

15th September 2021

Porirua City Council
16 Cobham Court
Porirua 5022

Attention: Maria Joslin- Consultation Support Coordinator

By email only: Maria.Joslin@poriruacity.govt.nz; dpreview@pcc.govt.nz

Dear Maria,

RE: PROPOSED PORIRUA DISTRICT PLAN HEARINGS
Hearing 1: Overarching Matters and Definitions

1. Introduction

- 1.1.** I refer to the abovementioned matter set down for hearing commencing 27th September 2021. Waka Kotahi New Zealand Transport Agency (Waka Kotahi) will not be presenting evidence in person, as it is largely in agreement with the recommendations set out in the Officer's report (Part A and Part B).
- 1.2.** This statement is prepared with the appropriate authority within Waka Kotahi. Waka Kotahi is identified as submitter **82** in the Officer's Report (Part A and Part B).
- 1.3.** It would be appreciated if you could table this statement before the Proposed Porirua District Plan (PPDP) Hearings Panel.

2.0 Waka Kotahi Submissions

2.1 A summary of the Waka Kotahi mandate, objectives and interest in the Porirua district has been covered off in both the submissions.

2.2 This hearing statement relates to Hearing 1: Overarching Matters and Definitions. 18 of the Waka Kotahi submission points relate to this topic¹.

2.3 Waka Kotahi has reviewed the Officer's Report (Part A and Part B) and in particular, the recommendation(s) with respect to the Waka Kotahi submission(s). Waka Kotahi supports the Reporting Officers recommendations. This is outlined in the summary table included as Attachment A to this Hearing Statement.

3.0 Concluding Statement

3.1 Thank you for your time and consideration of this Hearing Statement. Should you have any questions regarding this statement, please do not hesitate to get in touch: Claudia.Jones@nzta.govt.nz or 07 958 9614.

Kind regards,



Claudia Jones
Planner
Waka Kotahi NZ Transport Agency

¹ 82.1, 2, 3, 6, 11, 12, 19, 22, 26, 27, 44, 46, 47, 95, 164, 165, 295, 296

ATTACHMENT A

Summary of the Waka Kotahi position in regard to the Reporting Officers recommendations.

Proposed Porirua District Plan Hearing 1- Overarching Matters and Definitions

<i>Submission Point</i>	<i>Waka Kotahi submission</i>	<i>Officer's Recommendation</i>	<i>Waka Kotahi Response</i>
82.1	<p>General</p> <p>Support the Porirua City Council giving specific consideration to the following when considering affected parties:</p> <p>1. In relation to infrastructure, the network utility operator that owns or operates that infrastructure.</p> <p>5. In relation to a rule which addresses reverse sensitivity effects, the operator of the activity which is protected by the rule from such effects.</p>	<p>Accept</p> <p>Agree with submitter.</p>	<p>Supports</p> <p>Waka Kotahi supports the Reporting Officer's recommendation.</p>
82.2	<p>General</p> <p>Acknowledges that the NPS-Urban Development is going to be addressed by a subsequent review of the proposed district plan. Have not specifically commented on the NPS-UD requirements.</p>	<p>Accept in part</p> <p>Accept in part, subject to amendments made in response to other submissions.</p>	<p>Supports</p> <p>Waka Kotahi supports the Reporting Officer's recommendation.</p>

<p>82.296, 82.44, 82.46, 82.47, 82.95, 82.164, 82,165.</p>	<p>General</p> <p>Oppose use of the term 'Minimise'- Amending the use of the term minimise throughout the Proposed District Plan. Considers that the term is difficult to interpret and apply in practice.</p> <p>For clarity it is considered that the term be replaced with 'mitigate'; which aligns with the effects hierarchy under the Resource Management Act 1991 (RMA).</p>	<p>Reject</p> <p><i>I consider that the removal of the term 'minimise' is inappropriate. Like the term 'avoid', this term was used deliberately, and in the context of the overall broad judgement approach which includes consideration of both adverse and positive effects. 'Minimise' is used where there is likely to be a significant adverse effect, and the provision seeks to reduce this to the most extent possible.</i></p> <p><i>I consider that this provides sufficient guidance to a decision maker who is looking at the adverse effects of one part of an activity, in the context of the balancing of overall effects of an activity.</i></p>	<p>Supports</p> <p>Waka Kotahi supports the Reporting Officer's recommendation.</p>
<p>82.3</p>	<p>Definitions</p> <p>Retain the definition of the term 'access'.</p>	<p>Accept</p> <p>Agree with submitter.</p>	<p>Supports</p> <p>Waka Kotahi supports the Reporting Officer's recommendation.</p>
<p>82.6</p>	<p>Definitions</p> <p>Retain the definition of the term 'environment'.</p>	<p>Accept</p> <p>Agree with submitter.</p>	<p>Supports</p>

			Waka Kotahi supports the Reporting Officer's recommendation.
82.11	Definitions Retain the definition of the term 'illuminated sign'.	Accept Agree with submitter.	Supports Waka Kotahi supports the Reporting Officer's recommendation.
82.12	Definitions Retain the definition of the term 'infrastructure'.	Accept Agree with submitter.	Supports Waka Kotahi supports the Reporting Officer's recommendation.
82.19	Definitions Retain the definition of the term 'operating speed'.	Accept Agree with submitter.	Supports Waka Kotahi supports the Reporting Officer's recommendation.
82.22	Definition- Reverse Sensitivity Oppose- Considers that the definition of "Reverse Sensitivity" should be replaced with the RMA definition to ensure consistency with the Act.	Reject <i>I consider that the notified definition achieves the same as the RMA definition but is more concise and user friendly. It also clearly identifies the effect of reverse sensitivity as being the potential for the operation of an existing activity to be constrained by other activities establishing in the vicinity which are sensitive to adverse environmental effects from the established activity.</i>	Supports Waka Kotahi supports the Council Officer's response as it is considered that the proposed definition achieves the same outcome as the RMA definition. Therefore, it is agreed that amending the definition would not better aid plan interpretation.

		<i>I do not consider that amending the definition to that in the RMA would better aide plan interpretation or plan administration.</i>	
82.26	Definitions Retain the definition of the term 'traffic movement'.	Accept Agree with submitter.	Supports Waka Kotahi supports the Reporting Officer's recommendation.
82.27	Definitions Retain the definition of the term 'transport network.	Accept Agree with submitter.	Supports Waka Kotahi supports the Reporting Officer's recommendation.
82.295	Definitions The changes requested are made to: a. Ensure that Waka Kotahi can carry out its statutory obligations. b. Reduce interpretation and processing complications for decision makers. c. Provide clarity for all plan users.	Accept in part <i>The Kāinga Ora and Waka Kotahi submissions include individual submission points for each definition where they are seeking amendments to, or deletion of, that proposed definition. This report and subsequent topic-based reports will assess and make recommendations against each of these individual definitions where deletion or amendments are sought.</i>	Supports Waka Kotahi supports the Reporting Officer's recommendation.

		<p><i>As such I recommend that these submission points are accepted in part. This is insofar as they identify that assessment and recommendations against each individual definition where the submitter seeks their deletion or amendment will be undertaken later in this report and in subsequent topic based reports.</i></p>	
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