to be undertaken to reinstate that road reserve frontage including options for the replacement, design and construction of any boundary fences and retaining walls, and for replacement of any boundary plantings of hedges and vegetation and the design and treatment of vehicle crossing places (including, but not limited to, the options illustrated in Figures 2 to 8 in **Appendix 4**);

-
- iii. An invitation to the owner to notify Transit within a specified period of not less than one month of whether or not the owner agrees to enter into discussions with Transit as to the selection of suitable road reserve frontage reinstatement options or otherwise to inform Transit of the owner's preference in regard to the proposed options;
 - iv. A statement informing the owner of any ability for owners of Affected Properties to have access to any expert adviser (nominated by Transit to the reasonable satisfaction of the PCC);
- (c) Transit shall keep records available for inspection on request by the PCC of the following:
- i. All written notices given in accordance with clause (b) of this condition;
 - ii. All responses received to those written notices;
 - iii. Those Affected Properties in respect of which responses have not been received.
- (d) Except as provided in **condition 8.13(e)** Transit shall, in consultation with each Affected Property owner (and, if so requested by the owner, with any expert adviser so nominated), design and implement the road reserve frontage reinstatement works and shall notify the PCC once those reinstatement works have been implemented in respect of each Affected Property;
- (e) Where, on the expiry of 3 months after Transit has given notice to an owner of an Affected Property under **condition 8.13(b)**, the owner has not agreed with Transit as to road reserve frontage reinstatement works or could not after reasonable enquiry be found:
- i. Transit shall inform the PCC accordingly;
 - ii. Transit shall not be required to comply with condition 8.13(d) in respect of that Affected Property;
 - iii. Transit shall, in its construction of that section of the Work immediately adjacent to that Affected Property, take practicable measures to mitigate to the reasonable satisfaction of the PCC any adverse effects of the construction of the Work on the road reserve frontage of that Affected Property (including in relation to boundary fences and retaining walls, trees and other vegetation and driveway crossing places).

Steyne Avenue to Paremata Bridge

- 8.14 Where any existing established tree on any Affected Property is required to be removed in order to construct the Work, Transit shall offer to the Property owner, at Transit's cost, to replant or replace the tree, where practicable.

Paremata Bridge to south of Paremata Roundabout

- 8.15 Transit shall landscape the area of the Paremata Bridge through to south of the Paremata Roundabout shown in the Paremata Bridges-Paremata Roundabout Concept Plan (being Concept Plans 4A, 4B and 4C in **Appendix 3**) in general accordance with that Concept Plan and the Landscape Plan required to be submitted under **condition 8.17** and to the reasonable satisfaction of the PCC.
- 8.16 In general accordance with the Paremata Bridges-Paremata Roundabout Concept Plan (Concept Plans 4A, 4B and 4C in **Appendix 3**) and any Landscape Plan required to be submitted under **condition 8.17** and to the reasonable satisfaction of the PCC, Transit shall:
- (a) Construct a walkway on the northern side of Pauatahanui Inlet under the existing and proposed bridges to link the beaches to their east and west; and
 - (b) Re-establish screen planting between SH 1 and Paremata School which will be removed in the construction of the SH58 southbound on-ramp onto SH1.

Landscape plans

- 8.17 Where Transit is obliged under any of **conditions 8.2, 8.7, 8.10, or 8.15** to undertake landscaping, Transit shall arrange for the following landscape plans to be prepared by a qualified landscape architect to the reasonable satisfaction of the PCC:
- (a) Landscape plans demonstrating how Transit will implement the Plimmerton Domain, Plimmerton - Weighstations to James Street, and Mana Retail Area Frontage Landscape Concept Plans set out in **Appendix 3**, such landscape plans:
 - i. To detail those matters outlined in the Landscape Concept Plans (including in relation to ground levels and contours, the locations and species of major trees to be planted, and the areas, shapes and heights of areas of plantings) and maintenance and upkeep; and
 - ii. To be submitted to the PCC not less than one month prior to commencement of construction of the section of the Work between the Plimmerton Weighstations and Steyne Avenue;
 - (b) A landscape plan demonstrating how Transit will implement the Steyne Avenue Cut Face Concept Plan set out in **Appendix 3**, such landscape plan:
 - i. To detail those matters outlined in the Steyne Avenue Cut Face

Landscape Concept Plan (including details of the locations and species of major trees to be planted, the areas, shapes and heights of areas of plantings, facing treatment for excavated surfaces), taking into account the reasonable preferences of owners of 188, 186, 184 and 182 St Andrews Road ascertained through consultation with them; and

- ii. To be submitted to the PCC not less than one month prior to commencement of construction of the section of the Work between James Street and Pope Street.

(c) A landscape plan demonstrating how Transit will implement the Paremata Bridges - Paremata Roundabout Landscape Concept Plan set out in **Appendix 3**, such landscape plan:

- i. To detail those matters outlined in the Landscape Concept Plan including ground levels and contours, the locations and species of major trees to be planted, the areas, shapes and heights of areas of plantings, the walkway and re-establishment of screen planting between SH1 and Paremata School referred to in **condition 8.16**; and
- ii. To be submitted to the PCC not less than one month prior to commencement of construction of the section of the Work between the northern approaches to the Paremata Bridges and the southern boundary of the designation.

Earthworks

- 9. All earth filling shall be carried out in accordance with Transit standard specification F1.
- 10. The disposal of clean fill material at each of the Deposit Areas along and adjacent to SH 1 shown on Plans C and D in **Appendix 1** shall be completed within three years of commencement of the earthworks for construction of the Work.
- 10A. In undertaking the works to realign the Taupo Stream, to create a variety and more natural appearance, Transit shall modify the stream by widening its course, as far as practicable, within the boundaries of the designation, and in accordance with resource consents WGN 970226(01)-(03) and WGN 970226(7)-(15). Such modification shall be to the reasonable satisfaction of the PCC.

Lighting

- 11. Lighting provided along the route shall be in accordance with the appropriate classification for "main roads" in AS/NZS 1158:1997.
- 12. Transit shall ensure that the design and construction of the pedestrian footpath

along the western side of SH1 at Goat Point between Steyne Avenue and the Mana Shell Service Station site and under the duplicate Paremata Bridge along the northern and southern shores of the inlet provides for lighting in accordance with standard AS/NZS 1158:1997.

Construction effects mitigation

Construction hours

13. Subject to unforeseen emergency situations, hours of work during the construction phase of the Work shall be:
- 13.1 Weekdays: 7:30 am to 7:00 pm;
 - 13.2 Saturdays: 8:30am to 5:00pm;
 - 13.3 Special Short Term Operations (being operations which, by their nature, cannot reasonably be undertaken or completed in accordance with **conditions 13.1 or 13.2**): 8pm to 6.30am, weekdays, Saturdays, Sundays and Public Holidays, preceded by written notice being provided to the occupiers of those residences which are both contiguous with the designation and within 500 metres of the location of the intended operations not less than 5 working days prior to such operations commencing, such notice including reference to the location, the nature, and the proposed timing and duration of the operations;
 - 13.4 Sundays and Public Holidays: Except as provided in **condition 13.3**, no work, except for emergency maintenance works for public safety and convenience.

Traffic Management Plan

14. Not less than one month prior to construction of the Work, Transit shall establish a Traffic Management Plan in consultation with the PCC. To demonstrate that traffic will be managed during the construction phase of the Work, so that the section of SH1 is safe at all times and there is minimal disruption to the public and to the normal flow of traffic this Traffic Management Plan shall address the following matters:
- 14.1 Programme of works;
 - 14.2 Hours of work;
 - 14.3 Proposed Traffic Control Methods:
 - (a) Safety procedures for hazardous substances;
 - (b) A Contingency Plan (including 24 hour call out for emergencies);
 - (c) Public notification procedures (such as Advertisement, Radio Reports);
 - (d) Monitoring and maintenance of Traffic Management Procedures; and
 - (e) Contractors' Traffic Control Supervisors.

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15. Without limiting **condition 14**, Transit shall ensure that the PCC is kept reasonably informed of traffic control arrangements made from time to time in relation to:
 - 15.1 Measures such as signs, temporary marker posts, amber flashing lights (night work), temporary bypass traffic lanes, and other such measures;
 - 15.2 Proposed speed restrictions and minimum lane widths; and
 - 15.3 Circulation routes for site traffic.
 16. Construction works within the carriageway shall take place, as far as practicable, at times and places that minimise interference with traffic flows, and particularly peak hour traffic flows.

Disruptions to property access

17. Provisions shall be made to enable safe vehicular, pedestrian and cycle access to private properties at all times during the construction of the Work, as far as practicable, and to ensure that any interruption to public pedestrian, cycle and vehicle access ways is minimised to the extent practicable. Where existing pedestrian routes are affected by the construction of the Work, an alternative route will be provided wherever practicable.

Construction noise mitigation

18. During the construction activities all construction work shall comply with the requirements of NZS 6803: 1999 *"New Zealand Standard, Acoustics-Construction Noise"*.

Construction Noise Management Plan

19. Not less than one month prior to construction, Transit shall establish a Construction Noise Management Plan to the reasonable satisfaction of the PCC. Transit shall not commence construction of the works until the Construction Noise Management Plan has been established and it shall take all reasonable steps to ensure that the Construction Noise Management Plan is complied with during construction works. The purpose of the plan is to describe the method by which noise associated with the construction of the Work will be managed to comply with **condition 18** of this designation. In particular, the Construction Noise Management Plan shall specify:
 - 19.1 Estimated duration of works;
 - 19.2 Methods of managing noise, including information in any relevant tender documentation and specifications in the contract documentation of contractors' obligations in assessing and controlling noise;
 - 19.3 Noise monitoring methods, including details of methods, equipment, location and frequency;
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- 19.4 Auditing;
 - 19.5 Contingency measures in the event of any incident of non-compliance;
 - 19.6 Procedures for handling any noise complaints; and Arrangements to ensure that occupiers of all dwellings within 20 metres of any proposed construction works receive not less than 10 working days' notice of the intended works and are informed of the estimated duration of works and procedures for making any noise complaint.
20. In respect of dwellings adjacent to or within 20 metres of any construction works:
- 20.1 Transit shall keep the pee informed of all noise complaints received;
 - 20.2 Upon reasonable request by the PCC, Transit shall arrange for measurement of construction noise levels to be undertaken at any specified occupied dwelling in accordance with NZS 6303: 1999 to the reasonable satisfaction of the pee and shall provide the results of that measurement to the PCC;
 - 20.3 If any such measurement demonstrates that the noise levels specified in NZS 6303: 1999 are not met for any occupied dwelling, Transit shall take such measures as are required (including at the affected dwelling) to ensure that the noise levels at the dwelling comply with NZS 6303: 1999, unless the occupier of that dwelling otherwise agrees (and Transit provides evidence of that agreement to the reasonable satisfaction of the PCC).

Operational noise mitigation

- 21. Transit shall engage an acoustic engineer to investigate, and where practicable, implement his/her recommendations with regard to the following **conditions 22 to 27**.
- 22. The Work shall be designed so that, in relation to existing dwellings, noise levels shall comply with the Transit document entitled "*Transit New Zealand Guidelines for the Management of Road Traffic Noise – State Highway Improvement*" contained in the *Transit New Zealand Policy Planning Manual*, dated December 1999 (the "Noise Guidelines") throughout the 10 year design period referred to in the Noise Guidelines, in particular, where the facade of any habitable room is within 13 metres of the nearside edge of any southbound or northbound traffic lane, the Lmax noise level within that habitable room shall be reduced by not less than 3dBA by implementing any practicable control measures¹².
 - 22A. In order to achieve the necessary operational noise levels in Condition 22,

¹² It is acknowledged that this reduction cannot be achieved by road surfacing alone

Transit will, wherever practicable, use a low noise road surface to reduce noise at source and will maintain that surface in good order in accordance with normal maintenance practices.

23. As soon as practicable after commencement of construction of the Work, an acoustic fence shall be developed along SH1 frontage at the houses on the western side of SH1, north of Steyne Avenue (75 to 91 St Andrews Road) in accordance with **condition 8.6**.
24. Prior to construction of the Work, and for the purposes of establishing to the reasonable satisfaction of the PCC ambient noise levels as required by the Noise Guidelines, Transit shall provide to the PCC the results of 24 hour ambient noise measurements (the "ambient noise measurements") at not less than 12 sites within 20 metres of the proposed northbound and southbound traffic lanes, such ambient noise measurement results comprising:
 - 24.1 The results of the measurement of existing ambient noise at the sites on the plan in Appendix 6 as "Measurement Site 1", "Measurement Site 2", "Measurement Site 3", "Measurement Site 4", "Measurement Site 5" and "Measurement Site 6".
 - 24.2 The results of measurements undertaken by or under the supervision of an appropriately qualified person of existing ambient noise at six (6) further sites to be selected by that person and undertaken at a position one metre from the outside of the most exposed facade of any habitable room in any existing residential dwelling within the following areas:
 - (a) On the east side of St Andrews Road, between Goat Point and Pope Street;
 - (b) On the east side of St Andrews Road, within 70 metres of the intersection with Steyne Avenue;
 - (c) On the west side of St Andrews Road, within 50 metres of the intersection with Grays Road;
 - (d) 3 other sites including sites in the vicinity of signalised intersections along Mana Esplanade nominated by the PCC after consultation with the Paremata Residents' Association; and
 - 24.3 Site maps detailing measurement locations and relevant information on measurement conditions.

Compliance Monitoring

25. Following completion of the Work, Transit shall arrange for an appropriately

qualified person to undertake monitoring of the level of traffic noise at the twelve (12) sites referred to in **condition 24** for which ambient noise level data has been previously recorded:

25.1 Within the period of 6 to 12 months after completion of construction of the Work; and

25.2 Within six months of the fifth anniversary of the completion of construction of the Work –

And shall report the findings of that monitoring to the PCC. Where the Noise Guidelines referred to in **condition 22** are or have been exceeded, except where **condition 27.5** applies, Transit shall advise the PCC of the measures taken or intended to be taken to ensure that noise levels attributable to road traffic will comply with **condition 22**.

Acoustic treatment of residential dwellings

26. Prior to commencing construction of the Work, Transit shall:

26.1 Engage a suitably qualified person to undertake an assessment of all existing dwellings to which acoustic treatment shall be applied in order to ensure compliance with the Noise Guidelines' 10 year design period (in this condition and **condition 27** referred to as "Affected Dwelling" or "Affected Dwellings"); and

26.2 Provide to the PCC a report listing the Affected Dwellings and identifying the extent of noise reduction required (if any) for each dwelling in order to ensure compliance with **condition 22**.

27. In respect of the Affected Dwellings referred to in **condition 26**, the following shall apply:

27.1 Not less than 4 months prior to completion of construction of the Work, Transit shall consult with the PCC as to the options for on-site noise mitigation treatment of the Affected Dwellings and the processes which Transit will follow in its dealings with the owners of Affected Dwellings on these matters;

27.2 Not less than 3 months prior to completion of construction of the Work, Transit shall give written notice to the owner of each Affected Dwelling specifying the following:

(a) The change in noise levels without on-site noise mitigation treatment at that dwelling predicted in accordance with the Noise Guidelines for that dwelling arising from the operation of the Work following construction of the Work and on the fifth anniversary of completion of construction of the

Work;

- (b) The options which Transit offers to that person for on-site noise mitigation treatment to that person's dwelling and the predicted benefits and any other implications such as the need for alteration or house ventilation which implementation of those options would have in terms of noise levels (and demonstrating compliance with **condition 22**);
- (c) An invitation to the owner to enter into discussions with Transit as to the selection of suitable noise mitigation treatment options and other consequential measures such as altered house ventilation;
- (d) A statement to the effect that the owner (or any subsequent owner) has a period within which to decide whether or not to accept Transit's offer for on-site noise mitigation treatment, which period shall not terminate sooner than the sixth month following completion of the Work;
- (e) A statement informing the owner of the ability which owners have to get access to any expert adviser (nominated by Transit to the reasonable satisfaction of the PCC);

27.3 Transit shall keep records available for inspection on request by the PCC of the following:

- a) All written notices served in accordance with **condition 27.2** of this condition;
- b) All responses received to those written notices;
- c) Those Affected Dwellings in respect of which responses have not been received;

27.4 Except as provided in condition 27.5 of this condition, Transit shall:

- (a) In consultation with each Affected Dwelling owner (and, if so requested by the owner, with any expert adviser so nominated by the PCC), arrange for the implementation of the noise mitigation treatment works for each Affected Dwelling by a person whom the PCC is satisfied is competent (or such other person as may be agreed with the owner);
- (b) As soon as practicable after completion of the noise mitigation treatment works at an Affected Dwelling, arrange for a completion certificate to be issued in respect of that property certifying that the noise mitigation treatment works have been under-taken to appropriate standards, to attain the level of reduction required to comply with **condition 22**, such completion certificates to be submitted to the PCC within one month of

completion of the noise mitigation treatment;

27.5 Where Transit has duly given notice; to an owner of an Affected Dwelling in accordance with condition hereof, Transit shall be deemed to comply with condition 22 hereof:

- (a) From the date notice was given until the date the completion certificate referred to in condition 27.4(b) of this condition has been issued, where the owner of the Affected Dwelling has agreed to Transit implementing noise mitigation treatment works;
- (b) From the date notice was given until indefinitely thereafter, where the owner of the Affected Dwelling refuses to agree to Transit implementing noise mitigation works (except where before the expiry of six months after completion of the Work the owner then agrees in which case condition 27.5(a) of this condition applies);
- (c) From the date notice was given until indefinitely thereafter, where the owner of the Affected Dwelling cannot after reasonable enquiry be found before the expiry of six months after completion of the Work.

Pedestrian overbridge at Plimmerton

28. Prior to dismantling the existing ramped pedestrian overbridge at Plimmerton, Transit shall:

- 28.1 Consult with members of St. Theresa's Primary School and with the owners of neighbouring residential properties and with the PCC;
- 28.2 Seek all necessary statutory consents and approvals to enable re-erection or replacement of the ramped pedestrian overbridge in the same general locality; and
- 28.3 Report to the pee on those matters advising the pee on whether or not Transit has succeeded in securing those consents and approvals and, if so, Transit's timetable for re-erection or replacement of the overbridge to ensure its erection prior to completion of construction of the Work.

29. Unless Transit fails to secure necessary statutory consents and approvals under **condition 28.2**, Transit shall erect in the same general locality a ramped pedestrian overbridge at Plimmerton, prior to completion of construction of the Work. Prior to erecting a pedestrian overbridge, Transit shall comply with the requirements of section 176A of the Resource Management Act 1991 in relation to the erection (unless approval for the erection is by way of resource consent).

29A Subject to **condition 29**, if Transit erects a new pedestrian overbridge, the overbridge shall be designed to provide a less visually intrusive design in

consultation with the Plimmerton Residents Association Inc. and shall be in keeping with the surrounding environment to the reasonable satisfaction of the PCC.

30. In the event that Transit re-erects the pedestrian overbridge at Plimmerton in accordance with **condition 29** or erects any new pedestrian overbridge in the general vicinity of the existing Plimmerton pedestrian overbridge, Transit shall be entitled to alter the layout of the signal-controlled intersection of SH1 and Grays Road such that it provides for only a single pedestrian crossing of SH 1 provided that Transit shall ensure to the reasonable satisfaction of the pee that any altered signalised intersection continues to provide for the safety of pedestrians crossing SH1 and/or Grays Road.
31. Except as provided by **condition 30**, Transit shall construct and maintain the signal-controlled intersection of SH1 and Grays Road in general accordance with the layout shown in plan E in **Appendix 1** and operate the intersection as a "Barnes Dance".

Provision for emergency service vehicles

32. In carrying out the detailed design for the alignment, Transit shall provide a 2.5 metre wide shoulder along both sides of the section of SH1 between the southern end of each of the weighstations (north of Plimmerton), south to taper into the proposed Plimmerton Roundabout to provide access for emergency service vehicles.
33. The shoulder on the western side shall be extended to the north of the weighstation to connect with the proposed emergency access lane running along the Rural Section of SH1 north of the weighstation.

Access to Shell/McDonald's Site

34. Access to and from the Shell/McDonald's site and site works within the designated land, including reinstatement of landscaping, and relocation of drive-through 'grille order' parking spaces, lighting poles and signs, shall be generally in accordance with plan G in **Appendix 1** or otherwise as may be agreed between Transit and the owners and occupiers of that site.

Signage

35. Transit shall provide a sign in accordance with Land Transport Safety Authority (LTSA") standards (standard blue service sign) north of the Acheron Road/service lane intersection with SH1, to ensure clear direction is provided to SH 1 motorists wishing to use the services accessed to or from the service lane. The sign shall incorporate generic identification of the services offered.

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36. Transit shall provide signage at the northern approach to Plimmerton and the southern approach to Mana to advise heavy goods drivers that they are entering a residential area and that the use of engine brakes should be avoided.
 37. Transit shall provide directional signage at the Plimmerton Roundabout clearly identifying the Plimmerton Industrial Estate, and clarifying the route to be taken to the Estate. The signage shall be constructed and erected following consultation with the owners and occupiers of the Estate.

Sewer and water main protection and fire hydrants

38. Transit shall:
 - 38.1 Consult with the PCC to determine the location of the trunk sewer along the 4.1 kilometre section of SH1 and shall co-operate with the PCC in order to ensure the protection and/or relocation of the trunk sewer; and
 - 38.2 Consult with the PCC and Wellington Regional Council to determine the location of the bulk water supply main along the 4.1 kilometre section of SH1 and shall co-operate with the Councils in order to ensure the protection and/or relocation of that water main.
39. Transit shall:
 - 39.1 Retain or replace existing fire hydrants within the road corridor.
 - 39.2 Provide a fire hydrant and water supply at the eastern Plimmerton Weighstation.

Consultation

40. Prior to the commencement of construction works, Transit shall use its best endeavours to notify affected owners and occupiers of all properties adjoining the new road of:
 - 40.1 The details of the construction programme; and
 - 40.2 A single point of contact for any concerns or enquiries relating to the project, including a telephone and facsimile number –
provided that Transit shall be treated as complying with this condition once any such notice sent by pre-paid post to the person at the usual or last known place of residence or business or Post Office box address would have been delivered in the ordinary course of post, or once any such notice has been sent by facsimile to the usual or last known facsimile number of that person, or delivered by hand to the property.
41. For the period of construction works, Transit shall prepare a bi-monthly newsletter for circulation to the owners of all properties adjoining the new road This

newsletter shall, without limitation, include the following:

- 41.1 A statement of progress against the construction programme; and
- 41.2 An assessment of the management of dust and noise relative to management plans.

Community Information Programme

- 42. Prior to completion of construction of the Work, Transit shall establish and implement, to the reasonable satisfaction of the PCC, a Community Information Programme, to provide information to the communities of Plimmerton, Camborne, Mana and Paremata, regarding modifications to intersections, traffic lights and the operation and enforcement of the lanes shown marked "High Occupancy Vehicle Clearway (HOV2 Clearway)" on Plans G-J in **Appendix 1**. The Programme shall identify to whom information should be disseminated and specify the methods for the dissemination of information, including leaflet drops, and press releases to, and public notices and advertisements in, local newspapers and other media.

Community Liaison Group

- 43. For the purposes of providing during construction and for the six month period immediately following completion of construction of the Work an interface between Transit and the communities of Plimmerton, Camborne, Mana and Paremata (the "communities"):
 - 43.1 Transit shall, prior to commencement of construction of the Work, in consultation with the PCC, invite representatives of local residents' groups and community groups and organisations, Ngāti Toa Rangātira, schools, businesses, PCC and such other bodies and persons as the PCC considers appropriate to form a Community Liaison Group whose purpose is to provide a forum to enable the communities to be kept informed of progress with the Work and issues to be identified and resolved quickly and co-operatively;
 - 43.2 Transit shall provide such administrative support as is necessary to ensure that the Community Liaison Group is formed and can effectively continue to perform its functions (including regular meetings) during the construction period and until the sixth month immediately following completion of construction of the Work.

Consultation in relation to detailed road design

- 43A During detailed design, and prior to completion of construction of the Work, having regard to the interests of residents, Transit shall consult with the Plimmerton

Residents Association Inc. and the Paremata Residents' Association Inc. in respect of methods including advisory or variable message signs:

- (a) To discourage drivers from travelling in the kerbside lanes during off-peak hours and to encourage driver courtesy; and
- (b) To encourage heavy commercial vehicles to use the central lane at all times of the day.

43B During detailed design and prior to completion of construction of the Work, having regard to the interests of residents, Transit shall investigate in consultation with the Paremata Residents' Association Inc. the extension southward of the HOV lanes at the southern end of Mana Esplanade in order to discourage drivers from travelling in the kerbside lanes.

43C Transit will, within one year of commissioning the Work, undertake surveys to assess side road and pedestrian delays at Marina View intersection and any relevant issues concerning vehicle access difficulties for properties south of Pascoe Avenue. In consultation with the Paremata Residents Association Incorporated, Transit shall investigate the necessity for modifications to the form and operation of the intersection and consider whether future surveys and investigation should be undertaken.

Mitigation of dust including management plan

44. In order to minimise dust nuisance, Transit shall ensure that each contractor engaged in activities that may generate dust shall prepare and comply with a Dust Management Plan which, as a minimum, shall require the Contractor to undertake the following measures:\

44.1 That all exposed earth worked areas, stockpiles of earth, and other dust sources which, in each case, are liable to give rise to dust nuisance beyond the construction site be kept moist so as to avoid any such nuisance; and

44.2 That all earthworks materials on trucks which are carted near urban areas or in any locality beyond the construction site liable to give rise to any dust nuisance beyond the construction site be covered and/or kept moist so as to avoid any such nuisance.

Protocol for discovery of koiwi, taonga or other artefact material

45. If koiwi, taonga or other artefact material is discovered in any area, Transit shall ensure that Ngati Toa Rangatira is immediately contacted through Te Runanga O Toa Rangatira Incorporated, and construction work in that area shall stop to allow

a site inspection by Ngati Toa Rangatira and their advisors. Transit shall then consult with Ngati Toa Rangatira on appropriate steps to recover the artefacts in order that work can resume.

Footpath widths and handrails

46. Pedestrian handrails shall be installed and located to the reasonable satisfaction of the PCC between the footpath and the carriageway where each of the following criteria apply:
 - 46.1 The section of carriageway where each of the following criteria apply;
 - 46.2 The section of footpath is less than 1.8 metres wide; and
 - 46.3 The handrail would not impede or interfere with the safe movement of vehicles across vehicle entrance ways and crossing places.
47. Transit shall offer to the owner to install at Transit's cost and in consultation with the owner, a pedestrian handrail between the footpath and the carriageway on the eastern side of Mana Esplanade extending for a distance of not less than 2 metres outside the frontage of the Omega 3 at 116 Mana Esplanade and, if the owner so desires, shall install that handrail (to the reasonable satisfaction of the PCC).
- 47A. Transit shall install a handrail on the road side of the footpath in front of the properties at 75-91 St Andrews Road except where it is necessary to provide access to the pedestrian crossings. Such handrail shall be constructed of panels of "pool fence" mesh, set into a frame of timber uprights, lower rail and handrail.

Community feedback register

48. Transit shall maintain a permanent record of any complaints alleging adverse effects from its operations within the designation or any breach of these conditions or other comments received. The record shall include the name and address (as far as practicable) of the person who made the complaint or comment, and where a complaint is made, identification of the nature of the matter complained about, date and time of the complaint and of the alleged event, weather conditions at the time of the alleged event (as far as practicable), and any remedial action taken. This record shall be made available to the PCC on request.

Traffic calming

49. Transit shall install traffic calming measures in Paremata Crescent north of the Kiriwai Road intersection, approximately opposite 44 to 46 Paremata Crescent, if required.

Replacement of parking spaces

James Street Car Parking

50. Transit shall extend the formed car parking in James Street to replace the car parking spaces removed from James Street as a result of the upgrade.

Paremata Station Car Park

51. Within two (2) months of the removal of car parking spaces from the commuter carparks as a result of the Work, Transit shall reinstate or replace on the western side of SH 1 the car parking spaces so removed. Transit shall ensure that access to the Paremata Station carpark from SH 1 is designed to minimise the loss of car parking spaces.

New Parking Area in Redoubt Lane

52. Transit shall:
- 52.1 Seek any necessary consents and approvals for the formation of a car parking area at 91 Mana Esplanade (Redoubt Lane) in general accordance with **Appendix 5**; and
 - 52.2 Subject to securing such consents and approvals, shall form, seal and maintain the car parking area to the reasonable satisfaction of the PCC and shall make all reasonable endeavours to enable usage of the carpark prior to completion of that section of the Work between Dolly Varden Crescent and Mana View Road.
- 52A. If so requested by the Plimmerton Residents Association Inc. during detailed design, Transit shall provide five additional car parking spaces located within 40m of the St Andrews Road/Steine Avenue intersection, and available for use at all times. The precise location of the car parking shall be determined following consultation with the Plimmerton Residents Association Inc. and PCC.

Plimmerton Domain Playing Field

53. Transit shall, in consultation with and to the reasonable satisfaction of the PCC, arrange for repositioning of the rugby league playing field within or adjacent to the Plimmerton Domain to the same size and no lesser standard as the existing playing field, the boundaries of which will be modified as a result of the Work.

Plimmerton Pony Club

54. Transit shall, in consultation with and to the reasonable satisfaction of the PCC, arrange for:
- 54.1 The relocation of the Plimmerton Pony Club buildings and ancillary facilities within or adjacent to the Plimmerton Domain; and
 - 54.2 Provision of an area of the same or similar size to the area of the Domain as a result of the Work for the use of the Plimmerton Pony Club.

Restriction on the operation of kerbside lanes

55. *(This section has been edited by an Environment Court Consent Order and renumbered becoming Condition 55.1a)*
- 55.1 *(This section has been edited by an Environment Court Consent Order and renumbered*

becoming Condition 55.2)

- 55.1a In its operation of the Work as SH1, the NZ Transport Agency ('NZTA') shall ensure that practical provision is made to enable those portions of the northbound and southbound kerbside lanes shown marked 'Parking Permitted Except When Clearway Operates' on Plans Ga to Ja in **Appendix 1a** ('Northbound and Southbound Lanes') to be available for kerbside vehicle parking except during the periods which are specified in condition 55.2 below, or during any altered no-parking periods notified under condition 55.5 following the NZTA undertaking the process set out in conditions 55.3 and 55.4 ('Clearway Hours').

The NZTA may at any time extend the areas available for kerbside parking and may amend the Plans Ga (November 2010) to Ja (and hence the areas where Clearway Hours will operate) accordingly.

- 55.2 From commencement of the operation of the Clearways and unless and until the NZTA decides to alter the Clearway Hours (as provided in conditions 55.3 and 55.4), the Clearway Hours shall be as set out below:

- (a) There is to be no parking in the Southbound Kerbside Lane, except for emergency vehicles, and passenger service vehicles picking up or setting down passengers at authorised bus stops or parking bays during the following periods:
 - I. Monday to Friday (other than Public Holidays), from 6.30am to 9.30am; and
 - II. Sunday and Public Holidays, from 3.30pm to 6.30pm.
- (b) There is to be no parking in the Northbound Kerbside Lane, except for emergency vehicles, and passenger vehicles picking up or setting down passengers at authorised bus stops or parking bays, during the following periods:
 - I. Monday to Friday (other than Public Holidays), from 3.30pm to 6.30pm; and
 - II. Saturday from 11.30pm to 2.30pm.

- 55.3 The NZTA may undertake reviews of the Clearway Hours for the purposes of determining whether or not it would be desirable for the days and hours of operation to be altered. The first review should be undertaken within 18 months of the commencement of the Clearway Hours. Subsequent reviews may be undertaken when:

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- (a) Significant regular traffic back-ups are observed; or
 - (b) Traffic volumes in one direction along Mana Esplanade exceed 1,400 vehicles per hour on a regular basis (generally over the same period for eight continuous weeks) outside Clearway Hours; or
 - (c) Significant changes in traffic volumes or patterns warrant such a review.

Any such review shall include an assessment of whether or not traffic patterns and volumes warrant altering the days and/or hours of clearway operation.

55.4 If, during a review undertaken under condition 55.3, the NZTA considers that it might be desirable for the days and/or hours of Clearway operation to be altered, then the NZTA shall:

- (a) Give written notice to the Chief Executive of PCC that the Clearway Hours are proposed to be altered, specifying the proposed alterations to the hours and the proposed date for the altered hours to come into force;
- (b) Consult, on the proposed alterations to the Clearway Hours and the proposed date for the altered hours to come into force, with the New Zealand Automobile Association, the Road Transport Association, the Paremata Residents Association Inc, the Plimmerton Residents Association Inc, Ngati Toa Rangatira and anyone else whom the Chief Executive of PCC or their nominee recommends that the NZTA should consult with by notice in writing received by the NZTA within 10 working days of NZTA giving notice to PCC under condition 55.4(a). (Nothing in this condition shall prevent NZTA from consulting with any other person in respect of proposed alterations to the Clearway Hours or the proposed date for any altered hours to come into force);
- (c) Provide a report that summarises any issues raised during the consultation undertaken under condition 55.4(b) to the Chief Executive of PCC;
- (d) Allow the Chief Executive of PCC 15 working days, from the date on which the NZTA provides PCC with a report under condition 55.4(c), in which to provide the NZTA with any comments on the proposed alterations to the Clearway Hours and the proposed date for the altered hours to come into force;
- (e) Consider any comments on the proposed alterations to the Clearway Hours and proposed date for the altered hours to come into force, provided during the consultation undertaken under condition 55.4(b) or by PCC within the timeframe specified under condition 55.4(d), in making any decision as to

whether or not to alter the Clearway Hours and when any altered Clearway Hours should come into force;

- (f) Decide whether or not to alter the days and/or hours of the clearway operation and, if so, when the altered Clearway Hours will come into force; provided that, if the NZTA decides that it would be desirable to increase the Clearway Hours beyond a maximum of 3.5 hours on any day in each of the northbound and southbound kerbside lanes, the NZTA must apply for an Alteration of the Designation under section 181 of the Resource Management Act 1991.

- (g) If the NZTA decides to alter the Clearway Hours, comply with the obligations in relation to alterations to the Clearway Hours in conditions 55.5 and 55.6.

Advice Note: For the avoidance of doubt, this condition enables the requiring authority to introduce and alter Clearway Hours on any day of the week, including Public Holidays.

55.5 At least one month prior to the commencement of Clearway operation, and again at least one month prior to any subsequent alterations to the Clearway Hours coming into force, the NZTA shall:

- (a) Place notices in a newspaper or newspapers circulating in the greater Wellington area, and on a radio station or radio stations broadcasting in the greater Wellington area;
- (b) Notify the New Zealand Automobile Association, the Road Transport Association, the Paremata Residents Association, the Plimmerton Residents Association and Ngati Toa Rangatira;
- (c) Undertake a mail drop to properties fronting, or located within 100 metres of the Northbound or Southbound Lanes.

The publicity shall set out the new Clearway Hours and any alterations and when they will come into force, and shall:

- i. Encourage all heavy motor vehicles to use the centre lanes between the Paremata bridges (in the south) and the intersection at Steyne Avenue (in the north) at all times, unless turning.
- ii. Encourage all vehicles to use the centre lanes whenever the clearways are not in operation, unless turning.

55.6 From commencement of clearway operation, NZTA shall display electronic messaging signs to:

- (a) Advise motorists whether or not the clearways are operating at the time;
- (b) Encourage, through the use of instructional language, all heavy motor

vehicles to use the centre lanes between the Paremata bridges (in the south) and the Steyne Avenue intersection (in the north) at all times unless turning; and

- (c) Encourage, through the use of instructional language, all vehicles to use the centre lanes whenever the clearways are not in operation, unless turning;
- (d) Advise motorists of road incidents.

In determining the location and wording of signs, the NZTA shall first:

- (a) Advise the Paremata Residents and Plimmerton Residents Associations of its intention to consult with the PCC; and then
- (b) Consult with PCC.

55.7 Within 18 months of the Clearway Hours becoming operational, the Requiring Authority shall consult with PCC on the terms of reference for a report which shall include:

- (a) Effectiveness of measures to:
 - i. Encourage all heavy motor vehicles to use the centre lanes between the Paremata bridges (in the south) and the intersection at Steyne Avenue (in the north) at all times, unless turning;
 - ii. Encourage all vehicles to use the centre lanes whenever the clearways are not in operation, unless turning;
- (b) Feedback from Stakeholders;
- (c) Recommendations.

The Requiring Authority shall implement recommendations as it considers appropriate.

55.8 Within 18 months of the clearway lanes becoming operational, or earlier if significant problems eventuate and if requested by PCC, the NZTA shall complete a safety and operational audit of the stretch of road between the Paremata and Plimmerton roundabouts, and provide a report to PCC, GWRC, the Paremata and Plimmerton Residents Associations and Ngati Toa Rangatira on the results of that audit.

Monitoring parking

55A. The NZTA shall monitor vehicle use and parking activity on the road, and keep records of any feedback from the public that may be relevant in enabling the reviews, reports or audits under conditions 55.3, 55.7 and 55.8 to be carried out.

Notices

56. Where, in accordance with any condition of this designation, Transit is required to

give written notice of anything to any person, then Transit shall be treated as having duly given such notice once:

56.1 Any notice sent by pre-paid post addressed to the person at the usual or last known place of residence or business of that person, Post Office box or private bag or document exchange would have been delivered in the ordinary course of post or delivery;

56.2 Any notice sent by facsimile to the usual or last known facsimile number is shown by the sender's facsimile records to have been transmitted.

Reference to PCC

57. References in any of the **conditions** to PCC shall include:

57.1 Any officer of the Porirua City Council acting for the time being in the office of the Chief Executive of that Council;

57.2 Any officer of the Porirua City Council nominated by the Chief Executive of that Council as having the relevant experience and expertise to deal with the matter on behalf of the Council.

Review of designation

58. In the event that the construction of the Transmission Gully Motorway has not commenced by 31 December 2006, Transit shall:

58.1 No later than 31 December 2006 complete a review of the operation, environmental effects, safety and efficiency of the Work for the purposes of determining whether or not to seek any alteration to the designation in relation to those matters; and

58.2 Consult with the PCC, the WRC, Paremata Residents Association Inc, Plimmerton Residents' Association Inc, Ngati Toa Rangātira, and such other body as the PCC reasonably considers ought to be consulted, regarding any proposed alterations, including (but not limited to) alterations in relation to capacity of the operation of the Clearway or HOV lanes; and

58.3 Report the outcomes of that review and consultation to the PCC and the WRC prior to making any decision to seek any such alteration to the designation.

59. Prior to the completion of the construction of Transmission Gully Motorway Transit shall:

59.1 Consult with PCC, WRC, Paremata Residents Association Inc, Plimmerton Residents Association Inc, and Ngati Toa Rangātira in relation to its proposals for the Work following the construction of the Transmission Gully Motorway,

including the following matters:

- (a) Ownership and control of the Work;
- (b) Options relating to the future of the existing Paremata Bridge;
- (c) The continuation of four Laning of St Andrews Road between Acheron Road and James Street;
- (d) Measures (to the extent that they are legally available) to restrict or discourage heavy vehicle movements through the Work;
- (e) Other measures required to ensure an adequate level of service for the traffic volumes and traffic type expected to use the Work;
- (f) Provision of arrangements for cyclists;
- (g) Alteration of footpath widths;
- (h) Removal of traffic lights;
- (i) Changes to the operation of the clearway or HOV lanes;
- (j) Alteration of arrangements in relation to capacity;
- (k) Any changes to be sought to the designation in relation to those matters; and

59.2 Report on the outcomes of that consultation to PCC and WRC for the purposes of ensuring that the PCC and WRC are fully informed of the views of the public and those bodies, and of Transit's intended response to that consultation.

PART L

MONITORING

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L MONITORING

The District Plan must be reviewed ten years after it becomes operative. Within that time period it can also be changed through the Plan Change process set out in the second schedule to the Act. Plan changes can be initiated by the Council, or the public.

The Council will monitor the environment of Porirua City and the effect of the Porirua City District Plan in order to identify where changes to the District Plan are necessary.

The monitoring programme has been divided into sections which deal with compliance, effectiveness, and the wider environment. The function of each of these sections and their monitoring programmes are set out below.

L1 COMPLIANCE MONITORING

The first section deals with compliance with the Plan e.g. the degree to which new developments and buildings comply with the rules and standards in the Plan.

The emphasis of the District Plan on permitting activities subject to standards being met will entail a greater emphasis on monitoring and enforcement functions. Resource consent records, and records of permitted activities (the results of discussions with the public on performance standards) will provide the base data for the first test set out above. The first test outlined above is intended principally to determine whether performance standards have been set at the appropriate level. This part of the programme monitors the practicality of the rules and standards and ensures that they are working in the intended manner. Because this is a new Plan, under new legislation, it is anticipated that minor amendments will be required throughout the life of the Plan and this aspect of the monitoring programme will provide the main trigger for these. Self-monitoring by individual property owners, and operators of various activities, is recognised as an important part of the monitoring process for the City, and such initiatives will be encouraged.

Monitoring compliance with the Plan essentially requires a regular review of compliance with conditions of resource consents, and also whether those activities which are being undertaken without the need for resource consents are operating within the limits of the permitted activity standards for the Zone within which they are operating.

This aspect of the monitoring programme will be undertaken throughout the year and will be based on selective checking of compliance, regular follow up action on resource consents, and action taken on information from outside sources: complaints, public enquiries etc.

Compliance monitoring will also make use of the information from inspections undertaken for health licensing, in response to health related complaints etc.

The Council will adopt a precautionary approach to compliance monitoring. One means of adopting a precautionary approach will be to require some consent holders to monitor effects arising from the use of their resource consents. This approach may be adopted where there is a lack of information about potentially adverse effects. Consent holders may be required to take

corrective actions to rehabilitate or protect damaged resources where the results of monitoring show that this is necessary.

L1.1 COMPLIANCE MONITORING PROGRAMME

An annual review will be undertaken of the following matters, and a report prepared outlining any areas of the Plan which may require amendment.

- (i) Monitoring whether resource consents issued are in compliance with the rules in the Plan.
- (ii) Monitoring whether conditions of resource consents are complied with.
- (iii) Monitoring whether activities are in compliance with the Plan.
- (iv) Monitoring the effects of the exercise of resource consents and of permitted activities on natural and physical resources.

L2 EFFECTIVENESS MONITORING

It is important to remember that the City has around 14000 houses, and that much of the City Centre and Industrial Zone are already developed. For the majority of existing activities the new Plan will have little or no effect. The effect of the new district plan will be on new activities and buildings over the next ten years. With a current rate of development of around 100 houses per annum it is apparent that the rate at which the general form of the City might change as a result of the new Plan is quite slow. The extent of change in any direction in response to the vast majority of policies in the District Plan will not be able to be measured in the short term. For this reason the second part of the monitoring programme, that dealing with the effectiveness of the Plan, has been prepared as a general statement of intent, and the programme to be undertaken in any given year will vary according to the circumstances. For example, where a particular development has the potential to have a significant effect on a matter which is referred to in policy, the monitoring programme for the following year may focus particularly on whether the predictions made at the time the development was undertaken were correct.

One of the main methods of monitoring the effectiveness of the policies within the Plan will be to review the extent to which they have guided decision making on individual resource consent applications and the degree to which these have been accepted by the community, and where relevant by the Environment Court. It is anticipated that some review of the policies will occur through the life of the Plan as case law and experience under the Resource Management Act develops.

The environmental outcomes anticipated which are stated at the end of each of the Plan's policy sections are in the form of performance indicators, representing the quality, quantity, timeliness, location and cost factors commonly used to measure performance against policy. Not all factors are represented for all sections. These environmental outcome statements are the basis on which the monitoring programme for the effectiveness of the Plan will be developed.

The right of the public to seek plan changes, and the obligation of applicants to provide assessments of effect, and research information also provide valuable tools for assessing the content of the Plan and the extent to which it is likely to achieve the stated environmental results.

L2.1 EFFECTIVENESS MONITORING PROGRAMME

The programme for monitoring the effectiveness of the Plan will be determined on a year to year basis. It is envisaged that a review be undertaken of all the environmental outcomes anticipated by the Plan and that from this and knowledge of any significant changes in activity or the environment which have occurred in the preceding year, the review programme will be determined.

Evaluating whether the effectiveness of policies, and the progress on objectives is meeting the environmental outcomes envisaged in the Plan. The source data for this assessment and evaluation will be a consideration of the application of policies to applications for resource consents, and the extent to which the policies influenced the outcome of the consent process.

L3 STATE OF THE ENVIRONMENT

In addition to monitoring the effectiveness of the Plan in terms of the things which it sets out to achieve, Council is also required to monitor the state of the environment and determine whether there is a need for action on further, or alternative matters which are having an effect on the sustainable management of the environment. One of the major triggers for this work will be the ongoing development of Regional Plans and the obligation to consider whether there is anything in the district plan which is contrary to a regional plan or whether additional provisions should be included in the district plan to take adequate account of an effect which has been identified through a regional plan. The main method for this monitoring will be through the preparation of submissions on proposed regional plans and it is envisaged that these submissions will include a statement of the compatibility of the district plan with the proposed regional plan.

Attention will also be given to the wide-ranging sources of environmental information which are available from time to time through publications, research etc. This part of the monitoring programme will vary from year to year and is likely to be reactive, depending on the information which becomes available for the initiation of research into whether any amendment of the district plan is required in order to effectively promote the sustainable management of the City's resources.

L3.1 STATE OF THE ENVIRONMENT MONITORING PROGRAMME

While the effectiveness monitoring will be extensive, this programme recognises that there may be additional issues which arise. These could be in response to regional plans, as a result of analysis of available research, in relation to privately initiated District Plan changes or because of scanning of environmental factors identifies a relevant need.

L4 MONITORING REPORTING

A district plan monitoring report will be prepared each year after the plan becomes operative. The report will be set out in accordance with the three categories of monitoring set out above, namely compliance, effectiveness, the wider environment.

The compliance section of the report will set out details of consents granted in the course of the year, the results of relevant inspections and surveys of compliance, and the outcome of any actions taken to achieve compliance with the Plan.

The effectiveness section of the report will include notes on the use made of policy in decisions on resource consents, and will record any research results where specific work has been undertaken on any issue related to the effectiveness of the plan.

The wider environment section of the report will record any regional plans notified in the course of the year and comments on the compatibility of these with the district plan. This section will also record any other relevant research undertaken in the course of the year.

The fourth section of the report will summarise the monitoring results for the year and include recommendations for the next year, including any amendments which might be required to the Plan. This section will also include a brief summary of Environment Court decisions which may affect the Plan, and any changes to the Plan which may be desirable as a consequence of Planning Tribunal decisions.

Where the report recommends consideration of plan changes, the process of undertaking these changes, together with the consultation and analysis required by the Act, will follow where Council determines to pursue the recommendation further.

It is envisaged that the report will be a summary document. Research undertaken specifically in order to monitor the plan, or which has been used as part of the monitoring programme will either be referenced in the report or attached to the report.

L5

CONCLUSIONS

The Act contains an obligation to monitor. The programme outlined above is intended to ensure that this responsibility is met in a manner which is open, wide ranging, and effective. The level of monitoring will vary from year to year as the pace of development varies and depending on other influences e.g. the notification of regional plans. This section of the Plan provides the framework for the monitoring programme and for monitoring reporting. Provision for the actual programme in any given year will be made through the annual planning process. This process provides the opportunity for individuals to make submissions on any part of the Council's programme for the forthcoming year and is a means by which the community can have an input to the level of monitoring and the actual monitoring programme for any given year.

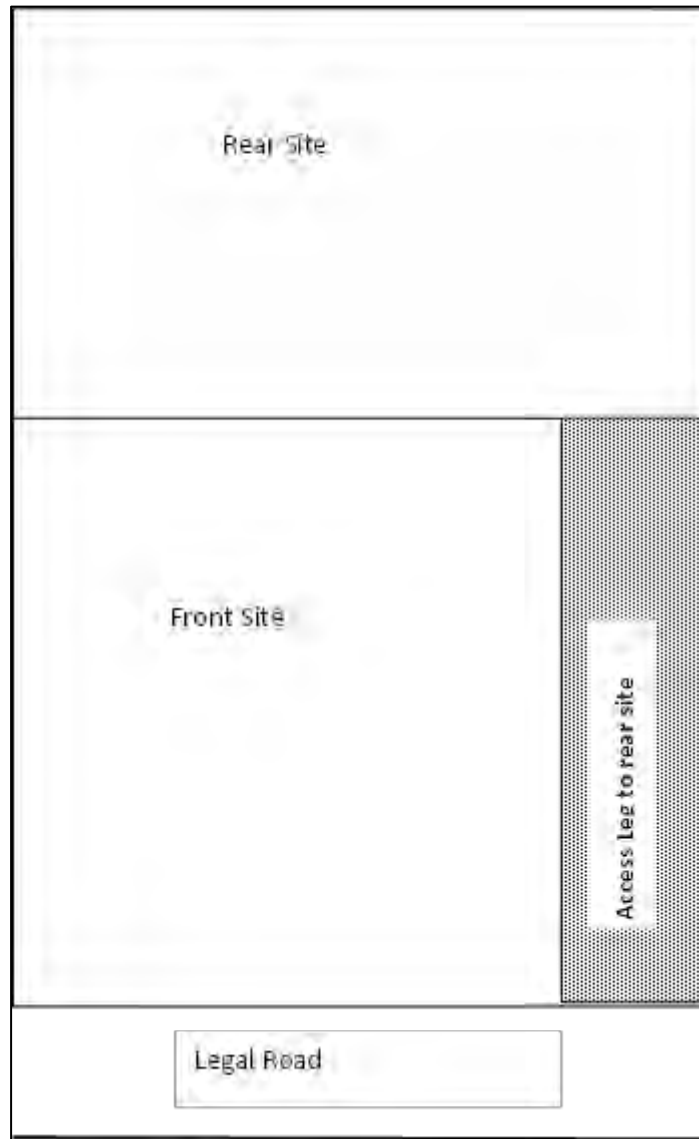
PART M
INTERPRETATION

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M INTERPRETATION

Access Leg

Means a strip of land which is included in the ownership of a rear site, that provides the site's legal and physical access to a legal road.



Access Strip

Means a strip of land created by the registration of an easement in accordance with section 237B of the Resource Management Act 1991 for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in the First Schedule of that Act).

Act

Means the Resource Management Act 1991.

Acute Toxicity

Adverse effects caused by a toxic agent occurring within a short time following exposure to that agent.

Adaptive Reuse

Means the process(es) of modifying a place for a compatible use while retaining its heritage value. Adaptation processes include additions and alterations to existing buildings, undertaking required earthquake strengthening and installation of fire protection features.

This Definition only applies to Part HH

Addition

Means an extension or increase in floor area, number of stories, or height of a building or structure and includes the construction of new floors, walls, ceilings, and roofs.

This Definition only applies to Part HH

Allotment

Allotment shall have the same meaning as set out in section 218 of the Resource Management Act 1991.

Alteration (also refer to separate definition of internal alteration)

Means any change to the physical fabric of a historic heritage building or structure that varies its size, style or composition. This includes the partial destruction of a historic heritage building or structure required to realise any such change, and includes the removal and replacement of external walls, windows, roofs, verandahs, parapets and balustrades. Alteration does not include maintenance, redecoration, repair or restoration.

This Definition only applies to Part HH

Amenity Values

Means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

Antenna

Means antenna as defined in the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008.

An antenna does not include:

- Devices used in amateur radio configurations
- Devices used only for television reception; and
- Any other device not otherwise defined above that is less than 1.5m² in area.

Advice note:

The mountings of any antenna and any radiofrequency equipment or similar device shall not be included in the measurement of area of diameter of each

antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself.

Any antenna only need meet the area or diameter measurement, as appropriate to the type of antenna and the measurement is of each individual antenna and is not a cumulative measurement.

Area of Significance to Māori

Are areas denoted as wāhi tapu or areas of Māori cultural value in Appendices 10.1, 10.2 or 10.3, and/or on the planning maps as wāhi tūpuna or areas of significance to Māori.

Bioaccumulation

The process that results in increased concentrations of contaminants in organisms through increasing levels in the food chain.

BOD₅

Five day biochemical oxygen demand is a measure of the amount of oxygen required by organisms to consume organic matter over a five day period.

Boundary

The legally defined limits of a site.

Building

Includes any "dwelling" (see definition for dwelling), structure or part of a structure, whether temporary or permanent, movable or immovable, but does not include:

- Fences or walls of 2m in height or less as measured from actual ground level not used for advertising or for any purpose other than a fence or a wall.
- A fence for the containment of stock.
- Residential chimneys and television aerials associated with a dwelling.
- Structures less than 5m² in area and less than 1.5m in height. Handrails that form part of a deck or patio, are excluded from this calculation for height.
- Any vehicle, trailer, tent, caravan or boat whether fixed or movable.
- A sign in a front yard which is less than 4m², and which complies with the permitted activity standards for height and height recession plane for the zone.
- Outdoor swimming pools.
- Retaining walls less than 1.5m in height
- Paths, driveways and other paved surfaces on the ground.

Cabinet

Means a box-shaped structure which houses radio and telecommunication equipment, electrical equipment associated with the continued operation of network utilities, which includes single transformers and associated switching gear distributing electricity at a voltage up to, and including, 100KV.

Car park

An area of land available for the parking of vehicles. It is available for use by visitors to, or occupants of a site, and is accessory to the principal use of the site. This definition excludes vehicle parking as an activity, for example, car yards, parking buildings and depots. These are separate activities and are covered by the relevant rules and standards.

Explanatory Note:

Refer to Part H 'Car Parking, Vehicle Movements and Roads' for technical information on the design and layout requirements for car parks.

Certificate of Title

Means a certificate of title in terms of the Land Transfer Act 1952, except that for the purposes of Rule D4.1.2, it excludes

- (i) A certificate of title for a cross lease;
- (ii) A certificate of title for any unit plan under the Unit Titles Act 1992;
- (iii) A certificate of title for tenancy in common interest, which is less than the whole of the estate in the land described in the certificate of title;
- (iv) A certificate of title for a company lease.

Chronic Toxicity

Adverse effects caused by a toxic agent which occur either after prolonged exposure or an extended period after initial exposure.

Coastal Margin

All landward property, both public and private, which is within 20m of the line of mean high water springs.

Coastal Marine Area (CMA)

The foreshore, seabed, coastal water, and the air space above the water, where the seaward boundary of the CMA is the outer limits of the territorial sea, and the landward boundary of the CMA is the line of mean high water springs, except where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of:

- (i) one kilometre upstream from the mouth of the river; or
- (ii) the point upstream is that calculated by multiplying the width of the river mouth by 5.

COD

Chemical oxygen demand is a measure of the oxygen equivalent of the organic matter content of a sample that is able to be oxidised by a strong chemical oxidant. This measure is often used in industry instead of BOD₅ because it is easier and quicker to measure. For domestic sewage the relationship between COD and BOD₅ is approximately 1 to 1. However, some toxic chemicals can have a BOD₅ of zero but a very high COD.

Commercial Recreation Activity

Commercial Recreation Activity – means the commercial use of land or building(s) for the purpose of enhancing people's social and physical well-being through relaxation, enjoyment, entertainment and exercise. Commercial recreation activities therefore include tourist facilities, recreation and sporting facilities, restaurants and souvenir shops, but exclude general retailing.

For clarity, commercial recreation activities do not include Entertainment Facilities, as separately defined.

Community Activities

Means the use of buildings and land for:

- (a) meetings;
- (b) ceremonies;
- (c) community celebrations including musical performances;
- (d) fairs, carnivals, circuses and open air movies;
- (e) club activities including
 - art and craft groups;
 - the use of club licences granted under the Sale of Liquor Act 1989; and
 - the use of Gaming Licences granted under the Porirua City Council Gaming Venues Policy
- (f) The sale of food, beverages and other goods ancillary to any of the above activities.

Community College

An education institution established or deemed to be established under Part III of the Education Act 1964 to provide continuing education and related guidance services and other education services designed to meet the particular circumstances of the local community.

Company Lease

Means a lease or licence or other right of occupation of any building or part of any building on, or to be erected on, any land –

- (a) That is granted by a company owning an estate or interest in the land; and
- (b) That is held by a person by virtue of being a shareholder in the company, and includes a licence within the meaning of section 121A of the Land Transfer Act 1952.

Compatible Use

Means a use which involves either no change, changes which are substantially reversible or changes with a minimal impact on the relevant heritage values identified in Appendices 10.1, 10.2 and 10.3.

This definition only applies to Part HH

Conditions

In relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions.

Conservation Plan

Means a report that is prepared by a conservation architect or qualified heritage practitioner that includes the following:

- a statement of significance relating to the historic heritage building or site;
- an assessment of its physical condition and structural integrity;
- the conservation actions required to retain, recover or reveal its associated heritage values (e.g. maintenance, repair, restoration);
- policies and recommendations to guide its ongoing conservation and management.

This definition only applies to Part HH

Controlled Activity

Means an activity which –

- (a) Is provided for, as a controlled activity, by a rule in a plan or a proposed plan; and
- (b) Complies with standards and terms specified in a plan or proposed plan for such activities; and
- (c) Is assessed according to matters the consent authority has reserved control over in the plan or proposed plan; and
- (d) Is allowed only if a resource consent is obtained in respect of that activity.

Council

Means the Porirua City Council.

Cross Lease

Means a lease of any building or part of any building on, or to be erected on, any land –

- (a) That is granted by any owner of the land; and
- (b) That is held by a person who has an estate or interest in an undivided share in the land.

Demolition

Means the total destruction of a historic heritage building identified in Appendices 10.1 and 10.2.

This definition only applies to Part HH

Designation

Designation shall have the same meaning as set out in section 166 of the Resource Management Act 1991.

Development

Includes the erection of a building, the carrying out of building, engineering, excavation, or other work; and any other use of land, or a building or part of a building, which is different from the purpose for which the land, building, or part of a building was last being used.

Discretionary Activity

Means an activity –

- (a) Which is provided for, as a discretionary activity, by a rule in a plan or proposed plan; and
- (b) Which is allowed only if a resource consent is obtained in respect of that activity; and
- (c) Which may have standards and terms specified in a plan or a proposed plan; and
- (d) In respect of which the consent authority may restrict the exercise of its activity.

Dwelling

A building or buildings, or any part thereof, whether temporary or permanent, which is used for domestic purposes by an individual, a family, or a non-family group and includes buildings which are accessory to the principal residential use of the site.

Earthworks

Any alteration to the land contour or disturbance of land, including the deposition of cleanfill, and the excavation and backfilling or recompaction of

existing natural ground, excluding the disturbance of earth for the purposes of cultivation which includes, but is not limited to, giant discing and ploughing.

For the purposes of this definition, cleanfill is defined as materials such as clay, soil, rock, concrete, brick or demolition products that are free of combustible materials and are therefore not subject to biological or chemical breakdown.

EC₅₀

The effective toxicant concentration resulting in a 50% response of a given parameter at a specific time of exposure (for example, reduced reproduction rate). This may include mortality effects, expressed as lethal concentration (LC).

Ecological Site

An area marked as an Ecological Site on District Planning Maps

Ecotoxicity

Adverse toxic effects on ecosystems or ecological communities.

Effect

Effect, unless the context otherwise requires, includes –

- (a) Any positive or adverse effect; and
- (b) Any temporary or permanent effect; and
- (c) Any past, present, or future effect; and
- (d) Any cumulative effect which arises over time or in combination with other effects –
- (e) regardless of the scale, intensity, duration, or frequency of the effect, and also includes –
- (f) Any potential effect of high probability; and
- (g) Any potential effect of low probability which has a high potential impact.

Entertainment Facilities

Means buildings in which facilities are provided (at a charge, or by private reservation) for theatre, cinema or casino entertainment.

Environment

Includes-

- (a) Ecosystems and their constituent parts, including people and communities; and
- (b) All natural and physical resources; and
- (c) Amenity values; and

- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

Environmentally Damaging Substance

Any substance which, by effects other than toxicity, is able to damage an aquatic ecosystem (for example, milk or oil).

Environmentally Persistent Substance

The resistance of a toxic or environmentally damaging substance to the natural breakdown in the environment. The measure used for environmental persistence in this document is the BOD₅/COD ratio.

Esplanade Reserve

Means a reserve within the meaning of the Reserves Act 1977 –

- (a) Which is either –
 - (i) A local purpose reserve within section 23 of that Act, if vested in the territorial authority under section 239 of the Resource Management Act 1991; or
 - (ii) A reserve vested in the Crown or a regional council under section 237D of the Resource Management Act 1991; and
- (b) Which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229 of the Resource Management Act 1991.

Esplanade Strip

Means a strip of land created by the registration of an instrument in accordance with section 232 of the Resource Management Act 1991 for a purpose or purposes set out in section 229 of the Resource Management Act 1991.

Essential Activity

The following are essential activities:

- (i) Civil Defence Centres, hospitals and related medical facilities, (including operating theatres and related treatment areas and their support facilities), ambulance, fire and police stations, and buildings housing emergency vehicles and their fuel supply, but excluding medical and health care practices which are not part of hospitals;
- (ii) Public radio and television transmitting facilities and telephone exchanges;
- (iii) Electricity generating stations and substations with an output capacity exceeding 2 MVA;
- (iv) Maximum security places of restraint, including such places as prisons and mental institutions;

- (v) Buildings of a size capable of accommodating 500 or more people at any one time. For the purposes of this rule “buildings of a size capable of accommodating 500 or more people at any one time” shall mean buildings where the hourly rate of occupancy (including customers and employees) averaged over the number of hours in a normal working/operating week of the activity within the building, is 500 or more people.
- (vi) Buildings containing articles of particular cultural or historical significance, such as art galleries and archival record depositories.

Extractive Industry

The taking, winning or excavation of naturally occurring minerals from under or on the land surface, and includes, prospecting and exploration activities, and the removal of topsoil for commercial purposes. The term also includes the processing of minerals at or near the site, where the mineral has been taken by such means as screening or crushing.

Filming

The use of land and buildings for the purpose of commercial video and film production and includes the setting up and dismantling of film sets and associated facilities for staff.

Financial Contribution

Financial Contribution shall have the same meaning as in Section 108(9) of the Resource Management Act 1991.

Gross floor area and "GFA"

Means the area of all floors of all buildings on site, measured from the exterior faces of the exterior walls or from the centrelines of walls separating two buildings. Car parks, including associated aisles and access points etc, shall not be included in the calculation of gross floor area. For the purpose of calculating the car parks required, any cover over car parks shall not be included in the calculation of gross floor area.

Harvesting of Production Forestry

The clear felling or part removal of a forestry plantation, the associated activities involved in the winning of the timber from the site, and the transportation of the timber off the site, but does not include the processing of the timber off the site.

Hazardous Facility

Activities involving hazardous and environmentally damaging substances and sites at which these substances are used, stored, handled and disposed of, but does not include:

- (i) the use, storage and handling of hazardous and environmentally damaging substances incidental to domestic activities;
- (ii) trade waste sewers and stormwater drainage, sewerage systems, landfills, waste and waste water treatment and disposal facilities;

- (iii) the retail sale and related storage of hazardous substances in closed containers having volumes intended for domestic purposes;
- (iv) Fuel in motor vehicles, boats and other internal combustion machinery where the fuel is used for their propulsion or operation.
- (v) Pipelines used for the transfer of hazardous substances such as gas and oil which are covered by other legislation.

Hazardous Facility Threshold

The threshold level at which an activity changes from being a permitted activity to a discretionary activity when assessed in relation to the Hazardous Facility Screening Procedure set out in Part I of the District Plan.

Hazardous Substance

Substances with one or more of the following intrinsic properties, and including evolving substances with one or more of these properties on release into the environment:

- an explosive nature
- an oxidising nature
- a corrosive nature
- flammability
- acute and chronic toxicity
- ecotoxicity with or without bioaccumulation.

Height

The height of a building at any point is the vertical distance between that point and the actual ground level directly below that point. The maximum height of a building, therefore, is measured at the top of a building where the vertical distance between the point and the actual ground level below it is the greatest.

For the purposes of this definition, actual ground level means the level of the ground after the completion of all subdivisional earthworks and before the commencement of any earthworks for the development of the site.

Height Recession Plane

A plane extending at an angle into the site from a point above the actual ground level at the boundary. A building must fit within the envelope created by the Height Recession Plane for all of the boundaries of the site. Notwithstanding the definition of "building", for the purposes of measuring the height recession plane the term building excludes residential chimneys, radio and television aerials.

Measurement

The standard adopted for all zones, except the City Centre Zone (where no such standard applies), is explained as follows: Each height recession plane

shall rise vertically for 3.0m from actual ground level (see "height" definition for explanation of actual ground level), then incline inwards towards the centre of the site at right angles to the boundary in plan, at an angle of one vertical to one horizontal, that is, 45° (see figure 8).

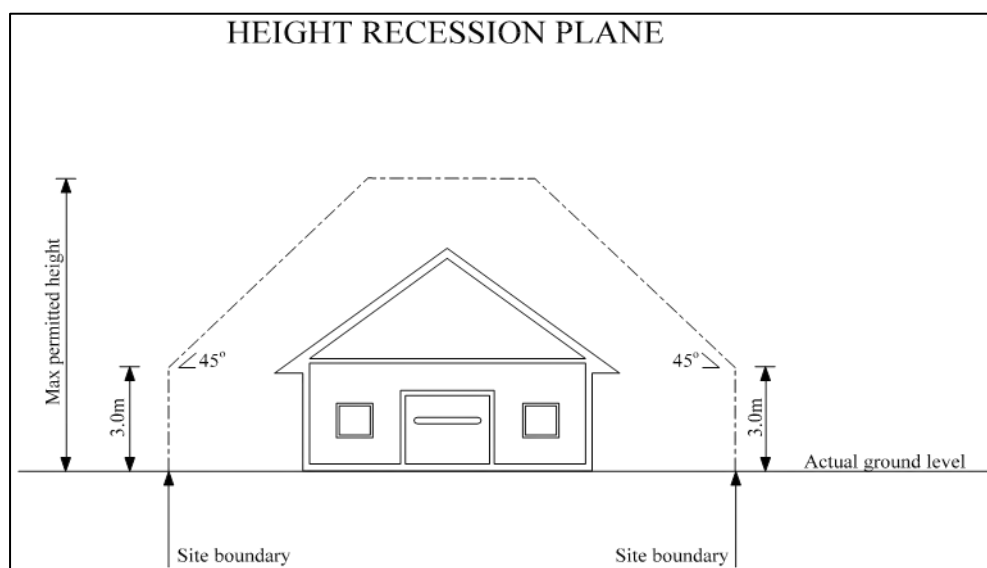


FIGURE 8

Heritage Setting

For historic heritage buildings, means the area between the building and the legal boundary of the site on which it is located unless otherwise defined by a specific "Heritage Setting Map" in Appendix 10.4.

For historic heritage sites, means the area contained within the legal boundaries of the site unless otherwise defined by a specific "Heritage Setting Map" included in Appendix 10.5.

This definition only applies to Part HH

Historic Heritage

Has the same meaning as specified in the Resource Management Act 1991.

Historic Heritage Building(s)

Means a building or structure, included in Appendices 10.1 and 10.2.

Historic Heritage Site(s)

Means a site included in Appendix 10.3 that has important archaeological and or historic heritage values. Unless specifically identified in the statements of significance in Appendices 10.1, 10.2 and 10.3, historic heritage sites do not include existing buildings or structures located within the site.

Industrial activity

Any activity where people use materials and physical effort to:

- (i) Extract or convert natural resources; or

- (ii) Produce goods or energy from natural or converted resources; or
- (iii) Repair goods; or
- (iv) Store goods (ensuing from an industrial process on-site or elsewhere).

Inner Pedestrian Area

That area delineated on the planning maps as 'Inner Pedestrian Area' and for which the City Centre Zone Standards in Rule D1.2 apply.

Integrity

Means the completeness or intactness of the building, including its meaning and sense of place and all the tangible and intangible attributes and elements necessary to express its heritage value such as the original building fabric, features and setting.

This definition only applies to Part HH

Intensive Rural Production Activity

means any farming activity which predominantly involves the housing or raising of animals, plants or other living organism within buildings or in closely fenced enclosures where the stocking density precludes the maintenance of pasture or ground cover; and includes intensive pig farming, poultry farming, and mushrooms farms; but excludes:

- horticulture undertaken in greenhouses,
- shearing sheds; and dairy milking sheds;
- keeping, rearing or breeding of poultry of 20 or fewer birds; and
- the keeping, breeding or rearing of five (5) or fewer pigs that have been weaned, or more than two (2) sows (with progeny until weaned).

Intermediate and Flexible or Deep Soils

(see Soils)

Intermediate School

A state primary school for pupils, the majority of whom range in age between 10 - 13 years, and who are admitted from one or more other state primary schools.

Intermediate volumes

Means a secondary building component that is lower and smaller than the main building to which it is attached. By being intermediate in dimension, i.e. in between the size of the main building and that of potentially adjacent smaller buildings, intermediate volumes help achieve a scale transition. By creating a break in the walls of the main building, intermediate volumes also help achieve visual interest on large and potential monotonous walls.

Internal Alteration

Means any change to the physical fabric of the interior of a historic heritage building or structure. This includes the removal and replacement of internal

walls, ceilings, floors and doors; internal plumbing and rewiring; and replacement of minor fittings and fixtures.

This definition only applies to Part HH

Iwi Authority

Means the authority which represents an iwi and which is recognised by that iwi as having authority to do so.

Kaimoana

Food from the sea.

Landscaping

Means live planting of trees, shrubs and ground cover for amenity purposes and may include provision of physical features such as paving, art and seating.

LC₅₀/LD₅₀

The concentration/dose of a substance required to kill 50% of a target population in a given time period.

Line

Means 'line' as defined in Section 5 of the Telecommunications Act 2001 and includes the definition of 'line' in section 2 of the Electricity Act 1992.

Liquefaction

The process by which water saturated sediment temporarily loses strength, because of strong shaking caused by seismic activity.

Mahinga Kai

Means food and other resources and the areas in which they are located.

Mahinga Maataitai

Means the areas from which food reserves from the sea are gathered.

Maintenance

Means for historic heritage buildings, routine work that is required to ensure the continuous protective care of the fabric, and is to be distinguished from redecoration and restoration. Maintenance includes planned measures such as clearing debris from gutters, corrective measures such as treatment of dry rot or fixing obvious leaks and emergency measures such as storm-related roof repairs and replacing broken glass.

Means for historic heritage sites, mowing grass and lawns, general gardening, tree trimming, but excludes new earthworks, landscaping or fencing. For existing buildings, structures and signs within a historic site, it means the continuous care, repair and/or reinstatement of the building, structure or sign, where any disturbance of land does not extend beyond the area or depth of land previously disturbed.

This definition only applies to Part HH and does not replace or override the definition of maintenance that applies to other parts of the Plan.

As it applies to network utilities, means the replacement, repair or renewal of existing network utilities and where the effects of that utility remain the same or similar in character, intensity and scale, and excludes 'minor upgrading' and 'upgrading'.

Major Arterial Road

An arterial road which forms part of a roading classification network for the City. The major arterial road are listed in Part H of the Plan.

Manufactured

Means products made, produced, constructed, fabricated or built on-site. It does not include those activities which only comprise the packaging, labeling, sorting, mixing or assembling of pre-made products.

Mast

Any pole, tower or similar structure which is fixed to the ground specifically designed to carry an antenna to facilitate the transmission of telecommunication and radiocommunication signals.

Medium Density Residential Development

A residential development involving three or more dwellings at a density greater than one dwelling unit per 350m² of site area and subdivision of lots for the purpose of such medium density residential development.

Minor above ground line

Means a line that provides an above ground connection to a site, including any connection to a building within that site, from an existing or permitted new above ground line provided that no more than one new support structure is required for that connection.

Minor Arterial Road

An arterial road which forms part of a roading classification network for the City. The minor arterial roads are listed in Part H of the Plan.

Minor Fittings and Fixtures

Includes light fittings, switches, metal railings, window panes, hinges and latches, door handles and locks.

This definition only applies to Part HH

Minor Upgrading

means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:

- (1) the reconductoring of the line with higher capacity conductors; and

- (2) the resagging of conductors; and
- (3) the addition of longer and more efficient insulators; and
- (4) A support structure replacement within 5m of the support structure that is to be replaced; and
- (5) The addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods; and
- (6) The addition of electrical or telecommunication fittings, excluding antenna; and
- (7) Tower replacement in the same location or within the existing alignment of the transmission line corridor; and
- (8) The replacement of existing cross arms, including with cross arms of an alternative design; and
- (9) An increase in tower height to achieve compliance with the clearance distances specified in NZECP34:2001; and
- (10) An increase in the height of replacement poles in the road reserve by a maximum of 1m, for the purpose of achieving road controlling authority clearance requirements, provided the permitted height in NU7.2.1 is not exceeded.

Minor upgrading shall not include:

- (i) Any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage, or
- (ii) Any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 30mm, or
- (iii) The bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30mm in diameter, or
- (iv) The addition of any new circuits, lines or utility structures.

Note: The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 applies to the existing national grid, and applies to all Transmission Lines that were operational, or able to be operated, on 14 January 2010.

Motorway

Motorway shall have the same meaning as in the Transit New Zealand Act 1989. Refer to Part H of the Plan.

National Grid

Means 'national grid' as defined in the National Policy Statement on Electricity Transmission.

National Grid Corridor

Means the area located within:

- 32m of a 110kV transmission line
- 37m of a 220kV transmission line

measured either side of the centreline of the transmission line, as depicted in Diagram 1. The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: the National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

National Grid Yard

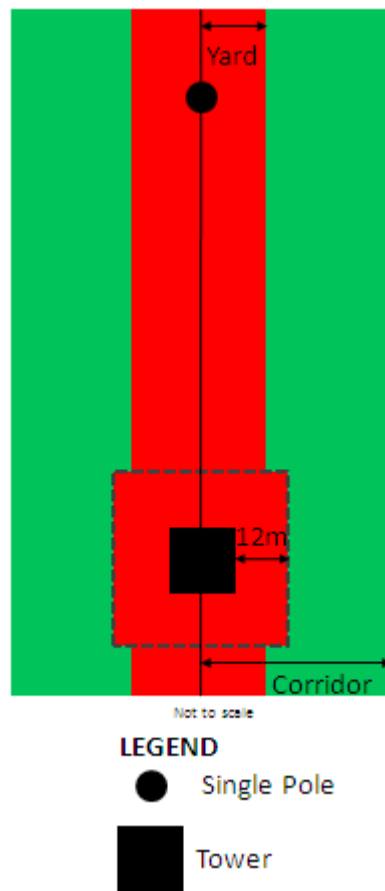
Means:

- the area located 12 metres either side of the centreline of an above ground electricity transmission line which is 110kV or greater
- the area located 12 metres in any direction from the edge of an electricity transmission pole or tower, associated with a line which is 110kV or greater

as depicted in Diagram 1.

The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: the National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Diagram 1: National Grid Yard and National Grid Corridor**Native Vegetation**

Means an area of vegetation comprising wholly or predominantly species indigenous to New Zealand.

Natural and Physical Resources

Natural and physical resources shall have the same meaning as in the Resource Management Act 1991.

Natural Hazard

Natural hazard shall have the same meaning as in the Resource Management Act 1991.

Net Site Area

Means the total area of the site which excludes:

- Any access legs,
- Any access area of allotment owned in common with the owners of any adjoining site or sites, and
- Any area subject to an easement of right-of-way in favour of any other site or sites.

Network Utility

Means any activity undertaken by a network utility operator as defined in the s166 of the RMA, relating to:

- (i) Distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy, or
- (ii) Telecommunication as defined in section 5 of the Telecommunications Act 2001; or radio communications as defined in section (2)(1) of the Radiocommunications Act 1989, or
- (iii) The provision, operation and maintenance of works for the conveyance of electricity, as defined in section 2 of the Electricity Act 1992, or
- (iv) The distribution of water for supply including irrigation, or
- (v) Sewerage or drainage reticulation, or
- (vi) Construction and operation of roads and railway lines, or
- (vii) The operation of an airport as defined by the Airport Authorities Act 1966, or
- (viii) The provision of any approach control service within the meaning of the Civil Aviation Act 1990, or
- (ix) Undertaking a project or work described as a 'network utility operation' by regulations made under the Resource Management Act 1991

and includes

- Lighthouses, navigation aids, beacons, signal and trig stations and natural hazard emergency warning devices, and
- Meteorological services, and
- all associated structures; and
- regionally significant network utilities.

Network utility structure

Means any structure associated with a network utility and includes pipes, valves, meters, regulator stations, transformers (other than pole mounted transformers), substations (other than overhead substations), compressor stations, pumping stations, navigational aids, meteorological installations, containers, cabinets, and similar structures. It does not include lines, antennas and masts.

Noise

The text and accompanying diagram (Figure 9) explain the method of assessing the L₁₀ noise level applicable to a particular site.

Measurement

See Figure 9.

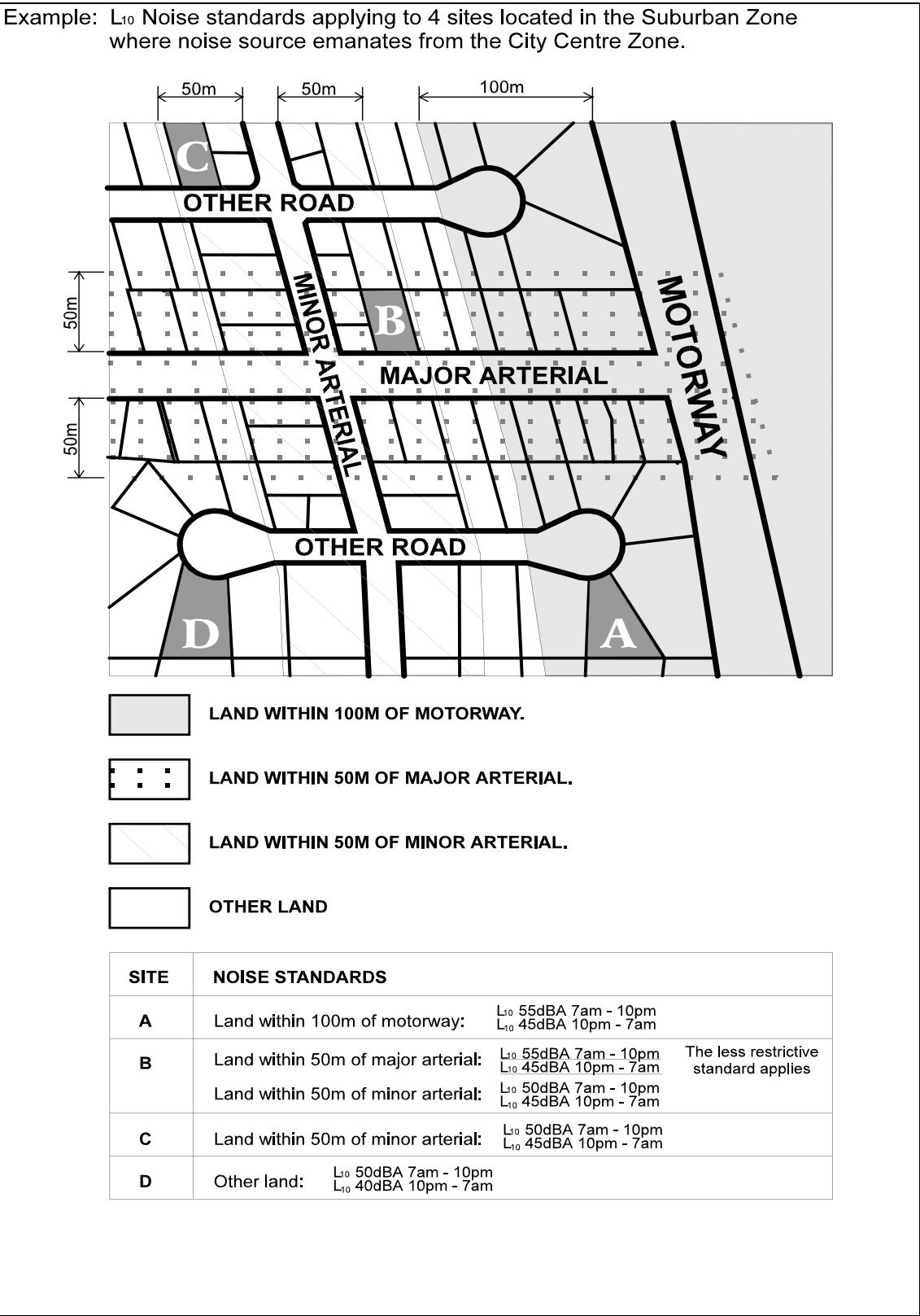


FIGURE 9

Noise will be measured in accordance with New Zealand Standard 6801:1991 "Measurement of Sound" and assessed in accordance with New Zealand Standard 6802:1991 "Assessment of Environmental Sound". These standards will be used as the basis upon which noise will be measured and assessed in relation to the noise standards contained in Part D Rules and Standards, and for monitoring and enforcement purposes.

Non-Complying Activity

Means an activity (not being a prohibited activity) which –

- (a) Contravenes a rule in a plan or a proposed plan; and
- (b) Is allowed only if a resource consent is obtained in respect of that activity.

Non-Industrial Activities

Activities within the Industrial Zone which do not fall within the meaning of an 'industrial activity', as defined in this Plan.

Non-Residential Activities

Any activity on any site within the Suburban Zone, or in any building, other than a residential activity, and includes:

- hospitals, or related activities entailing the professional care of any person or persons,
- hotels, motels, camping grounds and all other places of accommodation where accommodation for five or more persons is offered on a daily tariff.

Non-Residential Building

A building used for the purpose of non-residential activities.

Notional Net Site Area

Means that part of a site that is to be associated with a dwelling where there are two or more dwellings on an allotment. The notional net site area for each dwelling shall include:

- (a) all areas within a site to be exclusively used by each dwelling. This shall include that part of the site:
 - (i) occupied by each dwelling and any associated accessory building(s) as shown on a development plan; and
 - (ii) that provides compliance with the permitted activity standards for yards, height recession plane, parking and the outdoor living area for each dwelling, as shown on a development plan; and
 - (iii) any other areas of the site that adjoin (i) and (ii) above as shown on a development plan.

The notional net site area excludes any area of the site that shall be used to provide access to a road for more than one dwelling, and/or any access leg.

Objectionable Odour

That which can be detected and is defined as objectionable by one or more independent observers, including at least one Council officer.

Offensive Trade

The following are offensive trades:

- (i) Abattoirs and the slaughtering of animals;
- (ii) Blood or offal treating;
- (iii) Bone boiling or crushing;
- (iv) Dag crushing;
- (v) Fellmongering;
- (vi) Fish cleaning and curing;
- (vii) Flax pulping;
- (viii) Flock manufacturing, or teasing of textile materials for any purpose;
- (ix) Gut scraping and treating;
- (x) Solid waste management;
- (xi) Storage, drying, or preserving of bones, hides, hoofs or skins,
- (xii) Tallow melting;
- (xiii) Tanning;
- (xiv) Wood pulping;
- (xv) Wool scouring.

Offices

Means professional, administrative and commercial offices, including banks.

Outdoor Living Area

Means an area of open space on the site for outdoor activities associated with a dwelling.

Outer Pedestrian Area

That area delineated on the planning maps as 'Outer Pedestrian Area' and for which the City Centre Zone Standards specified in Rule D1.2 apply.

Party Wall

A shared wall between two dwellings.

Permeable Surfaces

Means a surface that is in garden, grassed or planted in trees or shrubs and which is capable of absorbing water.

Permitted Activity

Means an activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions (including any conditions in relation to any matter described in section 108 or section 220 of the Resource Management Act 1991) specified in the plan.

Potable Water

Water suitable for human consumption.

Primary Production Activity

Means any land based activity which:

- (i) Has as its purpose the production of any livestock or vegetative matter for use or consumption by humans or animals; and
- (ii) Utilises the in-situ production capacity of the soil, water and air as a medium for production; and
- (iii) Where stocking density does not preclude the maintenance of pasture or ground cover.

The harvesting of production forestry and wind farms are excluded from this definition.

Primary Roads

Primary roads are listed in Part H of the Plan.

Primary School

A school providing a 6 year course, or an 8 year course for pupils entering the school between the ages of 5 and 7 years.

Principal Street

Principal roads are listed in Part H of the Plan.

Production Forestry

The management of exotic forests for soil conservation, regulation of water, production of timber or other forest produce, recreational, or scientific purposes but excluding shelter planting not exceeding two rows of trees in depth.

Prohibited Activity

Means an activity which a plan expressly prohibits and describes as an activity for which no resource consent shall be granted; and includes any activity prohibited by section 105(2)(b) of the Historic Places Act 1993.

Public Footpath

Means that part of any road, or any part of a road, which is constructed for pedestrians.

Reassembly

Means to put existing but disconnected parts of a building back together.

This definition only applies to Part HH

Recognised Carcinogen

A carcinogenic substance causes a statistically significant increase in the incident of tumours. A substance is confirmed as carcinogenic if this has been documented by internationally relevant agencies such as the United States Environmental Protection Agency (USEPA).

Recognised Mutagen

A mutagenic substance causes heritable change in genetic material. A substance is confirmed as a mutagenic if this has been documented by internationally relevant agencies such as the United States Environmental Protection Agency (USEPA).

Recognised Teratogen

A teratogenic substance causes non-transmissible changes in off-spring. A substance is confirmed as teratogenic if this has been documented by internationally relevant agencies such as the United States Environmental Protection Agency (USEPA).

Recreation Activities

Any Activity whose primary aim is the passive and active enjoyment of leisure, whether commercial or non-commercial, competitive or non-competitive, casual or organised; and recreation has a corresponding meaning.

Motorised recreation activities are excluded from the definition of recreation activities except for boat launching activities, mobility scooters and motorised model cars, boats, trains and planes and except in Battle Hill Farm Forest Park and Belmont Regional Park.

The term “recreation activity” includes recreation-based events. In the Recreation Zone, the term “recreation activity” includes the sale and consumption of food, beverages and other goods ancillary to the principal recreation activity, including the use of club licences granted under the Sale of Liquor Act 1989.

Redecoration

Means the renewal, restoration, or new applications of: surface finishes, coatings, painting, decorative elements, minor fittings and fixtures, and floor coverings, excluding paint on previously unpainted surfaces. Includes the application of finishes and coatings to repaired fabric and preparation of surfaces for redecoration (e.g. washing but excludes sandblasting).

This definition only applies to Part HH

Regionally significant network utilities includes:

- pipelines for the distribution or transmission of natural or manufactured gas or petroleum
- the National Grid, as defined by the National Policy Statement on Electricity Transmission
- facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003
- the local authority water supply network and water treatment plants
- the local authority wastewater and stormwater networks, systems and wastewater treatment plants
- the Strategic Transport Network, as detailed in Appendix 1 to the Wellington Regional Land Transport Strategy 2010-2040
- Radio New Zealand's radio transmission facilities at Titahi Bay, referenced K0201 on the Planning Maps.

Reinstatement

Means to put the same or similar material components of a building back into position.

This definition only applies to Part HH

Repair

Means to improve the long-term condition of a building by using identical or closely similar materials to make good any damaged or decayed fabric. Repairs include re-pointing deteriorated brickwork, putting right damaged timberwork and replacing corroded or deteriorated roofing material.

This definition only applies to Part HH

Residential Activity

The use, by its occupants, of any dwelling for domestic purposes.

Resource Consent

Resource consent shall have the same meaning as set out in section 87 of the Resource Management Act 1991.

Restoration

Means to return a place to a known earlier form by reassembly and reinstatement, and includes removal of non-original elements that detract from its heritage value.

This definition only applies to Part HH

Restricted Discretionary Activity

A discretionary activity (within the meaning of the Resource Management Act 1991) in respect of which the Council has restricted its discretion to those matters specified in a Plan or Proposed Plan for that activity.

RMA

Means the Resource Management Act 1991.

Riparian Setback

All those parts of an allotment which are within a specified distance of mean high water springs mark, or along any river or lake. In all zones, except in the Recreation Zone and Open Space Zone, a riparian setback shall not however apply to land immediately abutting an esplanade reserve, esplanade strip or other reserve.

For the purposes of this definition, a river means a river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment; and a lake means a lake whose bed has an area of 8 hectares or more.

Risk

The probability of occurrence of an adverse effect from a substance combined with the magnitude of the consequence of that adverse effect.

Road

Means the whole of any land which is within a district, and which –

- (a) Immediately before the commencement of section 315(1) of the Local Government Act 1974 was a road or street, motorway or public highway; or
- (b) Immediately before the inclusion of any area in the district was a public highway within that area; or
- (c) Is laid out by the Council as a road or street after the commencement of section 315(1) of the Local Government Act 1974; or
- (d) Is vested in the Council for the purposes of a road as shown on a deposited survey plan; or
- (e) Is vested in the Council as a road or street pursuant to any other enactment.

For the purposes of the District Plan, this definition includes state highways and motorways but excludes private roads and tracks and farm roads and tracks.

Rural Road

All roads (see definition of "road" above) contained within the Rural Zone.

Sanitary Drainage

Refer to the definition for "sewerage".

Secondary Roads

Roads which carry a lower volume of traffic than primary roads (see definition of "primary road" above). They generally serve residential areas, and amenity issues such as traffic noise, the effects on the residential character of the area, and street furniture etc. play a more important role in the planning and construction of these roads.

Secondary School

A school established or deemed to be established under Part III of the Education Act 1964 as a secondary school and providing full time courses beyond the primary school course.

Seismic Hazard

Ground shaking, liquefaction or fault rupture caused by the release of energy during an earthquake.

Seismic Hazard Area

Part of a zone which identifies a geographical area potentially at risk from fault rupture, slope instability or liquefaction.

Sensitive Activity

Means the following activities:

- Residential
- The accommodation or care of people
- Pre-school, primary, intermediate, and secondary schools.

Service Station

Any site used for any of the following:

- (a) retail sale of petrol;
- (b) retail sale of diesel;
- (c) retail sale of LPG and CNG and lubricating oils for motor vehicles;

- (d) retail sale of tyres, batteries and other accessories associated with motor vehicles, and general goods, where retailing of such goods is ancillary to the sale of motor fuels;
- (e) the mechanical repair and servicing of motor vehicles, trailers and motor fuelled domestic equipment, where such repair and servicing is ancillary to the sale of motor fuels. This definition excludes body repairs, panel beating, trimming, spray painting, and heavy engineering.

Sewage

The contents of sewers carrying the waterborne wastes of a community. This is sometimes called "foul sewage" to distinguish it from stormwater.

Sewerage System/Sanitary Drainage System

An integrated public infrastructural system designed to dispose of wastewater (see definition for "wastewater" below).

Shop

Any activity which entails the use of a building or buildings for the direct sale of goods to the public.

Sign

Any display or device intended to attract attention for the purpose of directing, identifying, informing, or advertising, and which is visible from a public place and includes any frame or supporting structure.

In determining the area of a sign in accordance with the activity standards for signs in section D3.2.1 and D4.2.1 the following shall apply:

- (i) The standard applies to the total area of all signs on a property; and
- (ii) Where the lettering or design is on an existing surface, eg. wall or fence, the area of the sign is calculated by measuring the rectangular area which encloses all symbols, works, or letters that make up the sign.

Site

Means:

- (a) An area of land which is:
 - (i) Held in a single Computer Freehold Register (i.e. Title), or
 - (ii) Contained in a single lot on an approved survey plan of subdivision for which a separate Computer Freehold Register (i.e. Title) could be issued without further consent from Council.
- (b) An area of land which is comprised of two or more adjoining Computer Freehold Register (i.e. Title) where they are:

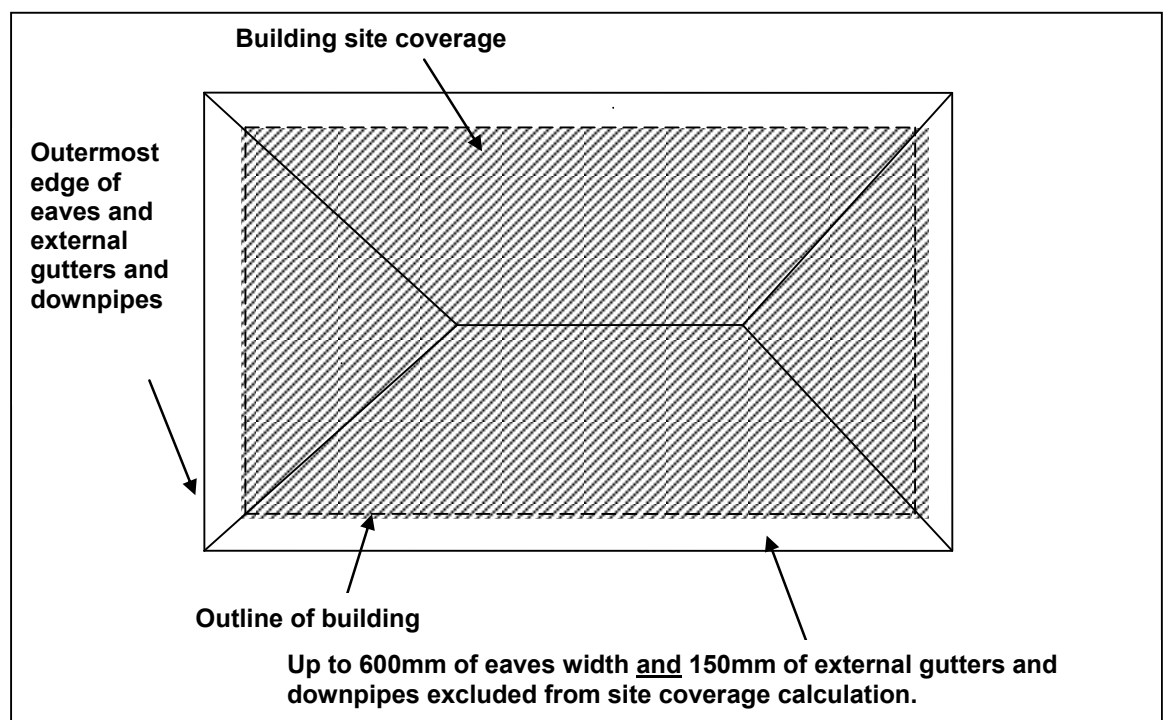
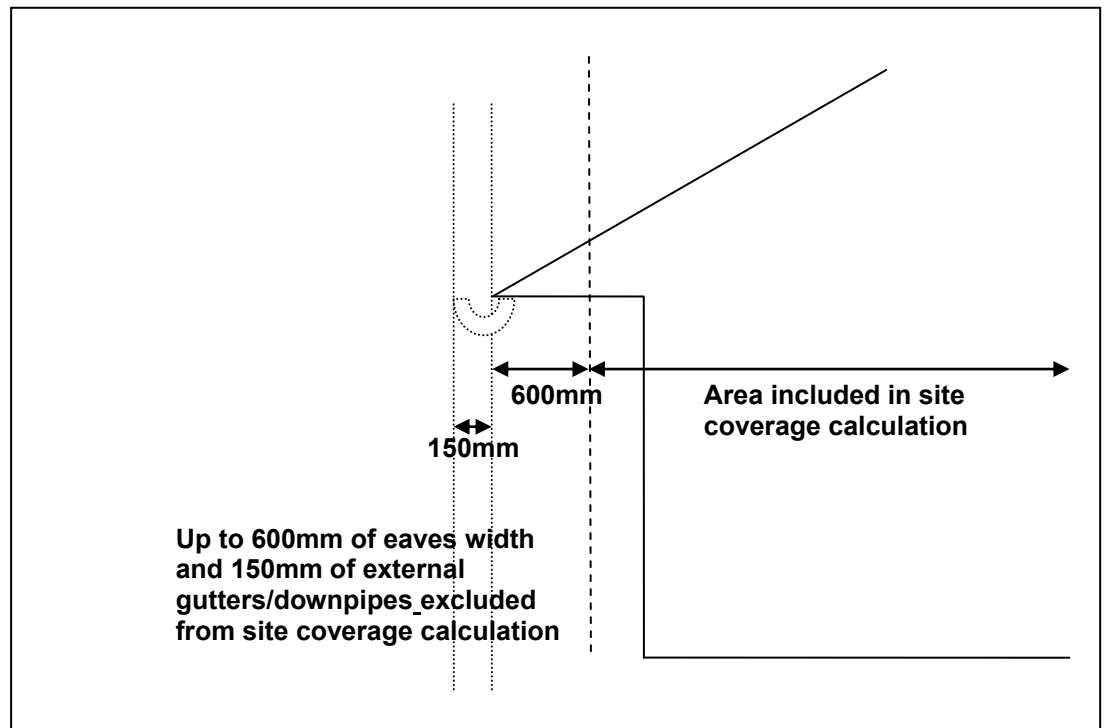
- (i) Subject to a condition imposed under section 75 of the Building Act 2004 or section 643 of the Local Government Act 1974 or section 220 (1)(b) of the Resource Management Act 1991, or
 - (ii) Held together in such a way that they cannot be dealt with separately without the prior consent of the Council (i.e. under now repealed legislation such as the Local Government Act 1974 or Building Act 1991).
- (c) An area of land which is:
- (i) Identified on a resource or building consent plan as "the application site" which is held in more than one Computer Freehold Register (i.e. Title); and
 - (ii) The land will be amalgamated into one Computer Freehold Register (i.e. Title) as part of the resource consent process.
- (d) Within the Recreation and Public Open Space Zone, it also means a continuous area of land held by the same owner contained within a Recreation or Public Open Space zoning as showing on the planning maps. Such land may contain a single allotment or multiple contiguous allotments held by the same owner. Where areas of land zoned Public Open Space and Recreation are contiguous these shall not be defined as a single site i.e. a zone boundary shall be considered to be the site boundary.

Site Coverage

The portion of net site area occupied by buildings and structures, as measured at the external edge of the building or structure in plan view. For the purposes of this definition, site coverage calculations will not include:

- (a) Eaves up to a maximum of 600mm in width and external gutters/downpipes (including their brackets) up to an additional width of 150mm
- (b) Pergola structures that are not covered by a roof
- (c) Fences and walls (of less than 2 metres in height)
- (d) Structures less than 5m² in area and 1.5m in height. Handrails that form part of a deck or patio, are excluded from this calculation for height.
- (e) Uncovered decks less than 1 metre in height as measured from actual ground level
- (f) Path, driveways and other paved surfaces on the ground
- (g) Any part of a building or structure where the walls (of that part) are located below the surface of the ground, provided that the roof (of that part) does not project above the actual ground level.
- (h) Inground outdoor swimming pools

Diagram: Exclusion of Eaves from Site Coverage



Soft Ground

Includes sand, silt and alluvium areas, harbour and river sediments and reclaimed land.

Soils – Intermediate and Flexible or Deep Soils

Includes deep alluvium and marine deposits.

Specimen Tree

Means a tree that is at least 2.0 metres in height with a stem width of at least 50 mm in diameter at breast height (DBH) at the time of planting, and is capable of growing to 4.0 metres in height within 10 years of planting.

State Highway

State highway shall have the same meaning as in the Transit New Zealand Act 1989. Refer to Part H of the Plan.

Storage of Hazardous Substance

The keeping of a hazardous substance or mixture of hazardous substances in a container, either above ground or under ground.

Stormwater Drainage

An integrated public infrastructural system of pipes, culverts and drains etc. designed to regulate natural rainwater run-off from land and buildings.

Tangata Whenua

In relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.

Taonga Raranga

Means plants which produce material highly prized for use in weaving.

Tauranga Waka

Means a canoe landing site.

Temporary Military Training

Temporary military training shall mean one or more of the following activities:

- (a) Practice infantry tactics, for up to 120 persons.
- (b) Navigation training.
- (c) Initial military training.
- (d) First aid training.
- (e) Vehicle/landrover training.
- (f) Mine warfare training.
- (g) Search training
- (h) Patrolling.
- (i) Leadership training.
- (j) Counter terrorism training.

For the purposes of this definition “temporary” is defined as being of no more than 30 days duration.

Territorial Local Authority

A city council or a district council.

Transmission Line

- (a) means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and
- (b) includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but
- (c) does not include an electricity substation

Upgrading

As it applies to network utilities, upgrading means the replacement, repair, renewal or improvement or increase in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes:

- ‘**maintenance**’ (as it relates to network utilities); and
- ‘**minor upgrading**’; and
- any activity specifically provided for under Rules NU6.1.9 to NU6.1.38; and
- any increase in height or size or change in location,

unless such increase or change is specifically provided for and would comply with the applicable permitted activity standard specified in NU7.2, NU7.3 or NU7.4.

Use of Hazardous Substance

The handling of a hazardous substance or mixture of hazardous substances for a particular process or activity without changing the physical state or chemical structure of the substance involved.

Vehicle Movements

The number of vehicles associated with a person/s visiting or using a site.

Note: Refer to Part H 'Car Parking, Vehicle Movements and Roads' for technical information on how to calculate vehicle movements.

Vehicle Area

That area delineated on the planning maps as 'Vehicle Area' and for which the City Centre Zone Rules and Standards specified in Rule D1 apply.

Vehicle Yard

The storage or sale of vehicles from a property, but does not include a car park (see definition for "car park" above), and shall include, but not be limited to, depots, truck stops, car sale yards, and rental car lots.

Waahi Tapu

A place which is particularly sacred or spiritually meaningful to tangata whenua. It includes the burial grounds, tribal altars, and places where significant events have taken place.

Warehousing activity

Means the use of any building or part of any building for the storage, receipt, dispatch, breaking down or consolidation of goods owned or held on consignment by the occupier on the building pending distribution.

Waste (including hazardous wastes)

Any contaminant, whether liquid, solid, gaseous, or radioactive, which is: discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an adverse effect on the environment and which includes all unwanted and economically unusable by-products at any given place and time, and any other matter which may be discharged, accidentally or otherwise, to the environment.

Wastewater

All water from a site, excluding natural run-off and stormwater, but including sewage discharges, (see definition for "sewage").

Wind farm

Means the land (including one or more sites that may form a wind farm) activities and structures (including substations, lines and turbines), earthworks and access tracks associated with the generation of electricity from wind. It does not include:

- a) Domestic scale turbines that are capable of generating up to 5kW of electricity and up to 20kW of total maximum output per site;
- b) Transmission lines that connect the wind farm to the National Grid or electricity distribution network external to the wind farm; and
- c) Any upgrades or traffic improvements to legal roads.

Yard

Any part of a net site area which is unoccupied and unobstructed by buildings, except as otherwise provided by this Plan. Yards shall be measured from the boundaries of the net site area.

- (i) Front Yard – All those parts of the net site area which are within a specified distance of any part of a road or land designated for roading purposes.

- (ii) Other Yard – All those parts of the site which are within a specified distance of the boundary of the net site area and including a specified separation between two or more detached dwellings on a site, but excluding any part of a front yard or riparian setback.

Zone

The rules and standards set out in the Plan apply across the stated zones. The planning maps show the extent of the zones. A "zone" comprises geographic parts of the City which are of similar character and are indicative of the activities that occur within that part of the City.

PART Z
APPENDICES

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Z1 APPENDIX Z1 - INFORMATION REGARDING THE STATUTORY ACKNOWLEDGEMENT CONTAINED IN THE NGATI TOA RANGATIRA AND TRUSTEE OF THE TOA RANGATIRA TRUST DEED OF SETTLEMENT

The Ngati Toa Rangatira Claims Settlement Act 2014 came into force on 23 April 2014. Settlement date was 1 August 2014. The effective date is 1 February 2015.

The Act requires a **statutory acknowledgement** of **statutory areas**, and of the **statements of association** and **statements of coastal values** made by Ngati Toa Rangatira in respect of those statutory areas.

The information contained in this Appendix is provided solely for public information, and is not formally part of the legally adopted Porirua City District Plan.

Z1.1 PORIRUA CITY COUNCIL OBLIGATIONS

Porirua City Council has certain obligations and duties it must exercise when managing resource consent applications within, adjacent to, or directly affecting a statutory area. These are:

- To **have regard to** the statutory acknowledgment when making decisions on whether the Trustee of the Toa Rangatira Trust is an **affected person** on resource consent applications submitted for activities within, adjacent to, or directly affecting a statutory area.
- Until 1 February 2035, to **provide either summaries** of resource consent applications lodged with Council, **and copies of notices** of resource consent applications that have been served on Council under section 145(10) (where the matter is lodged with the Environmental Protection Authority), to the Trustee of the Toa Rangatira Trust where the resource consent application is for an activity within, adjacent to, or directly affecting a statutory area.

The exact provisions outlining those responsibilities and obligations is contained below.

Z1.2 RELEVANT PROVISIONS OF THE NGATI TOA RANGATIRA CLAIMS SETTLEMENT ACT 2014

24 Interpretation

(1) In this Act, statutory acknowledgement means the acknowledgement made by the Crown in section 25 in respect of each statutory area, on the terms set out in this subpart.

(2) In this subpart,—

coastal statutory area means a statutory area described in Schedule 1 under the heading “Coastal statutory areas”

relevant consent authority, for a statutory area, means a consent authority of a region or district that contains, or is adjacent to, the statutory area

statements of association means the statements—

- (a) made by Ngati Toa Rangatira of their particular cultural, spiritual, historical, and traditional association with the statutory areas (except the coastal statutory areas); and
- (b) that are in the form set out in part 2.1 of the documents schedule of the deed of settlement

statements of coastal values means the statements—

- (a) made by Ngati Toa Rangatira of their particular values relating to the coastal statutory areas; and
- (b) that are in the form set out in part 2.2 of the documents schedule of the deed of settlement

statutory area means an area described in Schedule 1, with the general location (but not the precise boundaries) indicated on the deed plan referred to in relation to the area.

25 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association and the statements of coastal values.

26 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, as provided for in sections 27 to 29; and
- (b) to require relevant consent authorities to provide summaries of resource consent applications, or copies of notices of resource consent applications, to the trustee of the Toa Rangatira Trust, as provided for in section 31; and
- (c) to enable the trustee of the Toa Rangatira Trust and members of Ngati Toa Rangatira to cite the statutory acknowledgement as evidence of the association of Ngati Toa Rangatira with a statutory area, as provided for in section 32.

27 Relevant consent authorities to have regard to statutory acknowledgement

(1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustee of the Toa Rangatira Trust is an affected person in relation to an activity within, adjacent to, or directly affecting the statutory area and for which an application for a resource consent has been made.

(2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

28 Environment Court to have regard to statutory acknowledgement

(1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustee of the Toa Rangatira Trust is a person who has an interest in proceedings that is greater than the interest that the general public has in respect of an application for a resource consent for activities within, adjacent to, or directly affecting the statutory area.

(2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

29 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

(1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—

(a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and

(b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

(2) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

30 Recording statutory acknowledgement on statutory plans

(1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.

(2) The information attached to a statutory plan must include—

(a) the relevant provisions of sections 24 to 33 in full; and

(b) the descriptions of the statutory areas wholly or partly covered by the plan; and

(c) any statements of association or statements of coastal values for the statutory areas.

(3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—

(a) part of the statutory plan; or

(b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

31 Provision of summaries or notices of certain applications to trustee

(1) Each relevant consent authority must, for a period of 20 years starting on the effective date, provide the following to the trustee of the Toa Rangatira Trust for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:

(a) if the application is received by the consent authority, a summary of the application; or

(b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.

(2) The information provided in a summary of an application must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991, or as may be agreed between the trustee of the Toa Rangatira Trust and the relevant consent authority.

(3) A summary of an application must be provided under subsection (1)(a)—

(a) as soon as is reasonably practicable after the consent authority receives the application; but

(b) before the consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.

(4) A copy of a notice of an application must be provided under subsection (1)(b) no later than 10 working days after the day on which the consent authority receives the notice.

(5) This section does not affect a relevant consent authority's obligation,—

- (a) under section 95 of the Resource Management Act 1991, to decide whether to notify an application, and to notify the application if it decides to do so; or
- (b) under section 95E of that Act, to decide whether the trustee of the Toa Rangatira Trust is an affected person in relation to an activity.

32 Use of statutory acknowledgement

- (1) The trustee of the Toa Rangatira Trust and any member of Ngati Toa Rangatira may, as evidence of the association of Ngati Toa Rangatira with a statutory area, cite the statutory acknowledgement that relates to that area in submissions to, and in proceedings before, a relevant consent authority, the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991, the Environment Court, or Heritage New Zealand Pouhere Taonga concerning activities within, adjacent to, or directly affecting the statutory area.
- (2) The content of a statement of association or statement of coastal values is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) relevant consent authorities;
 - (b) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991;
 - (c) the Environment Court;
 - (d) Heritage New Zealand Pouhere Taonga;
 - (e) parties to proceedings before those bodies;
 - (f) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) neither the trustee of the Toa Rangatira Trust nor members of Ngati Toa Rangatira are precluded from stating that Ngati Toa Rangatira has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

33 Trustee may waive rights

- (1) The trustee of the Toa Rangatira Trust may waive the right to be provided with summaries, and copies of notices, of resource consent applications under section 31 in relation to a statutory area.
- (2) The trustee may waive the right to have a relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga have regard to the statutory acknowledgement under sections 27 to 29 in relation to a coastal statutory area.
- (3) Rights must be waived by written notice to the relevant consent authority, the Environment Court, or Heritage New Zealand Pouhere Taonga stating—
 - (a) the scope of the waiver; and
 - (b) the period for which it applies.
- (4) An obligation under this subpart does not apply to the extent that the corresponding right has been waived under this section.

Schedule 1
Statutory areas

[ss 24\(2\),](#)
[34\(1\)](#)

Statutory areas		
Statutory area	Location	Deed of recognition
Balance of Mana Island	As shown on OTS-068-28	✓
Red Rocks Scientific Reserve	As shown on OTS-068-29	✓
Pukerua Bay Scientific Reserve	As shown on OTS-068-30	✓
Oteranga Bay Marginal Strip	As shown on OTS-068-23	
Queen Elizabeth Park	As shown on OTS-068-24	
Whareroa Farm	As shown on OTS-068-25	
Te Onepoto Bay	As shown on OTS-068-26	
Pauatahanui Wildlife Reserve	As shown on OTS-068-31	✓
Horokiri Wildlife Management Reserve	As shown on OTS-068-32	✓
Battle Hill Farm Forest Park	As shown on OTS-068-27	
Lake Rotoiti, Nelson Lakes National Park	As shown on OTS-068-33	✓
Lake Rotorua, Nelson Lakes National Park	As shown on OTS-068-34	✓
Wairau Pa	As shown on OTS-068-35	✓
Chetwode Islands	As shown on OTS-068-36	✓
Malcolm's Bay Scenic Reserve, Arapaoa Island	As shown on OTS-068-37	✓
Hutt River and its tributaries	As shown on OTS-068-45	✓
Maitai River and its tributaries	As shown on OTS-068-46	✓
Wairau River, Omaka River, Ōpaoa River, and Kaituna River and their tributaries	As shown on OTS-068-47	✓
Te Hoiere / Pelorus River and its tributaries	As shown on OTS-068-48	✓
Tuamarina River and its tributaries	As shown on OTS-068-49	✓
Buller River and its tributaries (northern portion)	As shown on OTS-068-50	✓
Waimea River and its tributaries	As shown on OTS-068-58	✓
Motueka River and its tributaries	As shown on OTS-068-59	✓

Coastal statutory areas		
Statutory area	Location	Deed of recognition
Cook Strait	As shown on OTS-068-38	
Te Awarua-o-Porirua Harbour	As shown on OTS-068-39	
Wellington Harbour (Port Nicholson)	As shown on OTS-068-40	
Thoms Rock / Tokahaere	As shown on OTS-068-41	
Kapukapuariki Rocks	As shown on OTS-068-42	
Toka-a-Papa Reef	As shown on OTS-068-43	
Tawhitikurī / Goat Point	As shown on OTS-068-44	
Te Tau Ihu coastal marine area	As shown on OTS-068-70	

STATUTORY AREAS

Statutory Acknowledgement & Deed of Recognition

North Bluff

740.4

12km

Mana Island

Shingle Point

South Point

Round P

Te Korohiwa Rock

Green Point

Tirau Bay

Pararauma

Open Bay

Airstrip

Angapaua

Wairere

Te Anapaura

Rock Point

0 500 1,000 1,500

Approximate scale

Wellington Land District
Territorial Authority:
Porirua City Council

Compiled as a graphic
representation. Boundaries
are indicative only.

Balance of Mana Island

Areas referred to in the Deed of Settlement between
Ngati Toa Rangahira and the Crown

Approved as to boundaries:

for Ngati Toa Rangahira

for and on behalf of the Crown

OTS-068-28

Statement of Association

Te Mana o Kupe ki Aotearoa is a site of great historical and cultural significance. It was discovered by Kupe and bears his name as Te Mana o Kupe ki Aotearoa. The name refers to the ability of Kupe to cross the ocean to Aotearoa and also to commemorate his defeat of Muturangi.

Archaeological excavation has found evidence of occupation from as early as 600 years ago. Middens dating from early settlement have been uncovered with the remains of a great variety of fish species, labrids, snapper, blue cod, greenbone, leatherjacket, and moki.

Ngati Toa Rangatira have a strong historical and cultural association with this site as it was regarded as the principal kainga of Te Rangihaeata who established his claim to the island following the battle of Waiorua in 1824. The island was the site of his renowned carved whare, Kai Tangata, and the tomb of his mother Waitohi. It was also from Te Mana o Kupe ki Aotearoa that Te Rangihaeata controlled much of Ngati Toa Rangatira's maritime trading networks through harakeke harvested from the swamps of Haretaunga and Ohariu. There are a number of Ngati Toa Rangatira wāhi tapu on the island, including: pa sites; urupa; gardens; pits and middens.

The coastline of Te Mana o Kupe ki Aotearoa is predominantly rocky and steep however, in the north-east of the island, where the Waikoko stream runs down to the coast, there is a flat area and beach. This was the tauranga waka of Te Ra Makiri and was gazetted as a Landing Place Reserve in 1979.

The sheltered and flat area located past the beach was named Matakītaki by Kupe and was a site of concentrated occupation by Ngati Toa Rangatira. This area is also of particular significance as it is the site of a Ngati Toa Rangatira urupa.

Mana was, and remains, an important area for customary fishing. It is a source of koura, paua, kina and a number of finfish species including moki, terakihi, kahawai, blue cod and butterfish.

Z1.3.2 PUKERUA BAY SCIENTIFIC RESERVE (AS SHOWN ON DEED PLAN OTS-068-30)



Statement of Association

Pukerua Bay was historically an area of concentrated Ngati Toa Rangatira settlement, and remains an area of historical and cultural significance. There were three pa located around the area known today as Pukerua Bay.

There are a number of Ngati Toa Rangatira wāhi tapu located at Pukerua Bay, including pa sites and urupa.

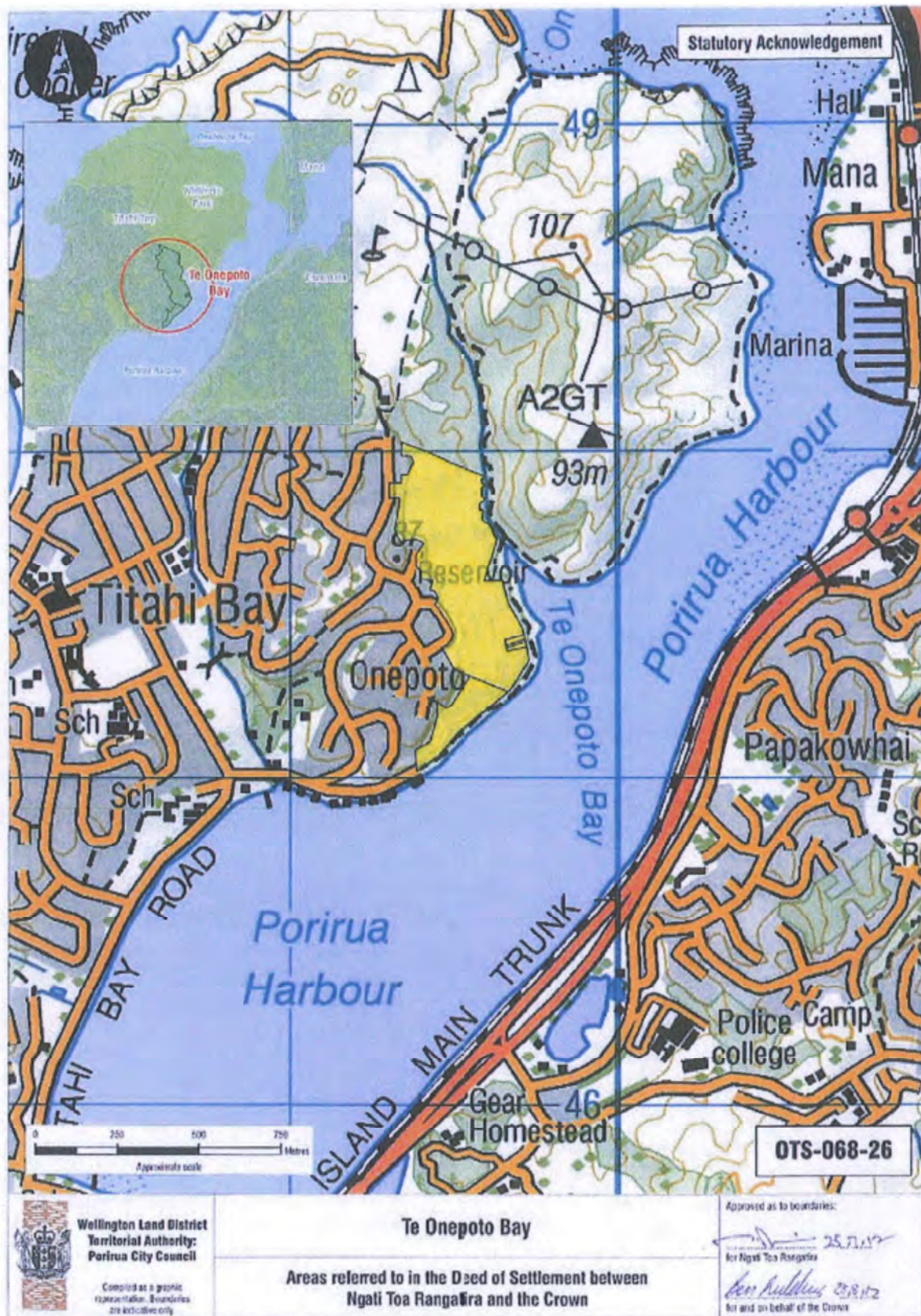
The Waimapihi pa complex is located at the northern end of the Taua-tapu track, which led to Taupo pa in Plimmerton. Waimapihi pa became an important settlement for Ngati Toa Rangatira when the former inhabitants left the area. Ngati Toa Rangatira's connection began initially with the Amiowhenua expedition in 1819 which was followed by the Te Heke Mai Raro migration of 1822. In the early nineteenth century the pa was occupied by Te Hiko, son of Te Peehi Kupe, and many of his relatives. It was also known for its extensive cultivations.

In close proximity to the former Ngati Toa Rangatira settlement is an urupa which features four rows of visible tombstones. When the coastal route was under construction many graves were disinterred and the koiwi were placed in a common grave.

Located at the western end of Pukerua Railway Station was Pukerua Pa, an important fortified settlement. The pa was constructed by Te Hiko following the battle of Kuititanga in 1839. Another Ngati Toa Rangatira pa site was Wairaka pa. This pa was also constructed by Te Hiko. There are a series of urupa associated with Wairaka pa located along the ridgeline at Te Hau Kopua.

Archaeological remains, including terraces and middens, have been identified at both Pukerua pa and Wairaka pa.

Pukerua Bay was traditionally a significant mahinga kai, and a source of paua, kina and koura. Ngati Toa Rangatira, as kaitiaki of Pukerua Bay, with the support of the local community, have established mechanisms founded in our tikanga to protect the marine environment.

Z1.3.3 TE ONEPOTO BAY (AS SHOWN ON DEED PLAN OTS-068-26)

Statement of Association

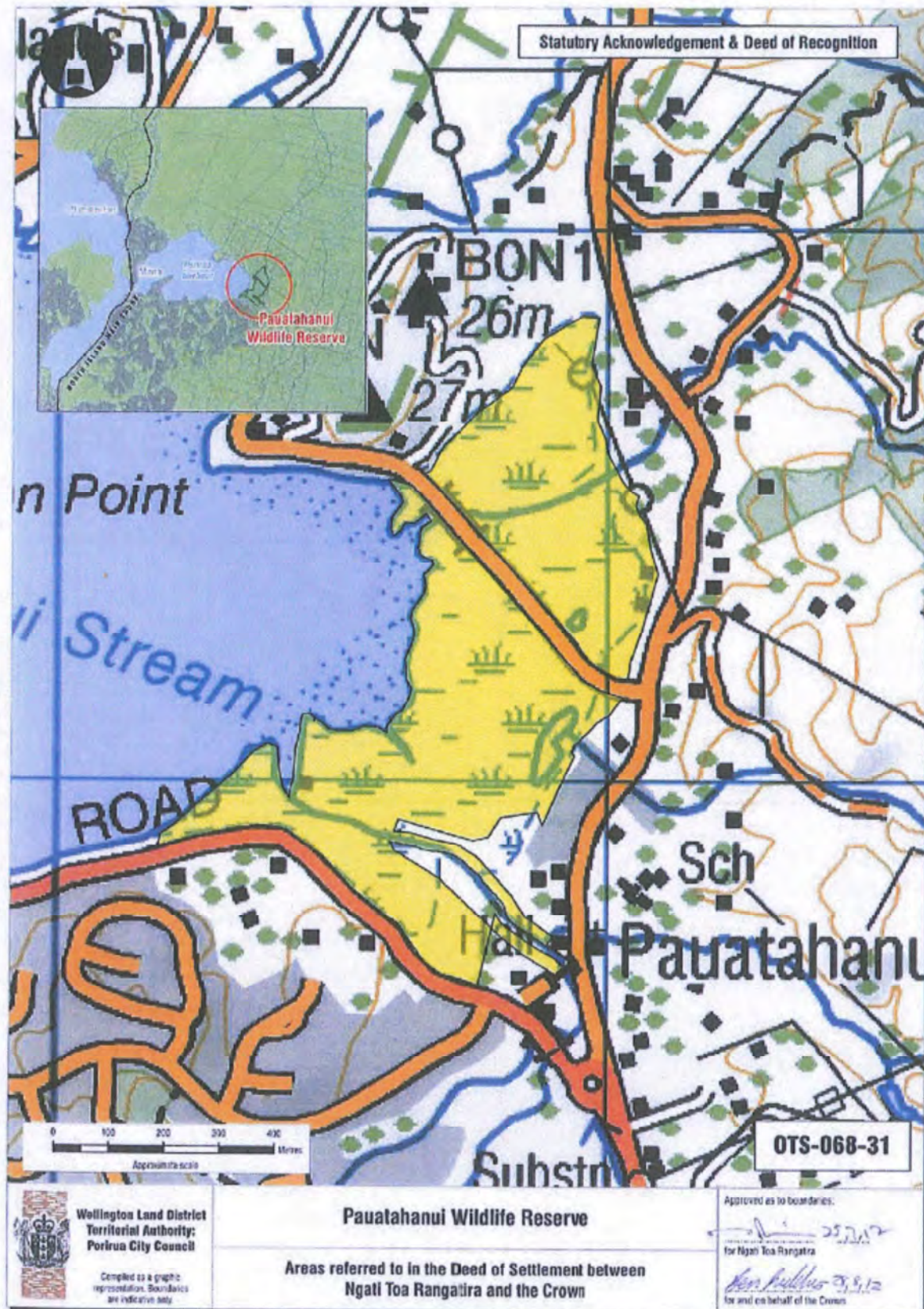
Te Onepoto Bay, located on the Whitireia Peninsula, was a site of Ngati Toa Rangatira settlement. The Whitireia peninsula is of historical and cultural importance to Ngati Toa Rangatira as it contains numerous wāhi tapu and sites of significance, including urupa, kainga, pa, middens, pits, terraces and tauranga waka. There were numerous settlements along the coast at Te Onepoto, Te Kahikatoa, Te Neke, Kaiaua, Onehunga and Kaitawa. The coast of the peninsula remains an important area for the gathering of kaimoana.

Originally reserved under the 1847 Porirua Deed, the land at Whitireia was gifted to the Crown on the premise that an Anglican Mission school would be established to educate the children of Ngati Toa Rangatira. In 1850 the Crown granted the land to the Bishop of Wellington for the purpose of a school. When no school was established at Whitireia, the Crown grant was challenged by Ngati Toa Rangatira in 1877 in *Wi Parata v Bishop of Wellington*. The Supreme Court held that Ngati Toa Rangatira native title to the land was extinguished through the Crown grant, in a decision criticised and challenged by subsequent judgements.

The Whitireia Case highlights the unique historical significance of Whitireia to Ngati Toa Rangatira, including Te Onepoto Bay. The settlement at Te Onepoto was located at the western side of the entrance to the Porirua harbour, a site which had always been recognised by Maori as having considerable strategic importance. The Porirua Harbour is the northern shore of the shortest crossing of Cook Strait from the West Coast. It also lay astride the main route to Wellington. Te Rauparaha is reputed to have told Governor Grey that whoever held Paremata and Porirua Harbour controlled the northern approaches to Wellington.

Ngati Toa Rangatira almost exclusively utilised the harbour and its kaimoana resources such as cockles, mussels and finfish up until the 1950s when the government commenced large scale housing developments in the area. The harbour experienced huge development pressure from reclamation for what is now the city centre. Over the following decades, the effects of intensified land use, contamination and siltation have resulted in poor water quality and an inability to harvest kaimoana.

Z1.3.4 PAUATAHANUI WILDLIFE RESERVE (AS SHOWN ON DEED PLAN OTS-068-31)



Statement of Association

The Pauatahanui Wildlife Reserve is significant to Ngati Toa Rangatira because of their association to the entire Pauatahanui Inlet area. The Inlet is important to Ngati Toa Rangatira for cultural and historical reasons. The iwi's association with the area originates from their conquest of the greater Wellington region in the 1820s. It became a place of settlement and an important mahinga kai.

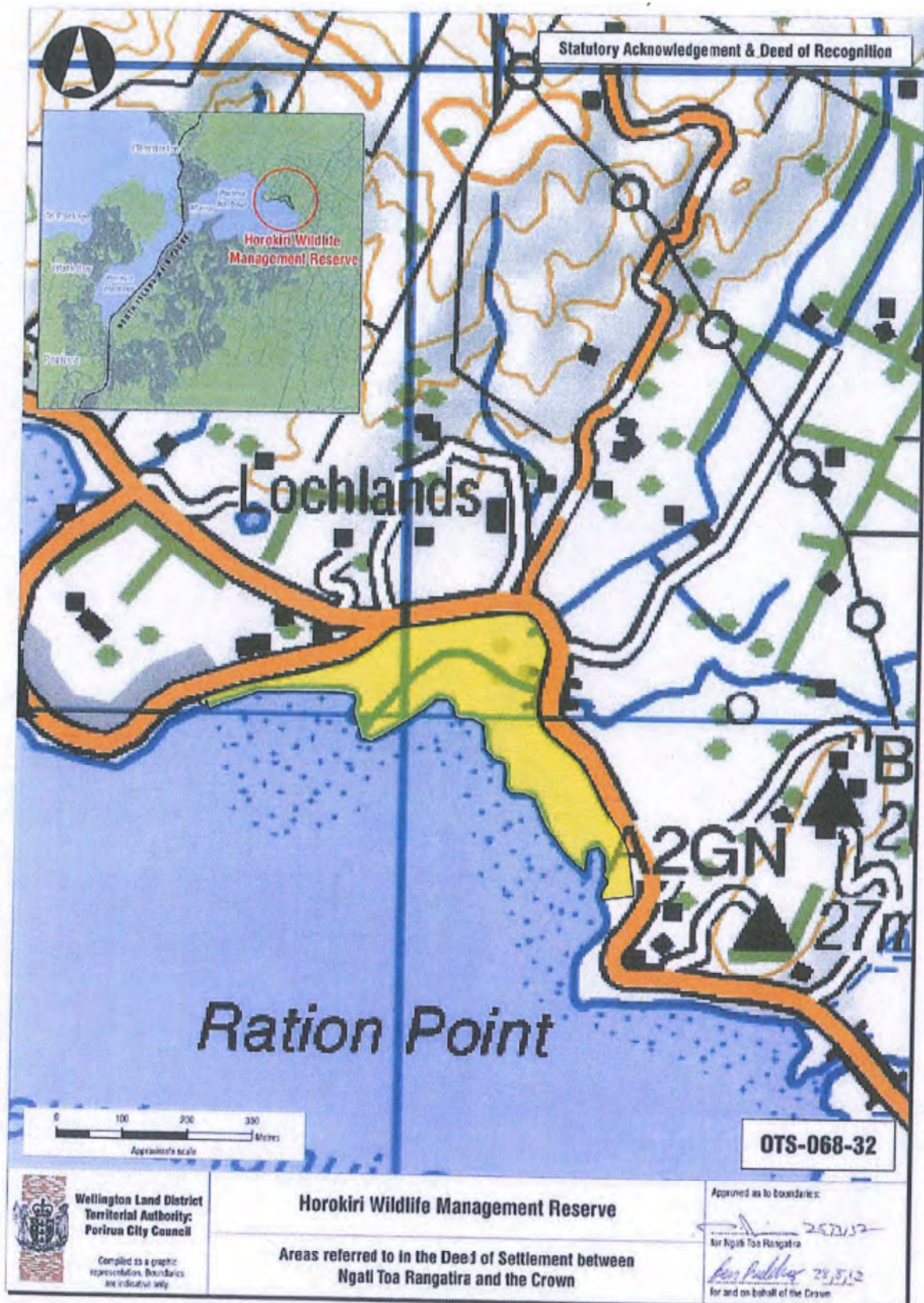
Motukaraka pā, which overlooked the inlet, was a site of extensive cultivations. The pa site was valued for its strategic importance as it was elevated, bordered by steep banks, and it projected out into the harbour far enough to command views in both directions. Te Rangihaeata set up a fighting pa beside the inlet at the point, but withdrew from it in 1845 as it was within firing distance for light gun boats. When tensions between Ngati Toa Rangatira and the Crown escalated in 1846, Te Rangihaeata moved from Mana Island to Motukaraka for a brief period, before establishing his palisaded Pa at Mataitaua. In 1846 Fort Strode was established at Motu-karaka.

Te Rangihaeata constructed Matai-taua pā, also near the inlet, as a gun-fighters pa between 1845 and 1846. It was the only pa in the region to be built specifically for this purpose and particular type of combat or defence. Fighting between Ngati Toa and the Crown occurred at the pa on 11 July 1846, but with little consequence. With the capture of Te Rauparaha, Te Rangihaeata abandoned the pa on 1 August 1846. St Albans Church (built in 1895) is now located on the site of Matai-taua Pa.

The Pauatahanui Inlet was also an important food resource and pipi and cockles could be gathered from the uncovered mud flats. Shellfish was of great importance as a food resource for the Ngati Toa Rangatira communities located around Pauatahanui and the Porirua Harbour.

Incidentally, the name Pauatahanui does not refer to paua as is often mistakenly believed, but rather takes its meaning from its shape which is similar to a large, flat, round dish.

Z1.3.5 HOROKIWI WILDLIFE MANAGEMENT RESERVE (AS SHOWN ON DEED PLAN OTS-068-32)



Statement of Association

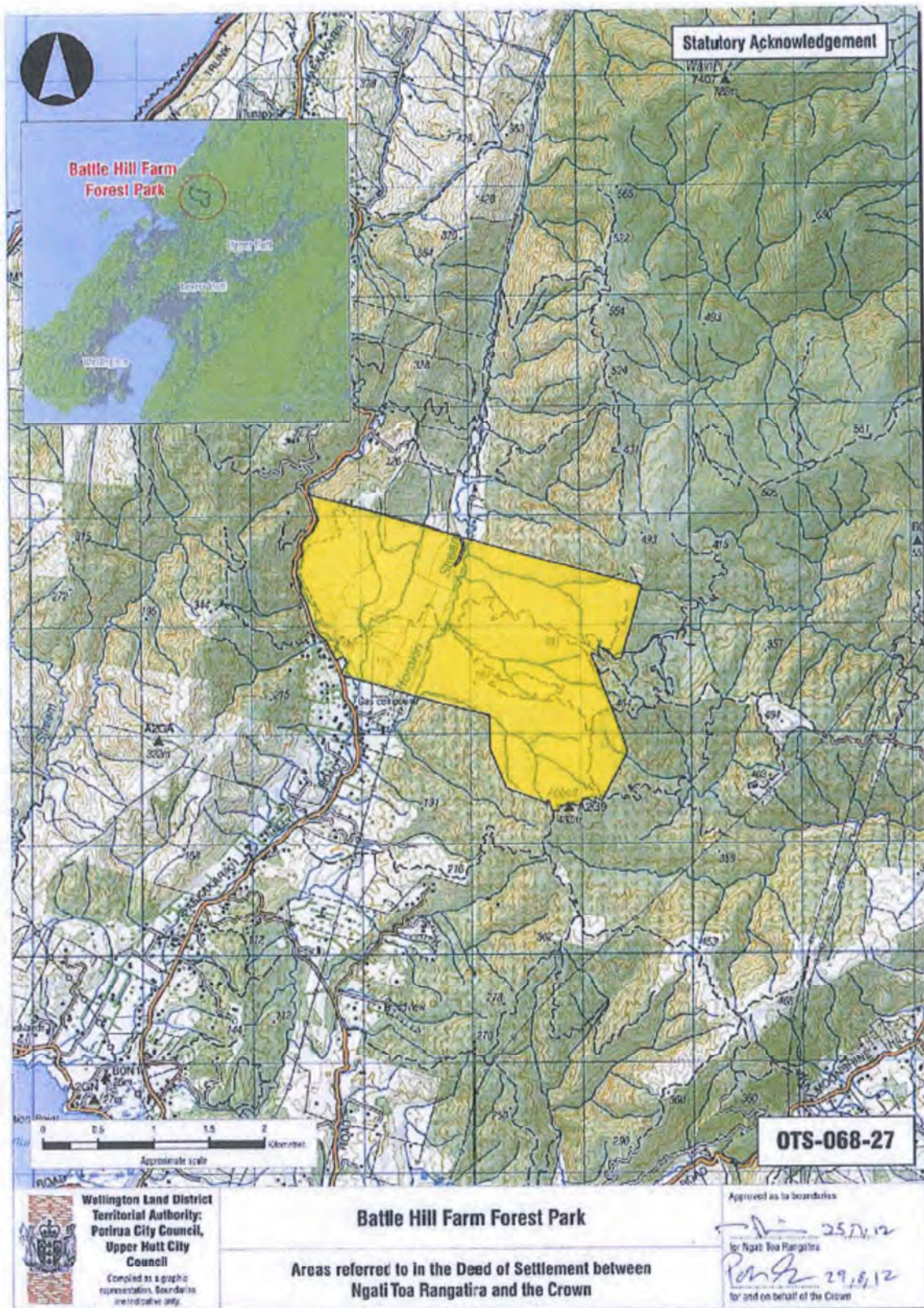
The Horokiri Wildlife Reserve is located within the Pauatahanui Inlet and was a site of cultural and historical significance to Ngati Toa Rangatira. The iwi's association with the area originates from their conquest of the greater Wellington region in the 1820s.

Motukaraka pā, overlooking the inlet, was a site of extensive cultivations. The pa site was valued for its strategic importance as it was elevated, bordered by steep banks, and projected out into the harbour far enough to command views in both directions. Te Rangihaeata set up a fighting pa beside the inlet at the point but withdrew from it in 1845 as it was within firing distance for light gun boats. When tensions between Ngati Toa Rangatira and the Crown escalated in 1846, Te Rangihaeata moved from Mana Island to Motukaraka for a brief period before establishing his palisaded Pa at Mataitaua. In 1846 Fort Strode was established at Motu-karaka.

Te Rangihaeata constructed Matai-taua pā, also in the vicinity of the inlet, as a gun-fighters pa between 1845 and 1846. It was the only pa in the region to be built specifically for this purpose and particular type of combat, or defence. Fighting between Ngati Toa and the Crown occurred at the pa on 11 July 1846 but, with little consequence. With the capture of Te Rauparaha, Te Rangihaeata abandoned the pa on 1 August 1846 and Crown forces entered the next day. St Albans Church (built in 1895) is now located on the site of Matai-taua Pa. The pa was described as having a double row of timber palisades, with trenches and traverses across, about 80 paces long and 35 broad, in the shape of a parallel. The position was a very strong one and would have been almost impregnable without artillery.

The Horokiri Wildlife Reserve is also of significance as it is located near the beginning of the route which was used by Ngati Toa Rangatira to travel between the Hutt Valley and Porirua.

Z1.3.6 BATTLE HILL FARM FOREST PARK (AS SHOWN ON DEED PLAN OTS-068-27)



Statement of Association

Battle Hill Farm Forest Park has great historical significance to Ngati Toa Rangatira as it was the site of an important battle between Government forces and a party of Ngati Toa Rangatira and other iwi, under Te Rangihaeata, hence the name "Battle Hill".

Along with the rich history associated with the name, Battle Hill was also a site that was not settled, so was still rich with native vegetation housing native bird species such as Karearea (New Zealand Bush Falcon) and the North Island Kaka. The fauna were able to feast upon the rich offerings of the bush and iwi were also able to collect rongoa (traditional Maori medicine) from the forest.

The Te Puka and Horokiri Streams running near and through sections of the park were rich with kaiawa such as tuna and inanga and can still be fished further downstream outside of the park today.

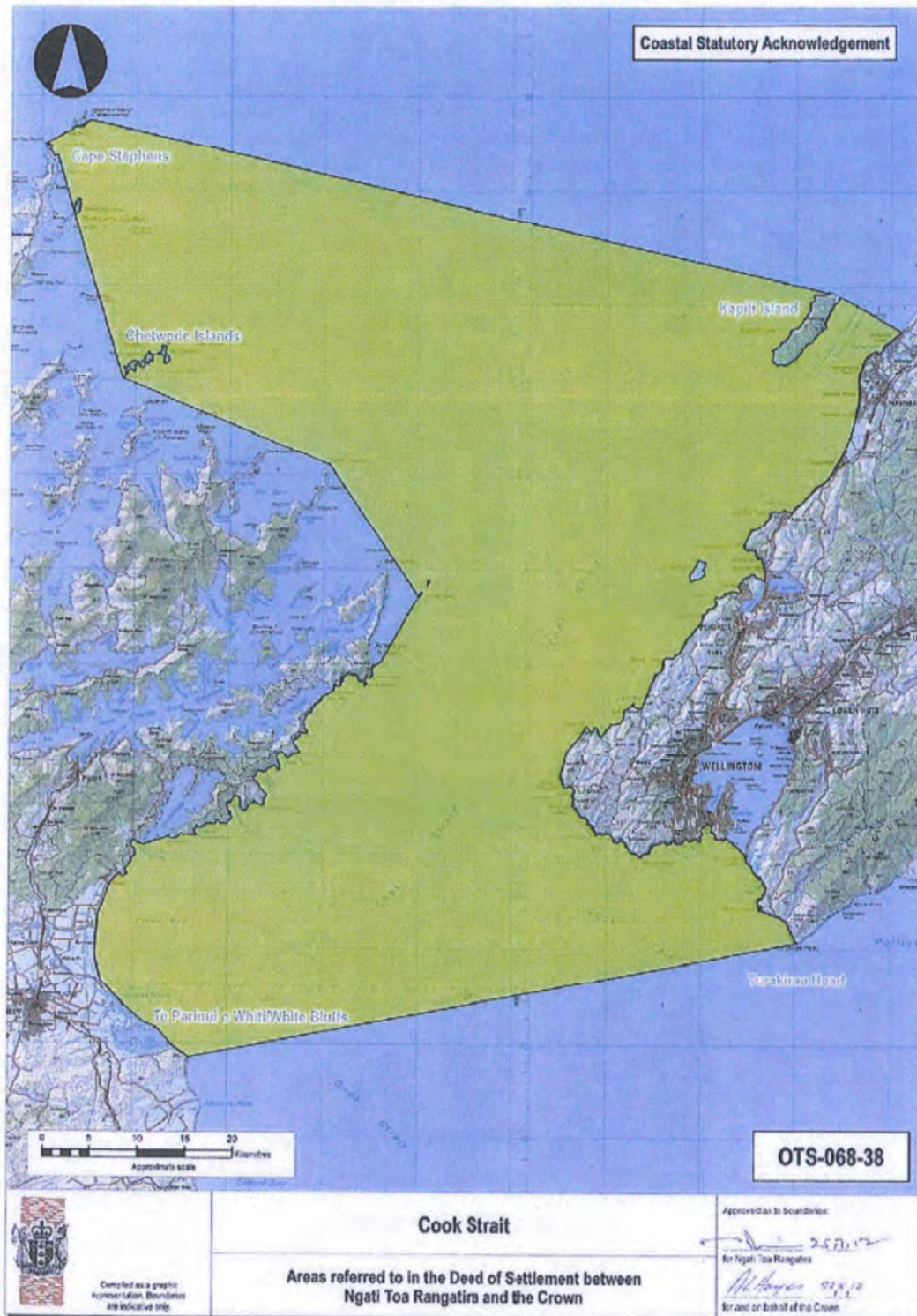
Battle Hill is regarded as a waahi tapu site for Ngati Toa Rangatira given the ferocity of the Battle that occurred here. According to iwi tradition, Ngati Toa Rangatira lives were lost on Battle Hill during this period. These lives and the battle which Ngati Toa Rangatira participated in at this site establish a perpetual connection between Ngati Toa Rangatira and Battle Hill.

The origins for the events that took place there lie in the escalating conflict between the Crown and Māori over the ownership of Harataunga (the Hutt Valley). After several violent skirmishes between the Crown, settlers and Māori in the Hutt, the Crown decided to attack Te Rangihaeata, who they held responsible for the conflict. In 1846, Crown forces moved to the Porirua region in pursuit of Te Rangihaeata, who had built a stockaded pa at Pauatahanui named Mataitaua.

Te Rangihaeata, realising that Mataitaua pa would probably fall to the cannons of the HMS Driver, sought refuge in the dense Horokiwi forest and established a series of defences on Battle Hill. Crown forces pursued Te Rangihaeata and attacked the hill defences. Return fire from Te Rangihaeata halted the attack, killing three Government troops. Sending to Porirua for backup mortars, the government force settled into a siege and bombarded Te Rangihaeata's pa for several days not knowing that Te Rangihaeata had tricked them into believing he and his men were on one part of the hill when they were elsewhere. Eventually Te Rangihaeata decided to move north to Poroutawhao and vacated his position.

COASTAL STATUTORY AREAS

Z1.3.7 COOK STRAIGHT (AS SHOWN ON DEED PLAN OTS-068-38)



Statement of Coastal Values

Te Moana o Raukawa, the Cook Strait, is of the highest significance to Ngati Toa Rangatira. Not only does Te Moana o Raukawa have great traditional and spiritual significance, it was crucial as a political and economic asset to Ngati Toa Rangatira and important as a means of transport and a rich source of various resources.

Te Moana o Raukawa is rich in its own kawa and tikanga, folklore and stories, handed down through the generations from Maui and Kupe through to the present day. As well as having great traditional and spiritual significance, the Strait was important as a navigable route between Te Ika a Maui and Te Waka a Maui which linked these two diverse islands. Lands on both sides of the moana were usually occupied by the same iwi groupings and thus it was important for the tribes to understand its differing moods and potential dangers, and to develop seafaring capabilities to cross with safety the stretch of notoriously dangerous water.

The name „Te Moana o Raukawa“ has its origins in the narrative of Kupe’s voyage to Aotearoa. Having followed Te Wheke a Muturangi from Hawaiiiki, Kupe killed the giant octopus at the entrance to the Tory channel. Nga Whatu Kaiponu (The Brothers Islands) are said to be the eyes of the wheke. So, in order that the wheke not be reawakened, the eyes of people on their maiden crossing of the straits were always covered. This tradition was called Koparetia and was undertaken so that tauhou could not gaze at the rocks as so often the sea was rough and dangerous and in this area paddlers would have to concentrate on getting the waka across the sea.

This was done with kawakawa leaves, hence the original name, „Te Moana o Raukawakawa“.

According to Sir Maui Pomare this chant was recited to him by Aperahama of Wainui, Paekakariki, who said it was sung by a woman named Tuhupu for her husband who had sailed across Te Moana o Raukawa. The chant contains reference to the custom of koparetia.

*Ao ma uru e tauhere mai ra na runga ana mai te hiwi kei Te Tawake.
Katahi te aroha ka makuru I ahau ki te tau ra e nui ai te itinga.
Pirangi noa ake ki te kimi moutere, kia utaina au Te ihu o Te Rewarewa,
Te waka o Patutahi, e whiu ki tawhiti; kia koparetia te rerenga I Raukawa,
Kia huna iho, kei huna iho, kei kite ai Nga Whatu, kia hipa ki muri ra
Ka titiro kau, kia noho taku iti te koko ki Karauriue [sic], nga mahi a Kupe,
I topetopea iho. Kei whea te tane i rangi ai te itinga? Mo nga riri ra,
Ka rukea ki ahau, waiho I roto nei, ka nui te ngakau -i-i-i.
Far over the western sea a cloud clings to Tawake’s peak it drifts this way, it brings me
fond hope of one who’s far away. Of him to whom I was betrothed while still young.
Oh, I would go with you across the swelling sea to seek some island of our own.*

*I’d seat me in Te Rewa’s bows Te Patutahi’s great canoe and sail so far away.
I’d bind my eyes so carefully to cross Raukawa’s rolling sea least I imprudently behold
the dread crags of Nga Whatu. And when we’d safely cross the Straits and free to
gaze around again I’d see the shores of Karauriue [sic].
The wondrous works of Kupe.
Our ancestor who sailed these seas, and severed the island from the main.
But where is my loved one?
I’m left behind to mourn alone, my heart swells high with sorrow.*

Te Rau o Titapua (the feather plume of the Albatross) is said to be an island that stood at the east entrance to Te Moana o Raukawa that sank beneath the sea. This narrative ties in with the stories of how Te Whanganui a Tara (Wellington Harbour) was formed by nga taniwha Ngake and Whataitai. Ngake escaped, forming the entrance to the harbour, and as the water shallowed from what is now Wellington Harbour, Whataitai became stranded. The body of

Whataitai became the hills close to the harbour entrance. The soul of Whataitai left him in the form of a bird named Te Keo. Mount Victoria is known by Maori as Tangi Te Keo or the weeping of Te Keo.

This ngeri or chant is taken from the whakapapa book of Miriama Ngapaki of Ngati Toa Rangatira who was a daughter of Horipoti Thoms.

*Ka tito au, ka tito au, ka tito au ki a Kupe te tangata nana I hoehoe te moana
Te tangata nana I topetope te whenua. Tu ke a Kapiti, tu ke a Mana tau ke a Arapaoa
Ko nga tohu tena a taku tupuna a Kupe, nana I whakatomene Titapua,
Ka toreke I a au te whenua nei.*

*I sing I sing I sing of Kupe the man who paddled over the ocean. The man who divided
off the land. Solitary is Kapiti, separated is Mana, removed is Arapaoa. Such are the
great signs of my ancestor Kupe. It was he who caused Titapua to sink then left this
new found land.*

Te Moana o Raukawa was central to the development of Ngati Toa Rangatira's maritime trading domain. Its strategic importance became apparent to Te Rauparaha during the Amiowhenua expedition when a trading ship was seen passing through the Strait. Te Rauparaha saw the ship from Omere, an important lookout commanding wide views over the Strait, located on the ridge above Cape Terawhiti (just north of Oteranga Bay). Te Rauparaha was advised by allied chiefs to seize these lands as the ship indicated potential access to Europeans and their technologies, particularly muskets and steel. A maritime domain which included the Straits would also bring Ngati Toa Rangatira closer to pounamu.

Following their migrations south from Kawhia in the 1820s, Ngati Toa Rangatira quickly established themselves in the Cook Strait Region. In 1824, only six years after the iwi's first taua, Amiowhenua, into the southern North Island, a coalition of southern North Island tribes and northern South Island tribes attacked the Ngati Toa Rangatira pa at Waiorua on Kapiti Island only to be defeated by Ngati Toa Rangatira and their kinfolk of the Ngati Mango confederation.

With Kapiti Island safely under its mana Ngati Toa Rangatira was able to establish its influence over the extended Cook Strait region based on further battles with other iwi, invasions of key sites on both sides of the Cook Strait, and on its relationships with other related iwi groupings.

Tapu Te Ranga Island on Wellington's south coast is another important site to Ngati Toa Rangatira and their association with the Cook Strait region. In 1827, Ngati Toa Rangatira were part of a force that attacked Tapu Te Ranga, the last refuge of the iwi residing on the south coast. Eventually, the defending force fled around the coast to Owhiro Bay where the greenstone mere Tawhito Whenua was relinquished to Te Rangiahaeata.

Widespread coastal settlements provided the iwi with access to the abundant resources of the ocean, including extensive fisheries and shellfish resources. Their coastal settlements also gave Ngati Toa Rangatira access to trade opportunities with early settlers. There was multiple whaling stations established within the rohe of Ngati Toa Rangatira, including on Kapiti Island, at Porirua, Mana Island, Port Underwood, Wairau and on Arapaoa Island.

Control of Te Moana o Raukawa was important to Ngati Toa Rangatira for political and economic reasons, but this was not the total extent of the significance of the lands and sea of this region. Te Moana o Raukawa could be relied upon at different parts of the seasons for its well-sheltered bays and the supplies of fish in the harbours.

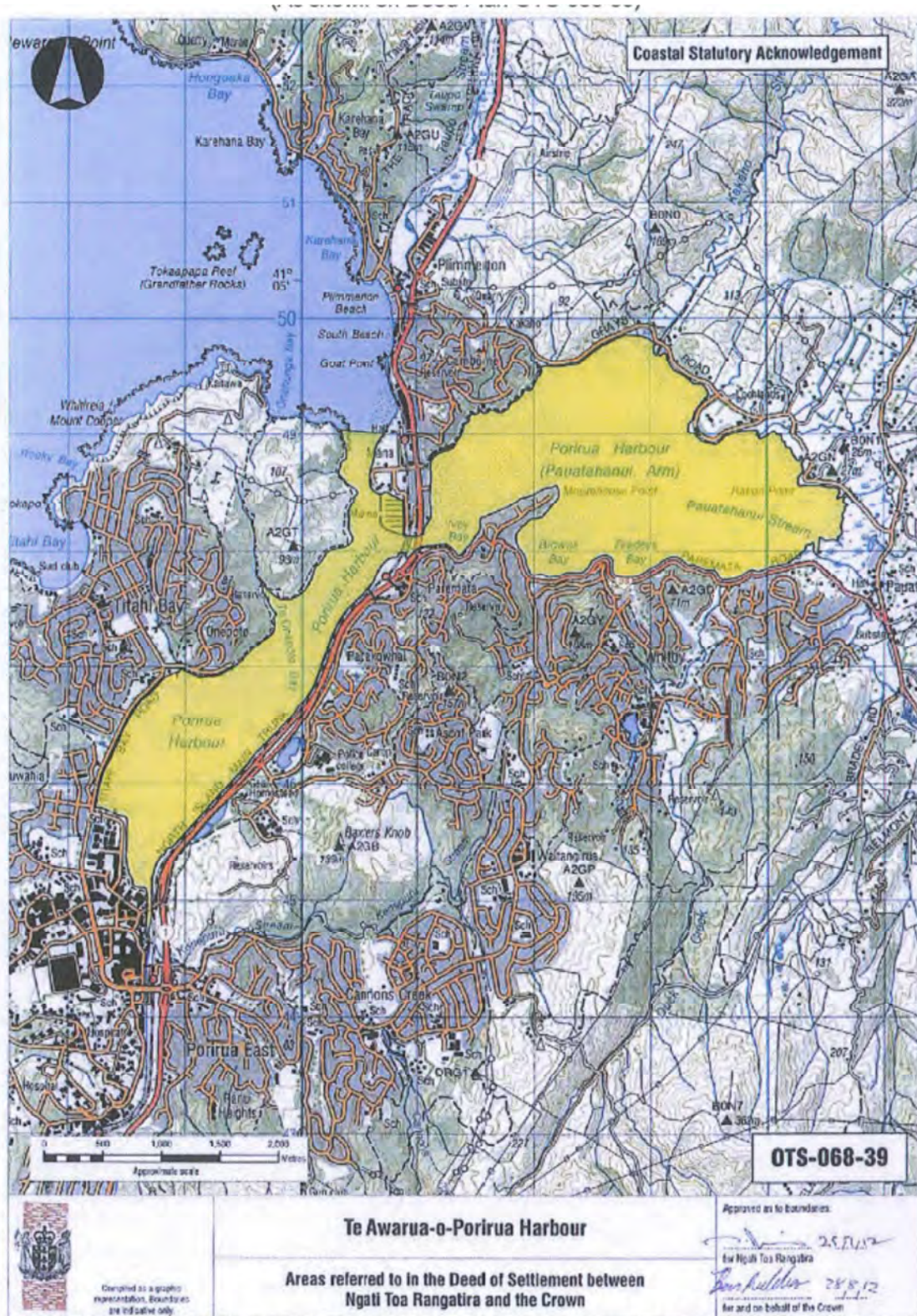
Following the migration of the iwi from Kawhia, Ngati Toa Rangatira were re-established in an environment with great potential and opportunity for expansion; this allowed the iwi to revitalise

their identity which was largely shaped by the material conditions of Te Moana o Raukawa.

To Ngati Toa Rangatira, Te Moana o Raukawa was never seen as a barrier to maintaining their areas of mana whenua on both sides of Cook Strait. Instead, Te Moana o Raukawa was more akin to a highway, which facilitated the transportation of resources and trade goods across Cook Strait, and enabled the development of key relationships between Ngati Toa Rangatira and their communities of interest. Thus, it has always been considered to be just as much a part of the iwi's rohe as the land upon which they settled.

Te Moana o Raukawa remains a site of immense cultural, historical, and spiritual significance to Ngati Toa Rangatira. Ngati Toa Rangatira are kaitiaki of Te Moana o Raukawa and its resources. Ngati Toa Rangatira regard Te Moana o Raukawa as one of their most significant resources. The extensive fisheries resources that exist in the strait provide for the iwi's customary fishing, and allow the iwi to manaaki manuhiri at Ngati Toa Rangatira hui.

Z1.3.8 TE AWARUA-O-PORIRUA HARBOUR (AS SHOWN ON DEED PLAN OTS-068-39)



Statement of Coastal Values

Te Awarua o Porirua is of primary cultural, historical, spiritual, and traditional significance to Ngati Toa Rangatira. The harbour includes both the Pauatahanui and Onepoto arms. Ngati Toa Rangatira continue to have a very strong association with the Te Awarua o Porirua which has played a fundamental role over the generations in sustaining their physical and cultural needs, and is integral to the identity of the iwi.

Coastal settlement and the use of marine resources largely influenced the way of life of those Ngati Toa Rangatira living around the harbour. The iwi initially settled around the harbour in the early 1820s and since that time Ngati Toa Rangatira have maintained an inextricable connection to the area. Ngati Toa Rangatira, maintained control over the harbour until the mid nineteenth-century when its control was challenged by the Crown and settlers. The harbour was regarded by both Maori and Pakeha as a valuable asset. Te Rauparaha is reputed to have told Governor Grey that whoever held Paremata and Porirua Harbour controlled the northern approaches to Wellington.

Te Awarua o Parirua is the name of the taniwha who is said to live in the harbour. Te Awarua o Parirua resides near Mana and created the distinctive shape of Te Mana o Kupe ki Aotearoa (Mana Island).

A large number of Ngati Toa Rangatira settlements and sites of significance are located around Te Awarua o Porirua. Takapuwahia, where Te Hiko established his principal residence, became the most important kainga of Ngati Toa Rangatira following the detention of Te Rauparaha. By the 1850s, Takapuwahia had become a substantial village comprised of residences, two reed chapels and intensive cultivations of potatoes, maize, wheat and kumara. Today, Takapuwahia is the site of the iwi's Marae matua, Takapuwahia, and the location of the wharetupuna, Toa Rangatira. This is the tūrangawaewae for the iwi and continues to be a site of great significance to Ngati Toa Rangatira. There are three urupa associated with Takapuwahia and located nearby. These urupa reflect early Christian allegiances: Anglican, Wesleyan and Catholic. Surprisingly the largest is the Wesleyan, followed by the Catholic and then the Anglican.

Te Rauparaha's principal residence was Taupo Pa at Plimmerton at the entrance to Porirua Harbour. This was the site where Te Rauparaha was captured by the Crown. Te Rangihaeata held Matai-taua Pa, located in the inner harbour at Pauatahanui, and a whare, Kai Tangata, on Mana Island. At the mouth of the Porirua Harbour, Paremata was another site of Ngati Toa Rangatira settlement. Paremata Pa was constructed in the 1830s and was the residence of Nohorua, Te Rauparaha's older brother. Joseph Thoms, in 1835, established a shore-based whaling station at Paremata. Thoms married Nohorua's daughter, Te Ua Torikiriki, and signed the Treaty of Waitangi at the insistence of Nohorua.

At the southern entrance of Porirua Harbour lies Whitireia Peninsula. This is another area of importance containing numerous wāhi tapu including burial places, kainga, pa, middens, pits, terraces, and tauranga waka. Areas of settlement included Te Kahikatoa, Te Neke, Te Onepoto, Kaiaua, Onehunga, and Kaitawa.

Te Awarua o Porirua was an important source of food for those settlements located around or near the harbour. Shellfish was of great importance as a food resource for the Ngati Toa Rangatira communities located around Porirua Harbour. Tuangi could be gathered from the uncovered mud flats. "Nga whatu o Topeora", a sand bank named for the niece of Te Rauparaha, in the eastern arm of the harbour was mahinga kai and the site of a storehouse. Toka-a-Papa, another mahinga kai, located in the sea between Rewarewa point and Whitireia Peninsula, was a location which was valued as a source of mussels. Koura, paua and kina were in abundance around the coastal fringes. Paua were referred to as "nga whatu o Tuhaha". Cockles, mussels, and finfish were extensively collected from the harbour. Parts of

the harbour are still considered an important mahinga kai to this day.

During the 1950s and 1960s, the harbour experienced huge development pressure from reclamation for what is now the city centre. Over the following decades the effects of intensified land use, contamination, and siltation, resulted in poor water quality and an inability to harvest kaimoana. Today almost a third of the Porirua arm of the harbour has been lost to reclamations.

Ngati Toa Rangatira consider themselves the kaitiaki of the harbour itself, its resources, and the countless sacred and historical sites located in the vicinity of the harbour. Because of this, and the increasing pressures on the harbour, Ngati Toa Rangatira consider it vitally important that they play a role in its ongoing protection.

Z1.3.9 KAPUKAPUARIKI ROCKS (AS SHOWN ON DEED PLAN OTS-068-42)



Statement of Coastal Values

The Kapukapuariki rocks are of cultural, historical, spiritual and traditional significance to Ngati Toa Rangatira.

Kapukapuariki rocks are located at the southern end of Paekakariki beach. Paripari Pa was located on the steep slopes above the Kapukapuariki rocks; and two other pa were situated close to the reef, at Whareroa and Wainui. The Wainui pa was the residence of Ngati Toa Rangatira chief Ropata Hurumutu. Ropata Hurumutu had moved from Kapiti to take up permanent residence at Wainui shortly after the Battle of Haowhenua in 1835. Prior to the battle at Waiorua, a group of Ngati Toa Rangatira were ambushed while gathering kaimoana from the rocks and several Ngati Toa Rangatira were killed.

The Rocks were an important source of kaimoana, particularly mussels. This reef continues to be highly valued by Ngati Toa Rangatira as one of the few reliable sources of kukutai or mussels still used by the iwi for customary purposes. Kapukapuariki is just outside of the northern boundary of the marine rahui established by Ngati Toa Rangatira at Pukerua Bay. Ngati Toa Rangatira, as kaitiaki of this area, with the support of the community have established mechanisms founded in tikanga to protect the marine environment.

Z1.3.10 TOKA-A-PAPA REEF (AS SHOWN ON DEED PLAN OTS-068-43)



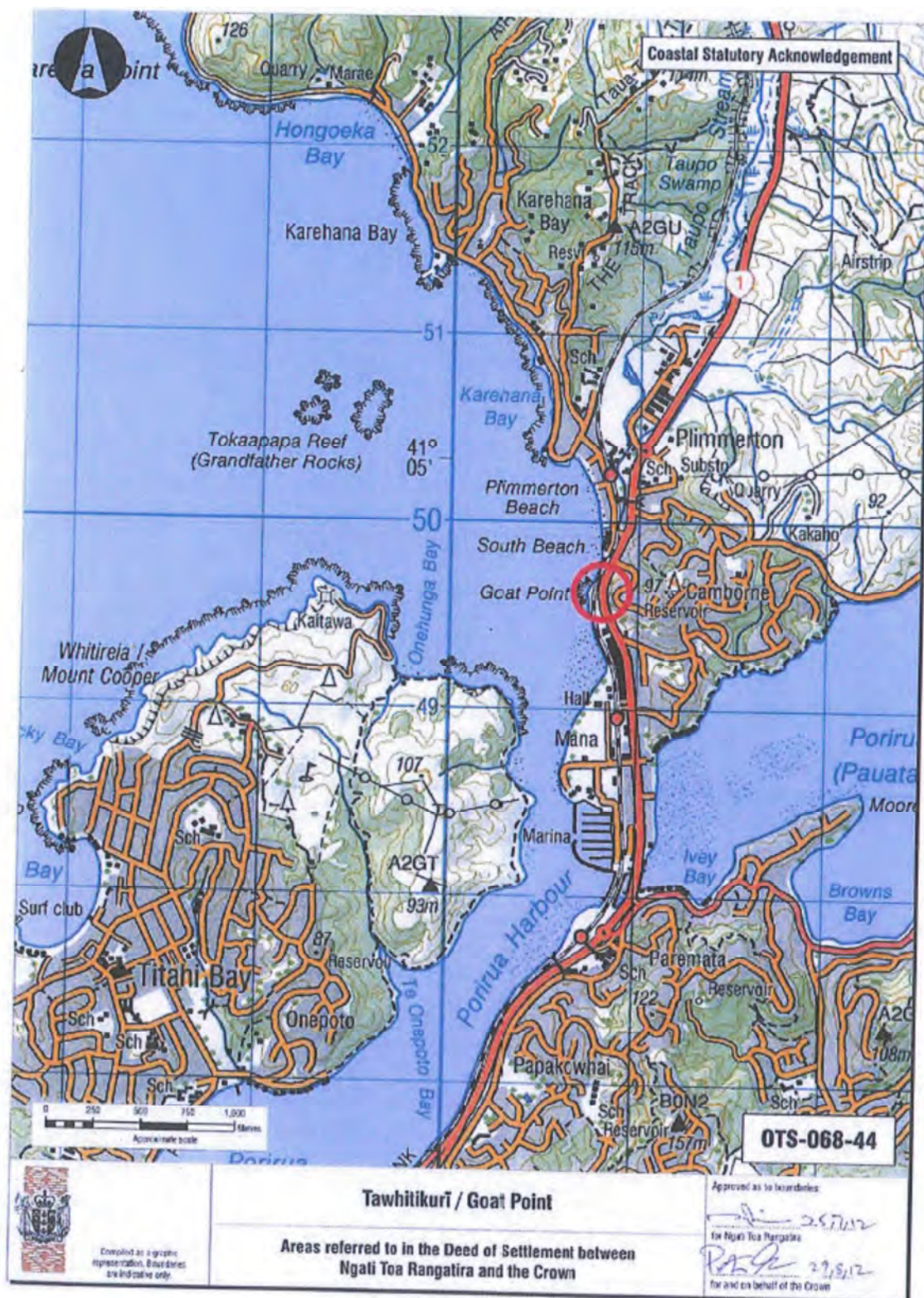
Statement of Coastal Values

The Toka a Papa reef is of cultural and traditional significance to Ngati Toa Rangatira. The reef is located in the sea between Te Rewarewa Point and Whitireia Peninsula and marks the mouth of Te Awarua o Porirua (Porirua harbour).

This harbour is of primary cultural, historical, spiritual, and traditional significance to Ngati Toa Rangatira, and has played a fundamental role in shaping the culture, spirituality and identity of the iwi.

The iwi initially settled around the harbour in the early 1820s and, since that time, Ngati Toa Rangatira have maintained continuous occupation in the area. A large number of Ngati Toa Rangatira settlements and sites of significance are located around Te Awarua o Porirua. From the earliest times the harbour and its reefs and sand bars were an important source of food and other resources for those settlements located around or near the harbour.

Toka a Papa, is located near to the Ngati Toa Rangatira settlements at Hongoeka, Onehunga and Taupo pa. It is a mahinga kai, valued as a source of mussels (kukutai).

Z1.3.11 TAWHITIKURI/GOAT POINT (AS SHOWN ON DEED PLAN OTS-068-44)

Statement of Coastal Values

Tawhiti Kuri rocks (considered to be tapu rocks) are of cultural and traditional significance to Ngati Toa Rangatira.

The rocky point north of Taupo pa was originally called Tawhiti Kuri, and is located in a region of intensive coastal occupation which goes back many generations. The area onshore contains many middens and signs of early occupation. The point was the tohu, or boundary mark, of the Taupo land block considered to be Te Rauparaha's Pou. This was a pou herenga kingitanga site, meaning that it served as a physical expression of Ngati Toa Rangatira's allegiance to the Kingitanga movement.

The point and Taupo Pa was the start of the Ngati Toa Rangatira Taua Tapu track to Pukerua.

While much of the onshore reef was destroyed when State Highway One and the rail corridor went through Mana, the site remains very important to Ngati Toa Rangatira. A number of significant heritage and archaeological features remain in the close vicinity, including Taupo Pa, and Ngati Toa Rangatira Domain at Paremata.