

**OFFICER'S REPORT FOR:**

**Independent Hearing Commissioners:**

**Trevor Robinson**

**Mark St Clair**

**Miria Pomare**

**Julia Williams**

**SUBJECT:**

**Proposed Porirua District Plan: Strategic  
Directions – Natural Environment and related  
submissions**

**PREPARED BY:**

**Gina Sweetman**

**REPORT DATED:**

**24 September 2021**

**DATE OF HEARING:**

**29 October, 1-3, 5, 8-10, 12 and 15 November  
2021**

## Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the Natural Environment Strategic Objectives NE-O1 to NE-O4, their introductory text and related submission points in the Proposed Porirua District Plan (PDP). The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were several submissions and further submissions received on Strategic Objectives NE-O1 to NE-O4, their introductory text and related submission points through the PDP. The submissions received were both in support and opposition, with several seeking amendments. The following are considered to be the key issues in contention in respect to Strategic Objectives NE-O1 to NE-O4, their introductory text and related submission points through the PDP:
  - Approach to indigenous biodiversity in the PDP;
  - Rezoning Significant Natural Areas (SNAs) to a new Natural Open Space Zone; and
  - Appropriateness and scope of the objectives.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. I have recommended some changes to the PDP provisions to address matters raised in submissions and are summarised below:
  - Clarification of roles within the introduction;
  - Amendments to NE-O1 to better reflect section 6 of the Resource Management Act 1991 (RMA);
  - A new strategic objective on maintaining and restoring indigenous biodiversity values; and
  - An amendment to NE-O4 (renumbered to NE-O5) to better give effect to direction in the Wellington Regional Policy Statement (RPS).
5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in section Appendix A of this report.
6. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives, with the recommended amendments, will be the most appropriate means to achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives.

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## Interpretation

7. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Porirua City Council
the Operative Plan/ODP	Operative Porirua District Plan 1999
the Proposed Plan/PDP	Proposed Porirua District Plan 2020
GWRC	Greater Wellington Regional Council
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality 2004
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for Electricity Transmission Activities 2009
NES-FW	National Environmental Standards for Freshwater 2020
NES-MA	National Environmental Standards for Marine Aquaculture 2020
NES-PF	National Environmental Standards for Plantation Forestry 2017
NES-SDW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RPS	Wellington Regional Policy Statement 2013
SNA	Significant Natural Area

**Table 2: Abbreviations of Submitters' Names**

Abbreviation	Means
DOC	Department of Conservation
GWRC	Greater Wellington Regional Council
QEII	Queen Elizabeth the Second National Trust
Forest and Bird	Royal Forest and Bird Protection Society
Kāinga Ora	Kāinga Ora – Homes and Communities
Silverwood	Silverwood Corporation Ltd
TROTR	Te Rūnanga o Toa Rangatira

In addition, references to submissions includes further submissions, unless otherwise stated.



# 1 Introduction

## 1.1 Purpose

8. The purpose of this report is to:
  - provide the Hearings Panel with a summary and analysis of the submissions received on Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to NE-O1 to NE-O4 which have been made on other Chapters in the PDP; and
  - recommend possible amendments to the PDP in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to Strategic Objectives NE-O1 to NE-O4 and their introductory text in the PDP, as well as on other submission points that directly relate to Strategic Objectives NE-O1 to NE-O4 which have been made on other Chapters in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
10. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
11. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
12. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

## 1.2 Author

13. My name is Gina Sweetman. My qualifications and experience are set out in Appendix E of this report.
14. My role in preparing this report is that of an expert planner.
15. I was involved in the preparation of the PDP and peer-reviewed all of the PDP including the Section 32 Evaluation Reports. I was directly involved in drafting all the Strategic Objectives.
16. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
17. The scope of my evidence relates to Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to Strategic Objectives NE-O1 to NE-

O4 which have been made on other Chapters in the PDP. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

18. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
19. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### **1.3 Supporting Evidence**

20. I have not relied on any expert evidence, literature, legal cases or other material in support of the opinions expressed in this report.

### **1.4 Key Issues in Contention**

21. A number of submissions and further submissions were received on Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to NE-O1 to NE-O4 which have been made on other Chapters in the PDP.
22. I consider the following to be the key issues in contention which are addressed in this s42A report:
  - Approach to indigenous biodiversity in the PDP;
  - Rezoning SNAs to a new Natural Open Space Zone; and
  - Appropriateness and scope of the objectives.
23. I address each of these key issues in this report, as well as any other issues raised by submissions.

### **1.5 Procedural Matters**

24. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to NE-O1 to NE-O4 which have been made on other Chapters in the PDP .



## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

25. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

26. As set out in Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPSUD and NPS-FM. This is also discussed in the Officer's Report: Part A.

### 2.2 Section 32AA

27. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

28. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to NE-O1 to NE-O4 which have been made on other Chapters in the PDP is contained within the assessment of the relief sought in submissions in section 3 of this report as required by s32AA(1)(d)(ii).

## 2.3 Trade Competition

29. Trade competition is not considered relevant to Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to Strategic Objectives NE-O1 to NE-O4 which have been made on other Chapters in the PDP.
30. There are no known trade competition issues raised within the submissions.

## 3 Consideration of Submissions and Further Submissions

### 3.1 Overview

31. Several submissions and further submissions were received on Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to Strategic Objectives NE-O1 to NE-O4 which have been made on other Chapters in the PDP.

#### 3.1.1 Report Structure

32. Submissions on Strategic Objectives NE-O1 to NE-O4 and their introductory text, as well as on other submission points that directly relate to NE-O1 to NE-O4 which have been made on other Chapters in the PDP raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

33. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.

34. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

35. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

#### 3.1.2 Format for Consideration of Submissions

36. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Section 32AA evaluation.

37. The recommended amendments to the relevant chapter are set out in Appendix A of this report where all text changes are shown in a consolidated manner.

38. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

39. Note that there are further submissions that support submissions in their entirety:

- the further submission from QEII [FS06.1] supports the submission from Forest and Bird in its entirety
- the further submission from QEII [FS06.2] supports the submission from QEII in its entirety
- the further submission from TROTR [FS70.50] supports the submission Te Whanau Horomona as follows:

*TROTR supports the submitter's amendments, additions, and supporting statements for the PDP on the basis that they support and uphold cultural values, intergenerational wellbeing and Ngāti Toa's role as mana whenua.*

In these cases, recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.

## 3.2 Indigenous Biodiversity Submissions

### 3.2.1 Matters raised by submitters

40. Fifty-two submission points sought that the NE strategic objectives, in particular NE-O1, and the PDP itself, better addressed:

- The maintenance and enhancement of indigenous biodiversity;
- The protection of the natural character and biodiversity of wetlands and rivers and their margins; and
- The avoidance of effects on outstanding natural waterbodies.

41. Forest and Bird support NE-O1, but seek that three new objectives are added to explicitly address:

- That areas of significant biological value are protected, and indigenous biodiversity is maintained and enhanced [225.90];
- The maintenance, and where appropriate, restoration and enhancement of indigenous biodiversity and habitats and their values [225.91]; and
- The protection of the natural character and biodiversity of wetlands, and rivers and their margins, from inappropriate subdivision, use and development [225.90].

42. QEII [216.7] have also sought that the same latter two objectives requested by Forest and Bird be added. QEII are concerned that without clear direction there is a real risk that housing, growth and development could occur at the expense of the natural environment and the values that make Porirua so special.

43. Forest and Bird [225.90] also requests that:

- the introduction be amended to recognise the Council's function for integrated management, particularly with the maintenance of indigenous biological diversity and the protection of wetlands.

- The strategic direction for the protection of SNAs is implemented comprehensively in the Plan.
44. The reason for Forest and Bird's request is that the strategic objectives do not cover the protection and maintenance of biodiversity values in accordance with s6 and s31 RMA and the protection of natural character and wetlands in accordance with s6. They state that while subdivision, use and development has the potential to pose risks, it can also provide the opportunity for enhancement.
45. Further, Forest and Bird considers that the Plan fails to integrate the protection of SNAs and indigenous biodiversity across chapters, which they consider is inconsistent with the RMA and the RPS. They are concerned that without clear direction at a strategic level, development in the future will lead to disconnected urban sprawl with pressure on SNAs and biodiversity remnants. Throughout various chapters of the PDP, they have sought that consideration is also given to effects on indigenous biodiversity values within objectives, policies, rules and matters of discretion. Forest and Bird has repeated this request through other submission points on other parts of the PDP [225.26, 225.90, 225.91, 225.40, 225.42, 225.248, 225.249, 225.152, 225.175, 225.166, 225.177, 225.113, 225.123, 225.124, 225.125, 225.128, 225.129, 225.130, 225.131, 225.132, 225.133, 225.134, 225.135, 225.136, 225.137, 225.138, 225.140, 225.142, 225.144, 225.206, 225.2, 225.207, 225.230, 225.4, 225.231, 225.5, 225.232, 225.6, 225.239, 225.13, 225.240, 225.14, 225.259, 225.242, 225.16, 225.215, 225.212, 225.213, 225.214, 225.217, 225.198, 215.209, 225.210, 225.211, 225.207<sup>1</sup>]. There were several further submissions opposing many of these submission points, which raised that the protection of SNAs is not provided for in zone provisions as there is a separate chapter which addresses them.
46. Robyn Smith [168.34] has sought that NE includes a new objective that "all significant natural areas and streams are identified and protected from inappropriate subdivision, use and development, and adverse effects on outstanding natural waterbodies are avoided". The rationale for this request is that the four NE objectives are insufficient in that they do not explicitly acknowledge the other components of the natural environment (areas of significant indigenous vegetation, significant habitats or indigenous fauna, wetlands, rivers and their margins) that she has identified in her requested new objective.

### 3.2.2 Assessment

47. I disagree with Ms Smith that NE-O1 does not address areas of significant indigenous vegetation and significant habitats of indigenous fauna, given the explicit reference in both the objective title and the title itself to ecosystems. However, I agree with her that the objective itself is not explicit enough about the features of the natural environment that are intended to be encapsulated by it. To that end, and in also responding to the submissions by QEII and Forest and Bird, I recommend that the objective be amended so that it better reflects the language of section 6 of the RMA.
48. In respect of Ms Smith's request to reference outstanding natural waterbodies, in reading her reasons, while she has not provided a definition for this term, it would appear that it is intended to capture wetlands, rivers and lakes, as per s6(a) of the RMA. I have reviewed the NPS-FM, the

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<sup>1</sup> Some of these submission points also seek other amendments. This s42A report only addresses the amendments sought to include consideration of effects on indigenous biodiversity values and the other aspects are dealt with in other s42A reports.

RPS and the PNRP. None of these documents use this term. The closest term is “outstanding waterbodies” in the NPS-FM which is defined as:

*means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values*

49. I recommend that the Panel request Ms Smith to address this at the hearing. My preference is to use the terms in the RMA, which is reflected through the PDP. In particular, the Natural Character chapter refers to waterbodies and the protection of the natural character of coastal margins and riparian margins.
50. I agree with Forest and Bird and QEII that the NE strategic objectives do not adequately address the Council's function under s31(1)(b)(iii) to maintain indigenous biodiversity. However, neither section 6 of the RMA nor the RPS include a requirement to maintain, restore and enhance indigenous biodiversity as sought by the submitters. Section 7(d) requires that the Council does have particular regard to the intrinsic values of ecosystems. Policies 23 and 24 of the RPS are focused on district plans identifying, evaluating and protecting indigenous ecosystems and habitats with significant indigenous biodiversity values. The PDP has given effect to these two policies through the SNA provisions contained in the Ecosystems and Indigenous Biodiversity chapter.
51. In respect of their request for additional objectives, I consider that their requested relief is addressed through my recommended amendments to Strategic Objective NE-O1 and by the inclusion of a new objective to address broader indigenous biodiversity.
52. Forest and Bird in particular has sought amendments through the PDP to include specific consideration of indigenous biodiversity and SNAs throughout the Zone chapters. While I appreciate their concern about this “slipping through the cracks”, the submitters should be assured that the PDP is to be read as a whole. This is clearly explained in the “How the Plan Works – General Approach” chapter in Part 1, which is referenced directly in the introduction to the NE strategic objectives. For instance, any development on a site in the General Rural Zone which has a SNA located on it will be subject to the rules in both the General Rural Zone and Ecosystems and Indigenous Biodiversity chapters, and any resource consent application would require consideration of the relevant objectives and policies from both chapters.
53. I have carefully considered whether additional objectives, policies and rules are required in the District-wide and Area Specific Matter Parts of the PDP to give effect to the recommended new objective NE-O2. The extent to which indigenous vegetation needs to be protected outside of SNAs is addressed in section 5.3 of the Section 32 evaluation report on Ecosystems and Indigenous Biodiversity.
54. The Ecosystems and Indigenous Biodiversity chapter is not the only chapter that seeks to manage the effects of activities on indigenous vegetation. This is also addressed through other chapters including Natural Features and Landscapes, Coastal Environment, and through provisions in the Subdivision Chapter and various zones (usually as policies which form matters of discretion).
55. Some examples of provisions that seek to maintain or enhance indigenous biodiversity include:
  - CE-R2 Vegetation removal within a Coastal High Natural Character Area (sets permitted baseline similar to Ecosystems and Indigenous Biodiversity, otherwise vegetation clearance escalates to restricted discretionary)

- NFL-R2 Indigenous vegetation removal within an Outstanding Natural Feature and Landscape or Special Amenity Landscape and NFL-S2:
  1. *Removal of indigenous vegetation must not exceed, in total area:*
    - 50m<sup>2</sup> within any five year continuous period per site within an Outstanding Natural Features and Landscape; or*
    - 100m<sup>2</sup> within any five year continuous period per site within a Special Amenity Landscape.*
- GRUZ-P7 Potentially inappropriate activities:
  1. *Areas of indigenous vegetation are retained where practicable;*
  2. *There are benefits, such as the planting and fencing of erosion-prone land and the protection of areas of indigenous vegetation, wetlands and riparian areas;*
- SUB-P1 Creation of allotments
  3. *Protect stands of significant indigenous vegetation that are not located within an identified Significant Natural Area;*
- SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone
  - a. *Opportunities to undertake planting and fencing of erosion-prone land, areas of indigenous vegetation, wetlands and riparian areas; and*
- SUB-S8 Esplanade Reserve
 

*Any subdivision involving the creation of one or more sites less than 4ha which adjoins:*

  - a. *The line of MHWS; or*
  - b. *The bank of a river whose bed has an average width of 3m or more*

*must provide a minimum 20m wide esplanade reserve in accordance with section 230 of the RMA.*

56. I consider that these provisions collectively form an appropriate response to Council's responsibility for the maintenance of indigenous biodiversity under s31(1)(iii) of the RMA.

### **3.2.3 Summary of recommendations**

57. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Add** a new Strategic Objective as set out in Appendix A and below;
- b. **Amend** NE-O1 as set out in Appendix A and below (noting amendments are also in response to other submission points)

#### **NE-O1 Natural character, landscapes and features and ~~ecosystems~~ indigenous biodiversity**

The natural character of the coastal environment and riparian margins,

outstanding natural landscapes and features and ecosystems significant indigenous biodiversity values that contribute to Porirua's character and identity and Ngāti Toa Rangatira's cultural and spiritual values are recognised and protected and, where possible, enhanced.

#### **NE-O2 Maintaining and restoring indigenous biodiversity values**

Indigenous biodiversity values in the District are maintained and, where possible, restored.

58. I recommend that the submissions from Robyn Smith [168.34], Forest and Bird [225.26, 225.90, 225.91, 225.40, 225.42, 225.248, 225.249, 225.152, 225.175, 225.166, 225.177, 225.113, 225.123, 225.124, 225.125, 225.128, 225.129, 225.130, 225.131, 225.132, 225.133, 225.134, 225.135, 225.136, 225.137, 225.138, 225.140, 225.142, 225.144, 225.206, 225.2, 225.207, 225.230, 225.4, 225.231, 225.5, 225.232, 225.6, 225.239, 225.13, 225.240, 225.14, 225.259, 225.242, 225.16, 225.215, 225.212, 225.213, 225.214, 225.217, 225.198, 215.209, 225.210, 225.211, 225.207], insofar as they request reference to indigenous biodiversity values] and QEII [216.7] be **accepted in part.**
59. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### **3.2.4 Section 32AA evaluation**

60. In my opinion, for the reasons provided in my evaluation, the amendment to NE-O1 and the new NE-O2 are more appropriate in achieving the purpose of the RMA than the notified objective. In particular, as explained in my evaluation, I consider that the amendment and new objective will better reflect Council's obligations under s6(a), s6(b), s6(c) and s31 of the RMA and the relevant objectives and policies of the RPS. Consequently, they are more appropriate than the notified objectives in achieving the purpose of the Act.

### **3.3 Natural Open Space Zone Submissions**

#### **3.3.1 Matters raised by submitters**

61. Forest and Bird [225.93] seeks that the zoning underlying the SNA overlays and wetlands is changed to a "natural open space" zone in preference to the "open space" zoning to reflect the important values of these areas. In their view, SNAs and wetlands should have a "natural open space" zoning as the open space provisions are really about recreation and precinct design, not protection of ecological values. This creates a conflict between protection and the effects of use such as access by pests. This point is repeated in [225.1, 225.19, 225.37, 225.38, 225.213, 225.214, 225.243, 225.17, 225.233, 225.7, 225.234, 225.8, 225.236, 225.10, 225.216, 225.237, 225.11, 225.235, 225.9, 225.238, 225.2, 225.228, 225.206, 225.2, 225.229, 225.3<sup>2</sup>] on other parts of the PDP. They also seek [225.92] that clause 2 be amended to read "areas with significant natural areas" and a new clause 3 stating "indigenous biodiversity is maintained" be added to the end of

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<sup>2</sup> Some of these submission points also seek other amendments. This s42A report only addresses the amendments sought to include consideration of effects on indigenous biodiversity values and the other aspects are dealt with in other s42A reports.



the objective, for the reason this would be clearer. This relief is opposed by several further submitters, who consider it is not necessary for the PDP to provide a separate zone for SNAs, given the PDP includes a policy framework to manage SNAs, which is consistent with the National Planning Standards.

62. Many of these submission points are opposed by Kāinga Ora and Silverwood, for the reason that the notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-base chapters.

### 3.3.2 Assessment

63. I have addressed the maintenance of indigenous biodiversity and how the PDP needs to be read as a whole earlier in this report. The requests by Forest and Bird to zone SNA overlays and wetlands to natural open space zone is a more substantive issue.

64. The Natural Open Space Zone is not currently a zone used in the PDP. It is defined by the National Planning Standards<sup>3</sup> as:

*Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.*

65. The Open Space and Recreation Section 32 Evaluation<sup>4</sup> considers this Zone in section 8. It determines that the use of the Open Space Zone and Sports and Active Recreation Zone adequately cover the range of activities present in Porirua's open space zoned land. Furthermore, the combination of environmental overlays (Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes, Coastal Environment, Historic Heritage, and Sites and Areas of Significance to Māori), as well as existing plans under the Reserves Act, provide sufficient protections to ensure that the "natural environment is retained". While the National Planning Standards set out a comprehensive range of zones, it does not require that all the available zone options to be used. Rather, it provides a toolbox of methods, and there are a range of provisions that can be used to achieve the same or similar outcome.

66. The purpose of the Natural Open Space Zone is to provide for areas predominantly in public ownership. While some SNA are located on public land, approximately 50% are on private land.

67. The National Planning Standards defines the function of overlay zones respectively as:

*An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.*

*A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.*

68. Overlays are commonly used for SNA in district plans because they are a type of environmental feature that fall across a large range of zones. I consider that using overlays to spatially represent SNA is in line with the National Planning Standards and common national planning practice.

<sup>3</sup> Ministry for the Environment. November 2019. National Planning Standards. Wellington: Ministry for the Environment.

<sup>4</sup> Porirua City Council (2020). Section 32 Evaluation Report, Part 2: Open Space and Recreation Zones

69. Council's technical experts have confirmed that the policy approach in Natural Features and Landscapes, Ecosystems and Indigenous Biodiversity and Coastal Environment Chapters provides sufficient protection for these areas required by the RMA and RPS (see analysis in their respective s42A reports).
70. For the above reasons, I consider that the rezoning of these areas as Natural Open Space Zone is inappropriate.

### **3.3.3 Summary of recommendations**

71. I recommend that the submissions from Forest and Bird [225.1, 225.19, 225.37, 225.38, 225.93, 225.213, 225.214, 224.243, 224.17, 225.233, 225.7, 225.234, 225.8, 225.236, 225.10, 225.237, 225.11, 225.235, 225.216, 225.9, 225.238, 225.2, 225.228, 225.206, 225.2, 225.229, 225.3] be **rejected**.
72. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.4 Introduction Submissions**

### **3.4.1 Matters raised by submitters**

73. TROTR [264.96] sought amendments to the introduction to clarify that Ngāti Toa Rangatira and the community are not responsible for improving water quality and the health of the Harbour and catchment and that this responsibility rests with the Porirua and Wellington City Councils and the GWRC.

### **3.4.2 Assessment**

74. I concur with TROTR that the proposed wording is incorrect and should be amended, as neither Ngāti Toa Rangatira nor the community have any such statutory responsibility. I have recommended minor amendments to the relief sought to provide greater clarity. I consider the recommended amended wording to be the most appropriate means of describing the outcomes sought by the proposed objectives.

### **3.4.3 Summary of recommendations**

75. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the introductory text as set out in section Appendix A and below;

The City's natural environment has intrinsic values that warrant protection and management, however these values are under pressure from land use and development. Te Awarua-o-Porirua Harbour contributes significantly to the City's identity and is highly valued but suffers from poor water quality. Porirua City Council, Wellington City Council, and Wellington Regional Council, Ngāti Toa Rangatira and the community have a shared statutory responsibility for improving water quality and the health of the Harbour and catchment. The three Councils will work alongside Ngāti Toa Rangatira and the community to improve water quality<sup>5</sup>. The District Plan aims to assist the Regional Council achieve its objectives of improving water quality in the Porirua Catchment, while recognising that the

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<sup>5</sup> TROTR [264.96]

control of land use for the purpose of maintaining and enhancing water quality is a regional council function.

76. I recommend that the submissions from TROTR [264.96] be **accepted in part**.

77. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### **3.4.4 Section 32AA evaluation**

78. In my opinion, while noting that an Introduction is a non-statutory part of the PDP and is therefore not subject to section 32 or 32AA of the RMA, the amendment to the introduction of the chapter is more appropriate in reflecting the relevant statutory obligations of the three councils under sections 30 and 31 of the RMA. As such, I consider the amendment to better achieve the purpose of the Act.

### **3.5 NE-O1 Submissions (excluding as addressed under section 3.2)**

#### **3.5.1 Matters raised by submitters**

79. TROTR [264.97] request that the end of the objective is amended to read “and Ngāti Toa Rangatira’s cultural and spiritual values are recognised, protected, enhanced and improved”, for the reason that TROTR seeks that all policies and plans align to restore, enhance and improve the Harbour and catchment.

80. Kāinga Ora [81.214] request that the word “identified” is inserted into the Objective so that it commences “The identified natural...”, for the reason that it is important to identify and recognise values that should be maintained and protected.

#### **3.5.2 Assessment**

81. I agree that this objective could be improved so it better reflects Ngāti Toa Rangatira’s aspirations. However, in my view enhancement and improvement are synonymous and enhancement and / or improvement are not always achievable but may be possible. To that end, I have recommended that the wording at the end of the objective is amended to read “and where possible, enhanced”. The use of “if possible” is consistent with NE-O4.

82. I do not agree with the requested amendment from Kāinga Ora to include “identified”. The objective is a higher level objective stating the wider intended outcome that these values are recognised. How the values are recognised is dealt with at a chapter level, through the identification of the values.

#### **3.5.3 Summary of recommendations**

83. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** NE-O1 as set out in section Appendix A and below (noting amendments in response to other submission points);

**NE-O1 Natural character, landscapes and features and ecosystems-indigenous biodiversity**

The natural character of the coastal environment and riparian margins, outstanding natural landscapes and features and ecosystems significant indigenous biodiversity values that contribute to Porirua's character and identity and Ngāti Toa Rangatira's cultural and spiritual values are recognised and protected and, where possible, enhanced.

84. I recommend that the submissions from TROTR [264.97] be **accepted in part**.
85. I recommend that the submissions from Kāinga Ora [81.214] be **rejected**.
86. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### **3.5.4 Section 32AA evaluation**

87. In my opinion, the amendment to NE-O1 is more appropriate in achieving the purpose of the RMA than the notified objective. In particular, I consider that it will better meet sections 6(e), 7(a) and 8 of the RMA and Ngāti Toa's stated aspirations for Porirua. Consequently, the amendment is more appropriate than the notified objective in achieving the purpose of the Act.

### **3.6 NE-O2 Submissions**

#### **3.6.1 Matters raised by submitters**

88. TROTR [264.98] seek that the end of the objective is amended to read "areas with natural, ecological and landscape values are recognised, protected, enhanced and improved", for the reason that TROTR seeks that all policies and plans align to restore, enhance and improve the Harbour and catchment.
89. Kāinga Ora [S81.215] seeks that the word "identified" be added to clause 3 so that it reads "Areas with identified natural, ecological and landscape values..." for the reason that not all open space requires protection and some would better serve the community under an alternative purpose.
90. Latoya Flutey [64.21] requests that consideration is given to whether there is a designated amount of open space or if this concept evolves or condenses with population growth.

#### **3.6.2 Assessment**

91. I disagree that NE-O2 should be amended to include the wording sought by TROTR. This objective talks to the Open Space and Recreation Zone in the PDP, rather than matters relating to section 6, which are addressed under NE-O1.
92. I do not agree with the requested amendment from Kāinga Ora to include "identified". As set out above, this objective talks to the general function of the Open Space and Recreation Zone, rather than the section 6 matters addressed under NE-O1.
93. In respect of Latoya Flutey's submission point, I note that the demand for and use of open space is largely addressed through the Council's Long Term Plan and Development Contributions Policy. The need for open space is also a consideration through subdivision consents and any requests for rezoning.

#### **3.6.3 Summary of recommendations**

94. I recommend that the submission from Latoya Flutey [64.21] be **accepted in part**.
95. I recommend that the submissions from TROTR [264.98] and Kāinga Ora [81.215] be **rejected**.

96. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### **3.7 NE-O3 and NE-O4 Submissions**

#### **3.7.1 Matters raised by submitters**

97. Seven submission points sought amendment or deletion of these two objectives.

98. QEII [216.9] seek that NE-O3 be deleted, as NE-O4 is framed in a positive and incorporates NE-O3, and therefore NE-O3 is redundant. On a similar line, Robyn Smith [168.32 and 168.33] seeks that the two objectives be integrated into one objective.

99. Titahi Bay Surfriders [244.1, 244.2] seek that both objectives be amended to include specific reference to the Coast, for the reason that while the Harbour should be restored, it should not be at the expense of the wider Porirua coast and that the strategic policies [sic] should reinforce the requirements of the NZCPS.

100. Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet [77.4] seek that NE-O3 be amended by adding “and measures are implemented to enhance the quality of all receiving water that enters the harbour” at its end.

101. TROTR [264.99] seek that NE-O4 be amended to remove the reference to maintained, and rather that the Harbour be protected, enhanced and improved.

#### **3.7.2 Assessment**

102. I generally agree with QEII and Robyn Smith that NE-O4 does generally encompass the outcome sought through NE-O3. However, given the importance of the Harbour to Ngāti Toa Rangatira and the community and the strong direction contained in the RPS, I consider it appropriate to maintain the two separate objectives. In that regard, I consider it unnecessary to add the wording requested by Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet to the end of NE-O3 as the wording sought is captured already through the wording of NE-O4 and it would result in unnecessary duplication.

103. I accept that Titahi Bay Surfriders has concerns about impacts on the Porirua Coast. However, the impacts on the Porirua Coast are both addressed through NE-O1, which I have recommended to be amended to specifically refer to the coastal environment, and by GWRC in its functions under s30 RMA in respect to the coastal marine area. The intent of NE-O3 and NE-O4 is to directly respond to Policy 6 of the RPS.

104. I have carefully considered the additional wording to NE-O4 sought by TROTR. As I have addressed earlier in this report, in my view, the words enhance and improve are synonymous. However, I have considered the objective as a whole in terms of the wording of Policy 6 of the RPS and the reason given by TROTR to seek to reflect that Te Awarua-o-Porirua Harbour is a culturally sensitive site and that all policies align to restore, enhance and improve the Harbour and its catchment. As a result, I recommend that the wording “*and the significant amenity, recreational, ecological and cultural values associated with it*” is inserted into NE-O4.

#### **3.7.3 Summary of recommendations**

105. I recommend for the reasons given in the assessment, that the Hearings Panel:

- b. **Amend** NE-O5 (numbering as amended) as set out in section Appendix A and as set out below;

**NE-O45**            **Health and wellbeing of Te Awarua-O-Porirua Harbour**

The health and wellbeing of Te Awarua-O-Porirua Harbour, and the significant amenity, recreational, ecological and cultural values associated with it, is maintained and protected and, where possible, enhanced.

106. I recommend that the submissions from TROTR [264.99], QEII [216.9], Titahi Bay Surfriders [244.1, 244.2], Robyn Smith [168.32 and 168.33] and Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pāuatahanui Inlet [77.4] **be accepted in part**.

107. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

**3.7.4 Section 32AA evaluation**

108. In my opinion, the amendment to NE-O4 is more appropriate in achieving the purpose of the RMA than the notified objective. In particular, for the reasons set out in my evaluation, I consider that it will better meet sections 6(e), 7(a) and 8 of the RMA, Ngāti Toa Rangatira's stated aspirations for Te Awarua-O-Porirua Harbour and Policy 6 of the RPS. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

## 4 Conclusions

109. Submissions have been received in support of, and in opposition to Strategic Objectives NE-O1, NE-O2, NE-O3 and NE-O4 and their introductory text in the PDP.

110. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.

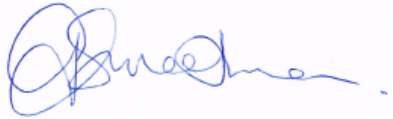
111. For the reasons included throughout this report, I consider that the proposed objectives, with the recommended amendments, will be the most appropriate means to achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives.

### Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

### Signed:

Name and Title	Signature
Gina Sweetman Consultant Planner	

## Appendix A. Recommended Amendments to Strategic Directions – Natural Environment

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is red and underlined.
- Text recommended to be deleted from the PDP is red and ~~struckthrough~~.

### NE - Natural Environment

The City's natural environment has intrinsic values that warrant protection and management, however these values are under pressure from land use and development. Te Awarua-o-Porirua Harbour contributes significantly to the City's identity and is highly valued but suffers from poor water quality. Porirua City Council, Wellington City Council, and Wellington Regional Council, ~~Ngāti Toa Rangatira and the community~~ have a shared statutory responsibility for improving water quality and the health of the Harbour and catchment. The three Councils will work alongside Ngāti Toa Rangatira and the community to improve water quality<sup>6</sup>. The District Plan aims to assist the Regional Council achieve its objectives of improving water quality in the Porirua Catchment, while recognising that the control of land use for the purpose of maintaining and enhancing water quality is a regional council function.

The strategic objectives set the direction for the District Plan and help to implement the Council's community outcomes set out in its Long Term Plan. They reflect the intended outcomes to be achieved through the implementation of the District Plan.

The objectives, policies and rules in Parts 2 and 3 of the District Plan implement the strategic objectives and reconcile any tensions between them.

The strategic objectives will be particularly relevant for any future changes to the Plan and any significant resource consent applications. Details of the steps Plan users should take when using the District Plan are provided in the General Approach chapter.

### Strategic Objectives

#### NE-O1 Natural character, landscapes and features and ~~ecosystems~~ indigenous biodiversity<sup>7</sup>

The natural character of the coastal environment and riparian margins, outstanding natural landscapes and features and ~~ecosystems~~ significant indigenous biodiversity values<sup>8</sup> that contribute to Porirua's character and identity and Ngāti Toa Rangatira's cultural and spiritual values are recognised and protected and, where possible, enhanced<sup>9</sup>.

#### NE-O2 Maintaining and restoring indigenous biodiversity values

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<sup>6</sup> TROTR [264.96]

<sup>7</sup> Forest and Bird [225.90 and 225.91], QEII [216.7]

<sup>8</sup> Forest and Bird [225.90 and 225.91], QEII [216.7], Robyn Smith [168.34]

<sup>9</sup> TROTR [264.97]



Indigenous biodiversity values in the District are maintained and, where possible, restored.<sup>10</sup>

**NE-023** Open Space

Porirua's community has access to a diverse and connected network of open spaces within which:

1. There is a wide range of recreational opportunities and experiences; and
2. Areas with natural, ecological and landscape values are protected.

**NE-034** Preventing further degradation of Te Awarua-O-Porirua Harbour

Subdivision, use and development does not contribute to any further degradation of Te Awarua-o-Porirua Harbour and its catchment

**NE-045** Health and wellbeing of Te Awarua-O-Porirua Harbour

The health and wellbeing of Te Awarua-O-Porirua Harbour, and the significant amenity, recreational, ecological and cultural values associated with it<sup>11</sup>, is maintained and protected and, where possible, enhanced.

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<sup>10</sup>Forest and Bird [225.90 and 225.91], QEII [216.7]

<sup>11</sup> TROTR [264.99]



## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>Indigenous biodiversity</b>							
168.34	Robyn Smith	General	Amend NE to include a new strategic objective:  <u>All significant natural areas and streams are identified and protected from inappropriate subdivision, use and development, and adverse effects on outstanding natural waterbodies are avoided.</u>	3.2	Accept in part	See body of the report	Yes
216.7 <sup>12</sup>	QEII	NE-O1	The natural character, landscapes and features and ecosystems that contribute to Porirua's character and identity and Ngāti Toa Rangatira's cultural and spiritual values are recognised and protected.  Add, in addition:  <u>1. Indigenous biodiversity and areas that provide habitat for indigenous biodiversity values are maintained to a healthy functioning state and, where appropriate, restored and enhanced.</u>  <u>2. The natural character and biodiversity of wetlands, and rivers and their margins, are protected and, where appropriate, enhanced.</u>	3.2	Accept in part	See body of the report	Yes
225.26	Forest and Bird	NE-O1	Amend to ensure that the strategic direction for protection of SNAs is implemented comprehensively in the Plan. This could include objectives, policies, methods, and rules.	3.2	Accept in part	See body of the report	No
225.90 <sup>13</sup>	Forest and Bird	General	Include a new specific strategic objective to give effect to Council's functions under s6 and s31, as follows (or similar):  <u>Indigenous biodiversity in the District is maintained and enhanced, and areas of significant biodiversity value, including wetlands, are protected.</u>  Amend the introduction to recognise council's function for integrated amendment, particularly with respect to the maintenance of indigenous biological diversity and protection of wetlands.	3.2	Accept in part	See body of the report	Yes
225.91 <sup>14</sup>	Forest and Bird	NE-O1	Retain NE-O1	3.2	Accept in part	See body of the report	Yes

<sup>12</sup> Oppose – Kāinga Ora [FS65.81]<sup>13</sup> Support – DOC [FS39.18]<sup>14</sup> Oppose – Transpower [FS04.29], Kāinga Ora [FS65.80]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Add new</p> <p><u>Indigenous biodiversity and habitats with indigenous biodiversity values are maintained to a healthy functioning state and, where appropriate, restored and enhanced.</u></p> <p>Add new</p> <p><u>The natural character and biodiversity of wetlands, and rivers and their margins, are protected from inappropriate subdivision, use and development.</u></p>				
225.40 <sup>15</sup>	Forest and Bird	General	Include provisions to promote maintenance, restoration, and enhancement of areas within and beyond SCHED7 SNAs.	3.2	Accept in part	See body of report	No
225.42 <sup>16</sup>	Forest and Bird	New provision	Include "effects on indigenous biodiversity" as a standards matter of discretion in all restricted discretionary rules and as a matter for control in all controlled activity rules.	3.2	Accept in part	See body of report	No
225.248	Forest and Bird	New provision in ECO chapter	Insert additional provisions to provide for Councils function for the maintenance of indigenous biodiversity, including regulatory methods to restrict vegetation clearance and policy direction for assessments of effects on indigenous biodiversity.	3.2	Accept in part	See body of report	No
225.249 <sup>17</sup>	Forest and Bird	New provision in ECO chapter	Provision is required to protect significant values outside these areas through consenting processes.	3.2	Accept in part	See body of report	No
225.152 <sup>18</sup>	Forest and Bird	New provision in ECO chapter	<p>Add new ECO Policy as follows:</p> <p><u>Maintaining Indigenous Biodiversity:</u></p> <p><u>1. To maintain indigenous biodiversity outside of SCHED7 SNAs by avoiding, remedying or mitigating the adverse effects of subdivision, land use and development on indigenous biodiversity.</u></p> <p><u>2. To have regard to the following potential adverse effects in considering subdivision, land use and development that may adversely affect indigenous ecosystems and habitats with indigenous biodiversity values:</u></p> <p><u>a. Fragmentation of, or reduction in the extent of, indigenous vegetation or habitats of indigenous fauna;</u></p>	3.2	Accept in part	See body of report	No

<sup>15</sup> Oppose: Kāinga Ora [FS65.206]

<sup>16</sup> Support: DOC [FS39.1]; Oppose: Kāinga Ora [FS65.207]

<sup>17</sup> Oppose: Kāinga Ora [FS65.208]

<sup>18</sup> Oppose: Kāinga Ora [FS65.217]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<u>b. Fragmentation or disruption of connections and linkages between ecosystems or habitats of indigenous fauna;</u>				
225.175 <sup>19</sup>	Forest and Bird	New rule in ECO chapter	<p>Add the following rule:</p> <p><u>Indigenous vegetation removal outside of the Significant Natural Area Overlay for forestry or afforestation of New Plantation forestry</u></p> <p><u>1. Activity status: Discretionary</u></p> <p><u>Where:</u></p> <p><u>a. the vegetation is not significant when applying the criteria in Policy 23 of the RPS.</u></p> <p><u>Section 88 information requirements for applications:</u></p> <p><u>1. Applications for activities within an identified Significant Natural Area must provide, in addition to the standard information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</u></p> <p><u>a. Identifying the biodiversity values and potential impacts from the proposal.</u></p>	3.2	Accept in part	See body of report	No
225.166 <sup>20</sup>	Forest and Bird	New rule in all Zones	<p>Add a new rule applying to All Zones as follows or similar:</p> <p><u>Indigenous vegetation removal outside of the Significant Natural Area Overlay</u></p> <p><u>1. Activity status: Permitted</u></p> <p><u>Where</u></p> <p><u>a. the indigenous vegetation removal is for the following purposes:</u></p> <p><u>i. to address an imminent threat to people or property represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with;</u></p>	3.2	Accept in part	See body of report	No

<sup>19</sup> Oppose: Kāinga Ora [FS65.23]

<sup>20</sup> Support: DOC [39.19]; Oppose: Kāinga Or [FS65.239], Transpower [FS04.43]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>ii. for the operation or maintenance of lawfully established buildings, infrastructure, walking cycling or private vehicle access or fences or existing farming activities;</u></p> <p><u>iii for the construction of new buildings, infrastructure, walking cycling or private vehicle access or fences outside of any ONFL and HNC overlays within the coastal environment; and</u></p> <p><u>b. the indigenous vegetation removal does not exceed:</u></p> <p><u>i. 100m2 within the coastal environment; or</u></p> <p><u>ii. 200m2 beyond the coastal environment,</u></p> <p><u>per title as of (date of decision); or</u></p> <p><u>beyond 5m of the national grid .</u></p> <p><u>2. Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with 1a and b.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The extent to which the trimming or removal of indigenous vegetation avoids the loss, damage or disruption to the ecological processes, functions and integrity; and</u></p> <p><u>2. The extent to which adverse effects are avoided, remedies or mitigated on indigenous biodiversity values which meet the criteria for significance by applying Policy 23 of the RPS; and</u></p> <p><u>23. Adverse effects on receiving environments, including wetlands and the coastal environment; and</u></p> <p><u>4. The use of alternative locations for the activity for which removal of vegetation is purposed to be undertaken.</u></p> <p><u>Section 88 information requirements for applications:</u></p> <p><u>1. Applications for activities within an identified Significant Natural Area must provide, in addition to the standard</u></p>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>information requirements, an Ecological Assessment provided by a suitably qualified and experienced ecologist:</u></p> <p>a. <u>Identifying the biodiversity values and potential impacts from the proposal.</u></p>				
225.177 <sup>21</sup>	Forest and Bird	New rule in ECO	<p>Include a new rule as follows:</p> <p><u>ECO-R10 Any removal of indigenous vegetation outside of the SNA Overlays not otherwise listed as permitted, controlled, restricted discretionary, or discretionary by the rules in this Plan</u></p> <p>1. <u>Activity status: Discretionary</u></p>	3.2	Accept in part	See body of report	No
225.113 <sup>22</sup>	Forest and Bird	INF-P8	<p>Delete</p> <p>or</p> <p>Alternatively amend as follows:</p> <p>Provide for Regionally Significant Infrastructure <del>and other infrastructure</del> which is not located within an Overlay, where it can be demonstrated that the following matters can be achieved:</p> <p><u>1A. SNAs are protected and indigenous biological diversity is maintained: and</u></p> <p>1. Compatibility with the site, existing built form and landform;</p> <p>2. Compatibility with the anticipated character and amenity values of the zone it is located in;</p> <p>3. Any adverse effects on amenity values are minimised, taking into account:</p> <p>a. The bulk, height, size, colour, reflectivity of the infrastructure;</p> <p>b. Any proposed associated earthworks;</p> <p>c. The time, duration or frequency of any adverse effects; and</p> <p>d. Any proposed mitigation measures;</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No

<sup>21</sup> Oppose: Kāinga Ora [FS65.240]

<sup>22</sup> Oppose: Kāinga Ora [FS65.118]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>4. Any adverse effects on the health, wellbeing and safety of people, communities and the environment, including nuisance from noise, dust, odour emissions, light spill and sedimentation are avoided, remedied or mitigated;</p> <p>5. Any adverse effects on the natural character and amenity of water bodies, the coast and riparian margins and coastal margins are minimised;</p> <p>6. Public access to and along the coastal marine area and water bodies is maintained or enhanced;</p> <p>7. Any adverse effects on any values and qualities of any adjacent Overlays are <u>avoided</u> <del>minimised</del>;</p> <p>8. The safe and efficient operation of any other infrastructure, including the transport network, is not compromised; and</p> <p>9. Any adverse cumulative effects are <u>avoided, remedied or mitigated</u> <del>minimised</del>.</p>				
FS28.16	WE	Disallow	<i>WELL oppose submission 225.109 as it seeks to dilute the effectiveness of the Infrastructure Chapter of the PDP with the Natural Environment Values - District Wide Chapter, and hence the submission point is out of scope.</i>				
FS37.18	Powerco	Disallow	<i>The submitter wants the infrastructure chapter specific to Regionally Significant Infrastructure. This is inappropriate as distribution networks need to be everywhere that a customer chooses to locate. Even a single connection can be regionally significant (e.g. to a hospital). All network utility infrastructure should be dealt with the same, as 'infrastructure'. Having separate chapters for 'Regionally Significant Infrastructure' and 'infrastructure' is therefore not supported. The changes sought in INF-P1A and 7 are also not supported – the use of terms such as 'protected' and 'avoid' can be problematic for lineal network utilities which often pass through a variety of different environments</i>				
FS40.131	GWRC	Allow	<i>GWRC seeks to retain the inclusion of INF-P8 with amendments to take into account SNAs that have not yet been identified</i>				
225.123	Forest and Bird		<p>Amend as follows:  Upgrades to and new <u>Regionally Significant</u> Infrastructure in Special Amenity Landscapes  Except as provided for by INF-P6 and INF-P7,  only <u>consider allowing</u> for upgrades to existing <u>Regionally Significant</u> Infrastructure and for new <u>Regionally Significant</u> Infrastructure within Special Amenity Landscapes where:  1. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated and the identified characteristics and values of the Special Amenity Landscapes described in SCHED10 - Special Amenity Landscapes are maintained; and  <u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u>  <u>1B. indigenous biological diversity is maintained; and</u>  2. There is an operational need or functional need that means the infrastructure's location cannot be avoided;</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
			<p>3. There are feasible methods to mitigate the adverse effects of the activity on the landscape and reduce the visual impact, including through:</p> <ul style="list-style-type: none"> <li>a. Grouping or dispersing structures;</li> <li>b. Undergrounding; and</li> <li>c. Locations that reduce visibility.</li> </ul> <p>4. The design methods used minimise the adverse visual effects of the infrastructure, including:</p> <ul style="list-style-type: none"> <li>a. Landscaping and screening;</li> <li>b. Design, location, height, bulk and colour;</li> <li>c. Any light spill effects;</li> <li>d. Reflectivity effects; and</li> </ul> <p>5. The scale of earthworks and indigenous vegetation removal is minimised and any exposed areas are treated to minimise adverse off-site effects.</p>					
FS37.23	Powerco	Disallow	<p><i>The submitter wants the infrastructure chapter specific to Regionally Significant Infrastructure. This is inappropriate. The submission seeks to split up the infrastructure chapter into 'Regionally Significant Infrastructure' and 'infrastructure'. Distribution networks need to be everywhere that a customer chooses to locate. Even a single connection can be regionally significant (e.g. to a hospital). All network utility infrastructure should be dealt the same, as 'infrastructure'. Having separate chapters for 'Regionally Significant Infrastructure' and 'infrastructure' is therefore not supported.</i></p>					
225.124	Forest and Bird	INF-P22	<p>Amend as follows:  Upgrades to and new <u>Regionally Significant Infrastructure</u> in an Outstanding Natural Features and Landscapes or Coastal High Natural Character Area  Except as provided for by INF-P6 and INF-P7, only allow upgrades to existing <u>Regionally Significant Infrastructure</u> where, and avoid new <u>Regionally Significant Infrastructure</u> in areas identified in SCHED9 - Outstanding Natural Feature and Landscape or SCHED11 - Coastal High Natural Character Area, unless it can be demonstrated that:</p> <p><u>1A. an assessment has been undertaken applying the criteria under Policy 23 of the RPS and any areas of significance are protected; and</u>  <u>1B. indigenous biological diversity is maintained; and</u></p> <p>1. There is an operational need or functional need that means the infrastructure's location cannot be avoided, and there are no reasonable alternatives;  2. The design and location of the infrastructure is subordinate to and does not compromise the identified characteristics and values of the Outstanding Natural Feature or Landscape described in SCHED9 - Outstanding Natural Features or Landscapes or Coastal High Natural Character Area described in SCHED11 - Coastal High Natural Character Areas;  3. The natural components of the Outstanding Natural Feature or Landscape or Coastal High Natural Character Area will continue to dominate over the influence of human activity; and</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No	

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
			4. Any significant adverse effects are avoided, and any other adverse effects are avoided, remedied or mitigated, while also having regard to the matters in NFL P3 and NFL P6 and CE P3.					
FS37.24	Powerco	Disallow	<p>The submitter wants the infrastructure chapter specific to Regionally Significant Infrastructure. This is inappropriate as distribution networks need to be everywhere that a customer chooses to locate. Even a single connection can be regionally significant (e.g. to a hospital). All network utility infrastructure should be dealt with the same, as 'infrastructure'.</p> <p>Having separate chapters for 'Regionally Significant Infrastructure' and 'infrastructure' is therefore not supported.</p> <p>At times infrastructure will be required to be located within or traverse through overlays, such as outstanding natural features and landscapes, to connect customers. Accordingly, policy 22 should be retained as drafted.</p>					
225.125	Forest and Bird	INF-P23	<p>Amend the policy as follows:            Only allow for upgrades to existing and new <u>Regionally Significant Infrastructure</u> in Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure:            1. Does not increase the risk from the natural hazard to people, or other property or infrastructure;            2. Has a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives;            3. Is not vulnerable to the natural hazard;            4. Does not result in a reduction in the ability of people and communities to recover from a natural hazard event; and            5. Is designed to maintain reasonable and safe operation during and in the immediate period after a natural hazard event; and            6. includes provision for indigenous biodiversity adaption and response including inland migration in response to sea level rise .</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No	
FS28.19	WE	Disallow	<p>The submission point will fundamentally restrict WELL in operating and maintaining the electricity distribution network across the Porirua District.</p>					
FS37.25	Powerco	Disallow	<p>The submitter wants the infrastructure chapter specific to Regionally Significant Infrastructure. This is inappropriate as distribution networks need to be everywhere that a customer chooses to locate. Even a single connection can be regionally significant (e.g. to a hospital). All network utility infrastructure should be dealt with the same, as 'infrastructure'. Having separate chapters for 'Regionally Significant Infrastructure' and 'infrastructure' is therefore not supported.</p> <p>At times infrastructure will be required to be located within or traverse through overlays, such as the natural hazard overlays. Accordingly, policy 23 should be retained as drafted.</p>					
225.128 <sup>23</sup>	Forest and Bird	INF-R3	<p>Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure.</p> <p>Amend R3 1. to include:</p> <ul style="list-style-type: none"> <li>a condition that the activity is setback 15m from a SCHED7 SNA or natural wetland</li> <li>include a limit on any vegetation removal of 2m from the existing infrastructure.</li> </ul> <p>Amend R3 2. to capture non compliance with 1.</p> <p>Add the following condition</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No	

<sup>23</sup> Oppose: Kāinga Ora [FS65.421], Powerco [FS37.28]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>the activity is not within 15m of a natural wetland</li> </ul> Add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case.				
225.129 <sup>24</sup>	Forest and Bird	INF-R4	Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R4 1. to include: <ul style="list-style-type: none"> <li>a condition that the activity is setback 15m from a SCHED7 SNA or a natural wetland</li> <li>include a limit on any vegetation removal of 2m from the existing infrastructure.</li> </ul> Amend R4 2. to capture non compliance with 1. Add the following condition <ul style="list-style-type: none"> <li>the activity is not within 15m of a natural wetland</li> </ul> Add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case.	3.2	Accept in part	See body of report  Response is only in respect of the amendment sought in respect of indigenous biodiversity	No
225.130 <sup>25</sup>	Forest and Bird	INF-R5	Clarify that the rule either relates to RSI and/or to other infrastructure and that the provision for maintenance and repair only applies for lawfully established infrastructure. Amend R5-1 to include: <ul style="list-style-type: none"> <li>a condition that the activity is setback 15m from a natural wetland</li> </ul> Amend R5-2, R5-3 and R5-4 to capture non compliance with the 15m setback Add the following condition <ul style="list-style-type: none"> <li>the activity is not within 15m of a natural wetland</li> </ul> Add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> R5-2 Delete the note regarding non-notification R5-6 Add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Add a non-complying rule where the wetland setback is not complied with or a reference that the ECO rules apply in this case, alternatively amend R5-7 to include the setback and change to non-complying.	3.2	Accept in part	See body of report  Response is only in respect of the amendment sought in respect of indigenous biodiversity	No
225.131 <sup>26</sup>	Forest and Bird	INF-R7	Amend to add the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No

<sup>24</sup> Oppose: Kāinga Ora [FS65.138], Powerco [FS37.29]

<sup>25</sup>Support: DOC [FS39.4]; Oppose: Kāinga Ora [FS65.139], Powerco [FS37.30]

<sup>26</sup> Support: DOC [FS39.5]; Oppose: Powerco [FS37.31]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
						Response is only in respect of the amendment sought in respect of indigenous biodiversity		
225.132 <sup>27</sup>	Forest and Bird	INF-R8	Amend to add the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No	
FS37.32	Powerco	Oppose	<i>It is not appropriate that this rule be amended to also provide for effects on indigenous biological diversity when it is drafted to provide for the Natural Hazard Overlay and the Coastal Hazard Overlay. Retain this rule as notified</i>					
225.133 <sup>28</sup>	Forest and Bird	INF-R9	<p>Clarify that the rule permitted and restricted activity status does not apply to the upgrading, extension or creation of new tracks within a SCHED7 SNA overlay by:</p> <ul style="list-style-type: none"> <li>deleting R9.1 c. iii and R9.1 d. iii</li> <li>adding a condition to R9.1 that the activities are not within a SCHED7 SNA</li> </ul> <p>or by separating maintenance of existing lawfully constructed tracks from the upgrading, extension or creation of new tracks. Include a condition in R9.1 for a setback of 15m from wetlands and from SNAs.</p> <p>Amend R9 so that where upgrading, extension or creation of new tracks do not meet the SNA setback the R9.7 discretionary status applies.</p> <p>Add the following matter of discretion to the restricted discretionary rules:</p> <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> <p>Where the activities are within the wetland setback or within a wetland the activity is non-complying.</p> <p>Retain the Discretionary status in R9.7 for activities within an SCHED7 SNAs and ensure this rule also applies:</p> <ul style="list-style-type: none"> <li>to the upgrading, extension or creation of new tracks within the SNA setback;</li> <li>where the limits/standards for maintenance of existing tracks is not met.</li> </ul> <p>Also ensure that consideration of effects is not limited by deleting the note in the chapter introduction to that effect.</p>	3.2	Accept in part	<p>See body of report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity</p>	No	
225.134 <sup>29</sup>	Forest and Bird	INF-R27	<p>Amend R27.1 to include limits to vegetation removal to no more than minor adverse effect.</p> <p>Where that limit is not met amend so that R27.3 or R27.4 applies.</p> <p>R27.3 Add the following matter of discretion: effects on indigenous biological diversity</p>	3.2	Accept in part	See body of report	No	

<sup>27</sup> Support: DOC [FS39.6]; Oppose: Kāinga Ora [FS65.141]

<sup>28</sup> Support: DOC [FS39.7]; Oppose: Kāinga Ora [FS65.142]

<sup>29</sup> Support: DOC [FS39.8]; Oppose Kāinga Ora [FS65.146]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.135 <sup>30</sup>	Forest and Bird	INF-R28	Amend R28.1 to include limits to vegetation removal to no more than minor adverse effect. Where that limit is not met amend so that R28.2 or R28.3 applies. R28.2 Add the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No
225.136 <sup>31</sup>	Forest and Bird	INF-R29	Amend R29.1 to include limits to vegetation removal to no more than minor adverse effect. Where that limit is not met amend so that R29.2 applies. R29.2 Add the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No
225.137 <sup>32</sup>	Forest and Bird	INF-R30	Amend R30.1 by: Adding a limit to the scale of an upgrade; Adding a setback of 15m from wetlands; Adding the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Amend R30.2 to a non-complying activity status. Ensure that consideration of effects is not limited by deleting the note in the INF chapter introduction to that effect.	3.2	Accept in part	See body of report  Response is only in respect of the amendment sought in respect of indigenous biodiversity	No
225.138 <sup>33</sup>	Forest and Bird	INF-R31	Adding the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No
225.140	Forest and Bird	INF-R40	Adding the following matter of discretion: effects on indigenous biological diversity	3.2	Accept in part	See body of report	No
225.142	Forest and Bird	INF-S17	Amend the standard to add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Reconsider the maximum disturbance areas to take into account adverse effects on indigenous biodiversity and consider 50m <sup>2</sup> in SCHED10 areas.	3.2	Accept in part	See body of report	No
225.144	Forest and Bird	INF-S20	Reword the exclusions so that they are set out as an applicable standard Add the following matter of discretion: <ul style="list-style-type: none"> <li>effects on indigenous biological diversity</li> </ul> Delete "within any 12 month period"	3.2	Accept in part	See body of report	No
225.206	Forest and Bird	GRZ-O1	Amend the purpose to recognise the interaction of the zone with overlays	3.2	Accept in part	See body of report	No
225.2	Forest and Bird	GRZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS65.295	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				

<sup>30</sup> Oppose: Kāinga Ora [FS65.147]

<sup>31</sup> Support DOC [FS39.10]; Oppose Kāinga Ora [FS65.148]

<sup>32</sup> Oppose: Waka Kotahi [FS36.21], Kāinga Ora [FS65.149]

<sup>33</sup> Opposed by Kāinga Ora [FS65.150]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.207	Forest and Bird	GRZ-O2	Amend GRZ-O2 as follows:  The character and amenity values, including the scale, form and density of use and development, in the General Residential Zone include:  1. A built form of single and two-storey buildings with openness around and between buildings;  2. Landscaping and trees, especially on street frontages;  3. A spacious living environment with high quality on-site residential amenity; and  4. An urban environment that is visually attractive, safe, easy to navigate and convenient to access;  <u>5. A flourishing natural environment that protects SCHED7 SNAs; and</u>  <u>6. Provision for maintenance and enhancement of indigenous biodiversity</u>	3.2	Accept in part	See body of report	No
FS65.294	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.230	Forest and Bird	GRUZ-O1	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS65.339	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.4	Forest and Bird	GRUZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS59.26	Milmac Homes	Oppose	<i>If this is appropriate, then the purpose and value objectives of the individual landowner/s should also be included especially in the rural (and perhaps some rural lifestyle) zones because these sites have operational and long-term management requirements to achieve which also need to be considered.</i>				
FS65.295	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.231	Forest and Bird	RLZ-O1	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS65.348	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.5	Forest and Bird	RLZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS65.349	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.232	Forest and Bird	SETZ-O1	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No
FS65.356	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
225.6	Forest and Bird	SETZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
FS65.356	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.239	Forest and Bird	OSZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
225.13	Forest and Bird	OSZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
225.240	Forest and Bird	SARZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
225.14	Forest and Bird	SARZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
225.259	Forest and Bird	Open Space Rules	Amend all the rules to ensure that permitted activities are not provided for within SNA.	3.2	Accept in part	See body of report	No	
225.212	Forest and Bird	FUZ Policy approach	Amend the FUZ provisions to provide direction for the identification of additional SEAs or for the maintenance of indigenous biodiversity.	3.2	Accept in part	See body of report	No	
FS34.13	Silverwood	Oppose	<i>SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas. Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions.</i>					
225.242	Forest and Bird	FUZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
FS65.412	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.16	Forest and Bird	FUZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.2	Accept in part	See body of report	No	
FS65.413	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.213	Forest and Bird	FUZ-P1	Amend the zoning of identified SNAs within the FUZ to "natural open space zone".  Amend the policy direction in the FUZ to: <ul style="list-style-type: none"> <li>• avoid adverse effects on areas meeting the significance criteria in Policy 23 of the RPS;</li> <li>• maintain indigenous biodiversity;</li> <li>• include a setback from the natural open space zone; and</li> <li>• avoid adverse effects on SNAs from activities in the FUZ.</li> </ul>	3.2	Accept in part	See body of report	No	



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
FS34.21	Silverwood Corporation Ltd	Oppose	SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas. Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions.					
FS65.414	Kāinga Ora	Oppose	Kāinga Ora opposes the submission. Identified SNAs are appropriately shown as overlays in the notified PDP. The further controls sought through this proposed amendment are opposed.					
225.214	Forest and Bird	FUZ-P2	<p>Amend the zoning of identified SNAs within the FUZ to "natural open space zone".</p> <p>Amend the policy direction in the FUZ to:</p> <ul style="list-style-type: none"> <li>• avoid adverse effects on areas meeting the significance criteria in Policy 23 of the RPS;</li> <li>• maintain indigenous biodiversity;</li> <li>• include a setback from the natural open space zone; and</li> <li>• avoid adverse effects on SNAs from activities in the FUZ.</li> </ul> <p>Amend the FUZ-P2 by changing the words "Only provide for" to Only <u>considered</u> providing for" and to clarify the rezoning requirement in clause 2</p>	3.2	Accept in part	<p>See body of the report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity and natural open space</p>	No	
FS34.25	Silverwood Corporation Ltd	Oppose	SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas. Also, irrespective of the underlying zone provisions, the SNA overlay provisions will always apply to these areas. Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions.					
FS65.414	Kāinga Ora	Oppose	Kāinga Ora opposes the submission. Identified SNAs are appropriately shown as overlays in the notified PDP. The further controls sought through this proposed amendment are opposed.					
225.215	Forest and Bird	FUZ-P5	Recognize indigenous biodiversity as an important characteristic and value within FUZ and the relationship to adjacent SNAs and wetlands, including those within "natural open space zone" as sought above.	3.2	Accept in part	See body of report	No	
FS34.27	Silverwood	Oppose	<p>SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas.</p> <p>Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions. Also, at the time of the plan change, an assessment will be required against the relevant provisions of the NPS-FM. Further, any WSUD devices would be subject to the requirements of the Freshwater NES and GWRC's proposed Natural Resources Plan and would require specific geotechnical and ecological assessment at the detailed design stage</p>					
225.217	Forest and Bird	FUZ-R5	Delete	3.2	Accept in part	See body of report	No	
225.198	Forest and Bird	Coastal Environment	<p>Add new rule to limit vegetation removal outside of the overlays as follows:</p> <p><u>Vegetation removal in the coastal environment outside any SCHED7 SNA, ONFL and HNC overlays is a permitted activity where ECO-RX (see new general vegetation removal rule) 1. is compiled with or is an a Restricted Discretionary Activity under RX.2.</u></p>	3.2	Accept in part	See body of report	No	

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.209	Forest and Bird	TEMP-R1	Delete the rule  or: <ul style="list-style-type: none"><li>• Include a locational constrain that the activity is not within and SNA.</li><li>• Include a condition that the rule does not apply where a consent is required for the construction activity.</li></ul> Add a matter of discretion for effects on indigenous biodiversity	3.2	Reject	See body of the report	No
225.210	Forest and Bird	TEMP-R2	The permitted approach fails to take account of the full effects of the temporary activity. This activity could be located within an SNA.	3.2	Reject	See body of the report	No
225.211	Forest and Bird	TEMP-R3	Change permitted to Non Complying.  Include a matter of discretion for effects on indigenous biodiversity  Include a condition of the rule that the activity is not within a SCHED7 SNA or wetland  Where the condition is not met apply a Discretionary classification.	3.2	Reject	See body of the report	No
225.207	Forest and Bird	GRZ-O2	Amend GRZ-O2 as follows:  The character and amenity values, including the scale, form and density of use and development, in the General Residential Zone include:  1. A built form of single and two-storey buildings with openness around and between buildings;  2. Landscaping and trees, especially on street frontages;  3. A spacious living environment with high quality on-site residential amenity; and  4. An urban environment that is visually attractive, safe, easy to navigate and convenient to access;  <u>5. A flourishing natural environment that protects SCHED7 SNAs; and</u>  <u>6. Provision for maintenance and enhancement of indigenous biodiversity</u>	3.2	Reject	See body of the report	No
FS65.294	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>Natural Open Space</b>							
225.93 <sup>34</sup>	Forest and Bird	NE-O2	Seeks that the zoning underlying the SNA overlays and wetlands is changed to "natural" open space" in preference to the "open space" zoning to reflect the important natural values of these areas.	3.3	Reject	See body of report	No
225.1	Forest and Bird	Planning Maps	Amend the planning maps to use a 'natural open space zone' for SCHED7 SNAs rather than a general open space zoning, and where possible rather than future urban, rural, or residential zoning.	3.3	Reject	See body of report	No
225.19 <sup>35</sup>	Forest and Bird	Zones, Overlays	Amend the Plan to take a similar approach [zoning SNA overlay as "natural open space zone"] for all overlays which provide for section 6(a), (b) and (c) matters, particularly within the future urban zone (FUZ).	3.3	Reject	See body of report	No
FS34.3	Silverwood Corporation Ltd	Oppose	<i>SCL do not consider that it is necessary to provide a separate zone for SNAs as the PRP includes a suite of objectives, policies, rules, and standards apply to the SNA overlays. Also, the use of overlays for such features is consistent with the National Planning Standards.</i>				
225.37 <sup>36</sup>	Forest and Bird	Rezoning	Change the underlying zoning of scheduled SNAs within "open space" to "Natural open space" zones.	3.3	Reject	See body of report	No
225.38	Forest and Bird	General	Ensure any subdivision includes protection of SNAs and provision for rezoning to "natural open space" under future plan reviews	3.3	Reject	See body of the report	No
225.92 <sup>37</sup>	Forest and Bird	NE-O2	Amend as follows:  Porirua's community has access to a diverse and connected network of open spaces within which:  1. There is a wide range of recreational opportunities and experiences; and  2. Areas with Significant natural areas, ecological and landscape values and wetlands are protected; and  3. Indigenous biodiversity is maintained	3.3	Reject	See body of the report	No
225.213	Forest and Bird	FUZ-P1	Amend the zoning of identified SNAs within the FUZ to "natural open space zone".  Amend the policy direction in the FUZ to:  <ul style="list-style-type: none"> <li>avoid adverse effects on areas meeting the significance criteria in Policy 23 of the RPS;</li> <li>maintain indigenous biodiversity;</li> </ul>	3.3	Reject	See body of the report	No

<sup>34</sup> Oppose: Kāinga Ora [FS65.83]

<sup>35</sup> Oppose: Kāinga Ora [FS65.9], John Carrad [FS43.8], The Neil Group Limited and the Gray Family [44.8], Pukerua Property Group Ltd [FS45.8]

<sup>36</sup> Oppose: Kāinga Ora [FS65.205]

<sup>37</sup> Oppose: Kāinga Ora [FS65.84]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>include a setback from the natural open space zone; and</li> <li>avoid adverse effects on SNAs from activities in the FUZ.</li> </ul>				
FS34.21	Silverwood Corporation Ltd	Oppose	<i>SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas. Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions.</i>				
FS65.414	Kāinga Ora	Oppose	<i>Kāinga Ora opposes the submission. Identified SNAs are appropriately shown as overlays in the notified PDP. The further controls sought through this proposed amendment are opposed.</i>				
225.214	Forest and Bird	FUZ-P2	<p>Amend the zoning of identified SNAs within the FUZ to "natural open space zone".</p> <p>Amend the policy direction in the FUZ to:</p> <ul style="list-style-type: none"> <li>avoid adverse effects on areas meeting the significance criteria in Policy 23 of the RPS;</li> <li>maintain indigenous biodiversity;</li> <li>include a setback from the natural open space zone; and</li> <li>avoid adverse effects on SNAs from activities in the FUZ.</li> </ul> <p>Amend the FUZ-P2 by changing the words "Only provide for" to Only <u>considered</u> providing for" and to clarify the rezoning requirement in clause 2</p>	3.3	Reject	<p>See body of the report</p> <p>Response is only in respect of the amendment sought in respect of indigenous biodiversity and natural open space</p>	No
FS34.25	Silverwood Corporation Ltd	Oppose	<i>SCL notes that protection of SNA's is not provided for within the zone provisions as there is a separate chapter outlining the applicable provisions that relate to the SNA overlay. This is the same for other overlays like the flood hazard areas. Also, irrespective of the underlying zone provisions, the SNA overlay provisions will always apply to these areas. Changing the overlays to a zone is not consistent with the National Planning Standards and would offer no additional protection than protection already afforded under the overlay provisions.</i>				
FS65.414	Kāinga Ora	Oppose	<i>Kāinga Ora opposes the submission. Identified SNAs are appropriately shown as overlays in the notified PDP. The further controls sought through this proposed amendment are opposed.</i>				
225.216 <sup>38</sup>	Forest and Bird	FUZ Rules General	Amend the rules to include a setback from the natural open space zone and any wetlands which may not be identified within that zone. Any activity proposed with that setback to be a Non Complying activity.	3.3	Accept in part	See body of report	No
225.243	Forest and Bird	HOSZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
225.17	Forest and Bird	HOSZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
225.233	Forest and Bird	NCZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No

<sup>38</sup> Oppose: Kainga Ora [FS65.416]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
FS65.359	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.7	Forest and Bird	NCZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.360	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.234	Forest and Bird	LCZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.364	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.8	Forest and Bird	LCZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.365	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.236	Forest and Bird	MUZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.383	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.10	Forest and Bird	MUZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.384	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.237	Forest and Bird	CCZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.395	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.11	Forest and Bird	CCZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.396	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.235	Forest and Bird	LFRZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	
FS65.379	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>					
225.9	Forest and Bird	LFRZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No	

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
FS65.380	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.238	Forest and Bird	GIZ-O1	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.400	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.12	Forest and Bird	GIZ-O2	Where other zones [not rural or residential zones] have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.401	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.228	Forest and Bird	GRZ-O1	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.298	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.206	Forest and Bird	GRZ-O1	Amend the purpose to recognise the interaction of the zone with overlays.	3.3	Reject	See body of report	No
225.2	Forest and Bird	GRZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.295	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.229	Forest and Bird	MRZ-O1	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.314	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
225.3	Forest and Bird	MRZ-O2	Where rural or residential zones have SNA overlays, recognise this in the zone purpose character and value objectives.	3.3	Reject	See body of report	No
FS65.315	Kāinga Ora	Oppose	<i>Kāinga Ora opposes this submission to the extent that it is inconsistent with its primary submission. The notified PDP includes chapters and provisions specific to managing effects within SNAs, and this is not a matter that requires further primacy of consideration throughout zone-based chapters.</i>				
<b>Introduction</b>							
264.96	TROTR	Introduction	Amend the introduction:  Porirua City Council, Wellington City Council, Greater Wellington Regional Council, have a shared responsibility for improving water quality and the health of the Harbour and catchment.  Ngāti Toa Rangatira will work alongside all agencies and the community to ensure the health of Te Awarua o Porirua is restored and its waters are healthy, so that all those who live in the region can enjoy, live and play in our environment for future generations.	3.4	Accept in part	See body of report	Yes
64.5	Latoya Flutey	Introduction	Support	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
64.23	Latoya Flutey	Introduction	Support	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
<b>NE-O1</b>							
264.97	TROTR <sup>39</sup>	NE-O1	Amend NE-01:  The natural character, landscapes, features and ecosystems that contribute to Porirua's character and identity and Ngāti Toa Rangatira's cultural and spiritual <u>values are recognised, protected, enhanced and improved.</u>	3.5	Accept in part	See body of report	Yes
81.214	Kāinga Ora	NE-O1	Amend:  The <u>identified</u> natural character, landscapes and features and ecosystems that contribute to Porirua's character and identity and Ngati Toa Rangatira's cultural and spiritual values are recognised and protected.	3.5	Reject	See body of report	No
FS39.38	DOC	Oppose	<i>The Director-General does not support this submission point as it will not provide for the protection of significant biodiversity values outside of scheduled areas including Significant Natural Areas, Significant Natural Features and Outstanding Natural Landscapes.</i>				
F52.9	Forest and Bird	Oppose	<i>The proposed amendment will not provide for the protection of biodiversity values outside of scheduled areas, this is incompatible with the RMA.</i>				
182.1	Jean and Simon Jones	NE-O1	While no specific decision sought, the submitter raised the following matter(s): <ul style="list-style-type: none"> <li>oppose the confrontational approach</li> <li>removes the rights of landowners</li> <li>virtual land grab by PCC</li> <li>oppose policies on SNAs where the effect is to penalise property owners who have allowed regeneration to occur</li> </ul>	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
126.1 <sup>40</sup>	DOC	NE-O1	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
8.2	WCC	NE-O1	Retain the provisions as proposed in the updated District Plan.  Supportive of further additions to the Plan, as appropriate through the submissions process, to support a well-functioning and vibrant Porirua City.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
<b>NE-O2</b>							
264.28	TROTR	General	Retain as notified subject to the amendments in other submission points.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
264.98 <sup>41</sup>	TROTR	NE-O2	Amend NE-02:	3.6	Reject	See body of the report	No

<sup>39</sup> Support: GWRC [FS40.161]

<sup>40</sup> Oppose: Kāinga Ora [FS65.82]

<sup>41</sup> Support: GWRC [FS40.162]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Porirua's community has access to a diverse and connected network of open spaces within which:</p> <ol style="list-style-type: none"> <li>1. There is a wide range of recreational opportunities and experiences; and</li> <li>2. Areas with natural, ecological and landscape values are protected, enhanced and improved.</li> </ol>				
81.215	Kāinga Ora	NE-O2	<p>Amend:</p> <p>Porirua's community has access to a diverse and connected network of open spaces within which:</p> <ol style="list-style-type: none"> <li>1. There is a wide range of recreational opportunities and experiences; and</li> <li>2. Areas with identified natural, ecological and landscape values are protected.</li> </ol>	3.6	Reject	See body of the report	No
64.21	Latoya Flutey	NE-O2	<p>Wondering if there is a designated amount of space, or if this concept of open space evolves/condenses with population growth.</p>	3.6	Accept in part	See body of the report	No
216.8	QEII	NE-O2	Retain as notified	n/a	Accept	Agree with submitter	No
<b>NE-O3 and NE-O4</b>							
77.4	Te Awarua-O-Porirua & Catchments Community Trust, and Guardians of Pāuatahanui Inlet	NE-O3	<p>Amend:</p> <p>Subdivision, use and development does not contribute to any further degradation of Te Awarua-o-Porirua Harbour and its catchments and measures are implemented to enhance the quality of all receiving water that enters the harbour.</p>	3.7	Reject	See body of the report	No
216.9	QEII	NE-O3	Delete objective NE-O3.	3.7	Accept in part	See body of the report	No
244.1 <sup>42</sup>	Titahi Bay Surfriders	NE-O3	<p>In relation to NE-O3 and NE-O4:</p> <p>To amend the policies above to include the coastal environment wider than just the harbour.</p> <p>NE-O3</p> <p>Preventing further degradation of Te Awarua-O-Porirua Harbour and the Porirua Coast</p>	3.7	Accept in part	See body of the report	No

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<sup>42</sup> Support: GWRC [FS40.155]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Subdivision, use and development does not contribute to any further degradation of Te Awarua-o-Porirua Harbour and the wider Porirua Coast and their respective catchments.				
<i>FS40.155</i>	<i>GWRC</i>	<i>Support</i>	<i>GWRC supports amending Objective NE-03 to clarify that the scope extends beyond the harbour into the coastal environment.</i>				
168.32	Robyn Smith	NE-03	Integrate NE-03 and NE-04 into one objective	3.7	Accept in part	See body of the report	No
64.17	Latoya Fluey	NE-03	Support	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
8.3	WCC	NE-01	Retain the provisions as proposed in the updated District Plan.  Supportive of further additions to the Plan, as appropriate through the submissions process, to support a well-functioning and vibrant Porirua City.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.216	Kāinga Ora	NE-03	Retain objective as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
225.94	Forest and Bird	NE-03	Retain	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
126.2	DOC	NE-03	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
137.13	GWRC	NE-03	Retain NE-03 and NE-04.  Add or amend objectives, policies and rules so that the Plan will achieve Objectives NE-03 and NE-04. Amendments to THWT-02, THWT-P2, THWT-P3, SUB-01, SUB-P1, SUB-P5, FUZ-P2 and APP-11 in particular will assist in achieving NE-03 and NE-04. Other or alternative amendments may assist in achieving NE-03 and NE-04.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
168.33	Robyn Smith	NE-04	Integrate NE-03 and NE-04 into one objective	3.7	Accept in part	See body of the report	No
244.2	Titahi Bay Surfriders	NE-04	In relation to NE-03 and NE-04:  To amend the policies above to include the coastal environment wider than just the harbour.  NE-04  Health and wellbeing of Te Awarua-O-Porirua Harbour an Porirua Coast  The health and wellbeing of Te Awarua-O-Porirua Harbour and Porirua Coast is maintained and protected and, where possible, enhanced.	3.7	Accept in part	See body of the report	No
<i>FS40.156</i>	<i>GWRC</i>	<i>Support</i>	<i>GWRC supports amending Objective NE-03 to clarify that the scope extends beyond the harbour into the coastal environment.</i>				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
264.99 <sup>43</sup>	TROTR	NE-O4	Amend NE-04:  The health and wellbeing of Te Awarua-O-Porirua Harbour is protected, enhanced and improved.	3.7	Accept in part	See body of the report	Yes
137.14	GWRC	NE-O4	Retain NE-O3 and NE-O4.  Add or amend objectives, policies and rules so that the Plan will achieve Objectives NE-O3 and NE-O4. Amendments to THWT-O2, THWT-P2, THWT-P3, SUB-O1, SUB-P1, SUB-P5, FUZ-P2 and APP-11 in particular will assist in achieving NE-O3 and NE-O4. Other or alternative amendments may assist in achieving NE-O3 and NE-O4.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.217	Kāinga Ora	NE-O4	Retain objective as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
126.3	DOC	NE-O4	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
216.10	QEII	NE-O4	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
225.95	Forest and Bird	NE-O4	Retain as written	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No

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<sup>43</sup> Support: GWRC [FS40.163]



## Appendix C. Report Author's Qualifications and Experience

I hold the following qualifications: Master of Planning (First Class Honours) and Bachelor of Planning from the University of Auckland. I am a full member of the New Zealand Planning Institute. I have over 28 years' experience in working as a planner for local and central government and as a private consultant. I am an Accredited Independent Hearings Commissioner with Chair endorsement and a government-appointed Development Contributions and Freshwater Commissioner. My work experience includes, amongst other matters:

- Independent technical review for several district and regional plan reviews
- Expert witness in the Environment Court
- Author of various chapters of district plans
- Manager, Resource Management Practice, Ministry for the Environment
- Contractor at Te Puni Kōkiri, Office of Treaty Settlements and the Ministry of Agriculture and Forestry

I have been engaged by the Porirua City Council since 2015 as a Consultant Planner for the Environment and City Planning Team.