

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson (Chair)
Miria Pomare
Mark St Clair
Julia Williams

SUBJECT:

**Proposed Porirua District Plan: Coastal
Environment**

PREPARED BY:

Torrey McDonnell

REPORT DATED:

5 November 2021

DATE OF HEARING:

3 December to 10 December 2021

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Proposed Porirua District Plan (PDP) as they apply to the Coastal Environment Chapter. The report outlines recommendations in response to the issues that have emerged from these submissions. Submissions on natural hazards that are not coastal hazards are addressed in the NH - Natural Hazards s42A report.
2. There were a number of submissions and further submissions received on the Coastal Environment Chapter. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in terms of the coastal environment provisions:
 - Giving effect to the New Zealand Coastal Policy Statement;
 - Earthworks in a Coastal High Natural Character Area;
 - Biodiversity in a Coastal High Natural Character Area;
 - Vehicle use on Titahi Bay Beach;
 - Coastal Environment Inland Extent; and
 - Activities in the coastal marine area and foreshore.
3. The following are considered to be the key issues in contention in terms of the coastal hazard provisions:
 - Coastal hazard maps;
 - Site-specific coastal hazard assessments;
 - Amendments sought to coastal hazard maps;
 - Council liability for damage caused by coastal hazards;
 - Hazard provisions affecting minimum height standards;
 - Sea level rise and managed retreat;
 - Policy approach in medium and high-hazard areas; and
 - Hard and soft engineering measures.
4. This report addresses each of these key issues, as well as any other issues raised by submissions.
5. This topic is also subject to a number of consequential amendments arising from submissions to the whole of the PDP and other chapters.
6. I have recommended some changes to the PDP provisions to address matters raised in submissions and are summarised below:
 - Amendments to the definition of 'Coastal Environment' and 'overlay', and a new definition for 'specified overlays';

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- Changes to the Introduction to the Coastal Environment Chapter, including more description of the nature of natural hazards;
 - Changing the term 'inland' to landward' throughout the Chapter;
 - Removal of provisions relating to tracks and accessways from CE-P14, CE-R1, CE-R2, CE-S1;
 - Amendments to reframe CE-P13 and CE-P14 relating to Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in medium and high hazard areas;
 - Change to CE-P17 to reference landscapes, ecosystems and coastal processes;
 - Change to CE-R4 so that the rule permits less-sensitive-hazard activities in high hazard areas;
 - Changes to CE-R19 so that this "catch all" rule applies to CHNC areas and coastal hazard overlays, and is discretionary rather than non-complying;
 - Change to the site description of CHNC005 in SCHED11;
 - Changes to the planning maps in relation to the delineation of the Coastal Environment, tsunami hazards, and planning map legend.
7. 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.
8. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, 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, and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

9. 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
CHNC	Coastal High Natural Character
CMA	Coastal marine area
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
ONFL	Outstanding Natural Feature and Landscape
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RPS	Wellington Regional Policy Statement 2013
SAL	Special Amenity Landscape
SNA	Significant Natural Area

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited

Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
Kāinga Ora	
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

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

1 Introduction

1.1 Purpose

10. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Coastal Environment Chapter and to recommend possible amendments to the PDP in response to those submissions.
11. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps as they apply to the Coastal Environment Chapter in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions. Submissions on natural hazards that are not coastal hazards are addressed in the NH - Natural Hazards s42A report.
12. 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.
13. The recommendations are informed by both the technical evidence provided by Boffa Miskell, GNS Science and Focus Resource Management which is available on the PDP portal, and the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports.
14. 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.
15. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, recommendations on overarching or plan-wide submissions, statutory context and administrative matters pertaining to the district plan review and PDP.

1.2 Author

16. My name is Torrey McDonnell. My qualifications and experience are set out in Appendix C of this report.
17. My role in preparing this report is that of an expert planner.
18. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for: Hongoeka and Papakāinga; Open Space and Recreation Zones, Rural Zones; Special Purpose Zone (BRANZ) and Hospital Zone; and the Overview to s32 Evaluation. I contributed to the s32 evaluation on Coastal Environment, as I led much of the pre-notification consultation, CHNC and hazard mapping process. I did not draft the Coastal Environment Chapter itself, but I was involved in its preparation as a member of a District Plan Oversight Group.

19. 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.
20. The scope of my evidence relates to this topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
21. 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.
22. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

23. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - Statement of evidence by Rhys Girvan of Boffa Miskell – Landscape Planner
 - Statement of evidence by Dr William Power of GNS Science – Geophysicist
 - Statement of evidence by Bronwen Gibberd of Focus Resource Management – Coastal Scientist

1.4 Key Issues in Contention

24. A number of submissions and further submissions were received on the provisions relating to this topic.
25. I consider the following to be the key issues in contention in the chapter:
 - Giving effect to the NZCPS;
 - Earthworks in a CHNC area;
 - Biodiversity in a CHNC area;
 - Vehicle use on Titahi Bay Beach;
 - Coastal Environment Inland Extent;
 - Activities in the CMA and foreshore;
 - Coastal hazard maps;
 - Site-specific coastal hazard assessments;
 - Amendments sought to coastal hazard maps;
 - Council liability for damage caused by coastal hazards;

- Hazard provisions affecting minimum height standards;
- Sea level rise and managed retreat;
- Policy approach in medium and high-hazard areas; and
- Hard and soft engineering measures.

26. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

27. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

28. There is one matter I would like to address in light of the discussion during Hearing Stream 1 around Council's jurisdictional boundary. I would like to provide some context relating to the mapping of Coastal High Natural Character (CHNC) areas. The s42A report – Part A Overarching Report states¹:

All zones and most overlays and features in the planning maps are mapped to LINZ hydro parcel as it is a fixed known point. Some overlays including SNAs, SALs, ONFLs and areas with CHNC areas straddle the coastal marine area

29. CHNC areas identified in the PDP planning maps straddle the Coastal Marine Area (CMA). This is because these areas were mapped as part of a natural character assessment that was jointly commissioned between PCC and GWRC to inform our respective plans². The values identified in these areas span the CMA and the inland extent of the Coastal Environment. This meant that it did not make sense to delineate these boundaries using the LINZ hydro parcel layer that forms zone boundaries. I note that GWRC would need to undertake a further plan change to the PDRP to incorporate various identified natural character areas within the CMA.

30. The text I have recommended in my Right of Reply for Hearing Stream 1³ to be included in the Statutory Context section of the PDP would mean that it clearly states that the "District Plan provisions do not apply to any land or features in the coastal marine area". I consider that this text would be sufficient to clarify that the PDP provisions do not apply to parts of the CHNC areas that extend into the CMA. The recommended text sets out a process for determining the dynamic line of Mean High Water Springs which forms Council's jurisdictional boundary.

31. I am not aware of any submission points that would give scope to amend the extent of boundaries of CHNC areas to a spatially defined jurisdictional boundary. However, I thought that it would assist the Panel to highlight this matter, and note that I consider that my

¹ Section 9.6.2 paragraph 152

² Boffa Miskell (2018) Porirua Natural Coastal Character Assessment

³ Council Right Of Reply - Torrey McDonnell - Hearing Stream 1

recommendations in the Hearing Stream 1 Right of Reply will address any jurisdictional questions that arise.

2 Statutory Considerations

2.1 Resource Management Act 1991

32. 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,

33. 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. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Coastal Environment. 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 NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A.

2.2 Section 32AA

34. 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).

35. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is appended to this report as Appendix C as required by s32AA(1)(d)(ii).

2.3 Trade Competition

36. Trade competition is not considered relevant to the Coastal Environment provisions of the PDP.
37. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

38. There were 127 submission points and 25 further submission points on the Coastal Environment chapter. There were 14 submission points on SCHED11.

3.1.1 Report Structure

39. Submissions on the Coastal Environment Chapter 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.

40. 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.

41. 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.

42. 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.

43. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

44. 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.

45. The recommended amendments to the relevant chapters are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.
46. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
47. Note that there is a further submission that supports another submission in its entirety:
 - the further submission from QEII [FS06.2] supports the submission from DOC in its entirety

3.2 Giving effect to the New Zealand Coastal Policy Statement

3.2.1 Matters raised by submitters

48. Forest and Bird [225.255] seeks policy direction to give effect to NZCPS Policy 14 - Restoration of natural character. The submitter considers:

The relationship between the NATC and the ONLF and the CE chapter is not clear. There are gaps remaining in terms of giving effect to the NZCPS, in particular policies 13(1)(b), (15)(b) and 14 of the NZCPS.

49. Forest and Bird [225.184] also seeks an amendment to CE-O1 to include natural features and landscapes. The submitter considers:

The objective reflects the NZCPS and RPS objectives. Would be improved by recognizing the characteristics and qualities of Porirua's coastal environment which contribute to natural character, natural features and landscapes. An objective relating to natural features and landscapes is also needed to give effect to the NZCPS

50. Forest and Bird [225.47] seeks that vegetation clearance is avoided in the coastal environment to be consistent with the NZCPS.
51. DOC [126.47] seeks policy direction to avoid adverse effects on areas of outstanding natural character in the coastal environment. The submitter considers:

The plan has a policy gap for areas of outstanding natural character. Acknowledging the NZCPS and RPS do not direct identification of those area, NZCPS policy 13 (a) is unable to be implemented without some policy provision for it.

52. DOC [126.43] also seeks an amendment to CE-O2 as they consider it does not give effect to NZCPS Policy 25. The submitter wants the objective to require that subdivision, use and development in the coastal hazard overlays avoids increasing the risk of:
 - social, environmental and economic harm from coastal hazards; and
 - adverse effects from coastal hazards.

3.2.2 Assessment

53. I consider that the submission from Forest and Bird is incorrect in its assertion that the PDP fails to give effect to policies 13(1)(b), 14 and 15(b) of the NZCPS.
54. Policy 15(b) of the NZCPS requires that significant adverse effects are avoided and other adverse effects of activities on other natural features and natural landscapes are avoided, remedied, or mitigated in the coastal environment. As outlined in the s32 evaluation report⁴, the NZCPS is given effect to across multiple chapters including Ecosystems and Indigenous Biodiversity, Natural Features and Landscapes, and Coastal Environment. Where an outstanding natural feature or landscape (ONFL) is located within the Coastal Environment then, in accordance with the NZCPS, the policy direction is to “avoid adverse effects”⁵. Similarly, the direction within Coastal High Natural Character (CHNC) areas or special amenity landscapes (SAL) is to “avoid significant adverse effects and avoid, remedy or mitigate all other adverse effects”⁶. I consider that the amendments the submitter seeks to CE-O1 are not required as natural features and landscapes within the coastal environment are addressed in the NFL Chapter, in accordance with the National Planning Standards.
55. Policy 13(1)(b) requires plans to “avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment”. As outlined above, the most sensitive areas in the Coastal Environment are identified by overlays. Other areas that have high levels of modification have greater capacity to absorb change. For example, the entirety of the suburb of Titahi Bay is within the Coastal Environment. In these “other areas”, effects on the Coastal Environment are addressed more generally through the underlying zone provisions which reflect the existing established character.
56. Policy 14(b) is directive in terms of including policies rules and other methods in plans to promote restoration or rehabilitation. CE-P5 addresses Policy 14(b) by giving policy direction enabling restoration, and CE-R3 permits this activity.
57. The NZCPS does not require all vegetation clearance to be avoided in the Coastal Environment as suggested by Forest and Bird. The Policy 11 direction is to “avoid significant adverse effects and avoid, remedy or mitigate other adverse effects” depending on the significance of indigenous biological diversity in the Coastal Environment. The ECO chapter gives effect to Policy 11 as the matters under Policy 23 of the RPS align with those in Policy 11 of the NZCPS.
58. In regard to the submission from DOC, the reason there is no policy direction on outstanding natural character in the Coastal Environment is that there are none of these areas identified in Porirua. This is addressed in the coastal environment s32 evaluation report. In summary, Boffa Miskell⁷ undertook an assessment of Porirua’s coastline using

⁴ Section 32 Evaluation Report Part 2 - Coastal Environment

⁵ NFL-P7 - Outstanding Natural Features and Landscapes (in the coastal environment)

⁶ NFL-P8 - Special Amenity Landscapes (in the coastal environment); CE-P3 - Subdivision, use and development within Coastal High Natural Character Areas; CE-P4 - Earthworks and indigenous vegetation removal in Coastal High Natural Character Areas

⁷ Boffa Miskell (2018) Porirua Natural Coastal Character Assessment

the criteria contained in Policy 13 of the NZCPS and Policy 3 of the RPS. While 17 areas of “high” coastal natural coastal character were identified, there were no areas assessed as being “outstanding”. Therefore, I consider a policy is not required.

59. DOC considers that the wording of CE-O1 is inconsistent with the NZCPS Policy 25:

*Policy 25 Subdivision, use, and development in areas of coastal hazard risk
In areas potentially affected by coastal hazards over at least the next 100 years:*

(a) avoid increasing the risk of social, environmental and economic harm from coastal hazards;

(b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;

...

60. CE-O2 as notified seeks “Subdivision, use and development in the Coastal Hazard Overlays do not significantly increase the risk to life, or property”. The term “do not significantly increase” is a lower bar than “avoid increasing” required by Policy 25 of the NZCPS. The term “significant risk” comes from section 6(h) of the RMA which requires “the management of significant risks from natural hazards”.

61. However, I agree with the submitter that the objective needs to be reworded to align with Policy 25 of the NZCPS which is more directive than section 6(h) of the RMA. While REE-O3 is focussed on there “being no significant increase in the risk from natural hazard”, I consider it is appropriate that CE-O2 is more restrictive given the more stringent direction of the NZCPS.

62. I recommend that CE-O2 be amended as follows:

Subdivision, use and development in the Coastal Hazard Overlays ~~do not significantly increase~~ avoid increasing the risk of social, environmental and economic harm from coastal hazards, the risk to life, or property and do not reduce the ability for communities to recover from a natural hazard event.

63. The RPS Policy 29 requires district plans to: “include polices and rules to avoid inappropriate subdivision and development in those areas”. I consider that the recommended amendments are consistent with this Policy.

64. I consider that provisions that relate to CE-O2 as outlined in Appendix A would remain consistent with the amendments recommended to this objective. Below are examples of relevant phrases used in policies:

- CE-P10 - “reduce the risk from the natural hazard to people's lives and wellbeing”;
- CE-P11 - “reduce the potential damage from the natural hazard to people's lives and wellbeing as a result of the additions”;
- CE-P12 - “risk to people’s life and wellbeing, and property damage is avoided”;
- CE-P13 and CE-P14 - “risk to people’s life and wellbeing, property damage and the environment is avoided;”.

3.2.3 Summary of recommendations

65. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** CE-O2 as outlined below and in Appendix A.

CE-O2	Risk from natural hazards
Subdivision, use and development in the Coastal Hazard Overlays do not significantly increase <u>avoid increasing the risk of social, environmental and economic harm from coastal hazards, the risk to life, or property</u> ⁸ and do not reduce the ability for communities to recover from a natural hazard event.	

66. I recommend that the submission from DOC [126.43] be **accepted**.
67. I recommend that the submissions from DOC [126.47] and Forest and Bird [225.47, 225.184, 225.255] be **rejected**.
68. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.2.4 Section 32AA evaluation

69. In my opinion, for the reasons provided in my evaluation, the amendments to CE-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 will better give effect to NZCPS Policy 25 and it remains consistent with Policy 29 of the RPS. Further, the amended wording to the objective is supported by the policies that implement it. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

3.3 Earthworks in a Coastal High Natural Character Area

3.3.1 Matters raised by submitters

70. Robyn Smith [168.53] seeks an amendment to policies, rules and standards so that earthworks regardless of scale or purpose within CHNCAs 008 to 014 are a non-complying activity. The reason given is:

Opposes these provisions, especially in relation to CHNC within Whitireia Park and Titahi Bay, noting that there are four in Whitireia Park (CHNCs 008, 009, 010 and 011), and three in Titahi Bay (CHNCs 012, 013 and 014). There is no

⁸ DOC [126.43]

reason why additional tracks are required in those areas and in the unlikely event that they are, they should be subject to a consent process.

PCC has agreed to and authorised substantial degradation within natural areas in relation to walking and cycle tracks. Activities such as those envisaged by CE-R1 and CE-S1 must be subject to constraints and assessment of effects.

3.3.2 Assessment

71. I consider that it is appropriate to have a permitted threshold for earthworks activities that have little or no material effect on the values of CHNC areas, subject to CE-S1. This reduces the demand and costs related to consent processing and provides for ongoing maintenance of existing activities with little to no impact on these values.
72. When CE-S1 is not met then the activity elevates to a restricted discretionary activity. While I consider that this activity status is appropriate as it enables the effects of the activity to be assessed under CE-P4, I consider that CE-P3 should also be included as a matter of discretion as it contains additional matters that would make the rule more robust.
73. Note that I consider that CE-R1-1.a.ii should be deleted as outlined in section 3.19 of this report, as rules relating to infrastructure are addressed in the infrastructure chapter (See Part B s42A report for Infrastructure).

3.3.3 Summary of recommendations

74. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** CE-R1 as outlined below and in Appendix A.

CE-R1	Earthworks within a Coastal High Natural Character Area	
	All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The earthworks are for: <ol style="list-style-type: none"> i. The maintenance of existing farm tracks, accessways or digging new fence post holes; and-or ii. The construction of new public walking or cycling access tracks; and⁹ b. Compliance is achieved with CE-S1. <p>Note: The relevant earthworks provisions of the ECO and NFL chapters also apply.</p>
	All zones	2. Activity status: Restricted discretionary

⁹ Porirua City Council [11.54]

Where:

- a. Compliance is not achieved with CE-R1-1.a

Matters of discretion are restricted to:

1. The matters in CE-P3; and¹⁰
2. The matters in CE-P4.

75. I recommend for the reasons given in the assessment that the submission from Robyn Smith [168.53] be **accepted in part**.

3.3.4 Section 32AA evaluation

76. In my opinion, the amendments recommended to this rule are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
77. There may be a slight increase in the complexity of assessments of environmental effects and therefore costs for applicants through inclusion of CE-P3 as a matter of discretion. However, I consider that the addition of CE-P3 as a matter of discretion will make the rule more robust and will likely result in environmental benefits.
78. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

3.4 Biodiversity in a Coastal High Natural Character Area

3.4.1 Matters raised by submitters

79. Forest and Bird [225.49] seeks that the PDP “Retain connectivity from the coast to the hills and mountains through connected biodiversity corridors”.
80. Robyn Smith [168.54] seeks an amendment to policies, rules and standards so that all clearance of indigenous and endemic vegetation regardless of scale or purpose within CHNCs 008 to 014 is categorised as a non-complying activity.

3.4.2 Assessment

81. Policy 23 of the RPS sets out identification criteria for SNA which includes connectivity as a value, and this is provided for in the Ecosystems and Indigenous Biodiversity Chapter. Otherwise, I am unclear what decision is being sought, and the Panel may wish to clarify this with the submitter at the hearing.

¹⁰ Robyn Smith [168.53]

82. I consider that it is appropriate to permit certain vegetation clearance activities that have little or no material effect on the values of CHNC areas, subject to permitted activity standards listed under CE-R2-1.a. This reduces the demand and cost on consent processing and provides for ongoing maintenance of existing activities with little to no impact on these values. The activity elevates to a restricted discretionary activity where the standards are not met. I consider that this activity status is appropriate as it enables the effects of the activity to be assessed under CE-P3 and CE-P4.

3.4.3 Summary of recommendations

83. I recommend for the reasons given in the assessment that the submissions from Robyn Smith [168.54] and Forest and Bird [225.49] be **rejected**.

3.5 Vehicle use on Titahi Bay Beach

3.5.1 Matters raised by submitters

84. Titahi Bay Residents Association [95.5] seeks addition of rules and standards to manage vehicle use on Titahi Bay Beach. The submitter raises concerns in relation to:
- *Disturbance created by caterpillar tracked vehicles on the foreshore and how addressed (prohibited for main activities) in the Regional Coastal Plan.*
 - *Lack of review being undertaken of existing area (extended motor vehicle prohibited area) and concerns about management integration issues, MWHS boundary agreement and rules being left unenforceable.*
 - *Submitter's current appeal before the Environment Court and associated support to that appeal.*

3.5.2 Assessment

85. The use of vehicles on Titahi Bay Beach has been an ongoing issue for this community for many years. It is a contentious issue, and it is complicated due to various layers of legislation, policy, and land tenure that apply to the area.
86. The PNRP includes provisions that restrict the use of motor vehicles on Titahi Bay Beach¹¹. The PNRP restricts the use of vehicles to the launching and retrieval of watercraft and driving and parking on the beach is a prohibited activity. However, the PNRP only applies to the area below MHWS, and GWRC does not control physical access to the beach which is administered by Porirua City Council as a reserve.
87. I consider that the PDP is not the appropriate mechanism for managing vehicles on Titahi Bay Beach. Changes to the Porirua City Transport Bylaw provide the most appropriate legal means of achieving this. This is because the beach is a legal road, and a bylaw can allow

¹¹ Rules: R190, R196, R197, R198 and R199.

Council to physically restrict access to the beach. Bylaws can be enforced by police in addition to Council officers.

88. The Transport Bylaw is proposed to be amended to include restrictions as sought by the submitter. Consultation is currently occurring, and the updated Bylaw is due to be adopted by July 2022¹².

3.5.3 Summary of recommendations

89. I recommend for the reasons given in the assessment that the submission from Titahi Bay Residents Association [95.5] be **rejected**.

3.6 Coastal Environment Inland Extent

3.6.1 Matters raised by submitters

90. Robyn Smith [168.42, 168.51, 168.52] seeks all references to "inland extent of the coastal environment" in the PDP are amended to: "landward extent of the coastal environment", and that a definition is included for this term to explain how it was determined.
91. Forest and Bird [225.188] seek that CE-P1 be clarified with respect to whether it is an "overlay" or not. The submitter also seeks that case by case determinations of the Coastal Environment may still need to be made to recognise coastal hazard risks and the impacts of sea level rise.
92. Pikarere Farm Limited [183.9] seeks that the Coastal Environment Inland Extent:
- *This is shown as going north to south along the eastern and middle part of the farm [in relation to Pikarere Farm].*
 - *It should follow the natural ridgeline along the centre of the farm as shown on the plan attached to the submission.*

3.6.2 Assessment

93. In respect of Robyn Smith's submission, I agree that use of the term "landward extent of the coastal environment" would be more consistent with the RPS (Policy 38). However, I disagree that any further definition or statement is required about how the area was mapped and where it is located. The first paragraph of the Introduction to the Coastal Environment Chapter briefly explains how this area was determined, and further detailed information is provided in the Coastal Environment s32 evaluation report. The Coastal Environment is already defined in the PDP as follows:

means the area identified on the planning maps as being located within the inland extent of the coastal environment.

¹² Statement of Proposal, Proposed Transport Bylaw 2021, 11 October 2021

94. In regard to Forest and Bird's submission, overlay is defined in the PDP as:
- means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay.*
95. Therefore, the Coastal Environment is not an overlay as defined in the notified version of the PDP. However, I consider that this is inconsistent with the National Planning Standards and should be corrected.
96. The National Planning Standards outline the function of overlays on page 50:
- An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.*
97. The Coastal Environment does spatially define areas with distinctive values (coastal values), and this area does require management in a different manner from underlying zone provisions. For example, quarrying is a restricted discretionary activity in the General Rural Zone under GRUZ-R19, however within the Coastal Environment it is elevated to a discretionary activity under CE-R15.
98. The National Planning Standards also specify a symbology for coastal environment overlays (Table 20, page 30). This suggests that the Coastal Environment should be an overlay. This symbology has not been used in the planning maps for the Coastal Environment but rather for CHNC areas. It was used for CHNC areas as these are overlays that solely exist within the Coastal Environment. However, I consider that this symbology should be used for the Coastal Environment, and new symbology should be created for CHNC areas in the absence of a specified symbology in the National Planning Standards.
99. I consider that a consequential amendment to the definition of 'overlay' is required as follows to not be limited the definition of overlay to schedules 2 to 11.
- means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, ~~as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay.~~*
100. If the Panel accepts this recommendation, there will be consequential changes required to the Infrastructure and Renewable Electricity Generation chapters as provisions in these chapters use the current definition of 'overlay' extensively, where the intent in these chapters is that the provisions should only apply to overlays specified in Schedules 2 to 11 and Appendix 10. I consider that the best way to address this is to introduce a new definition for 'specified overlays' as below:
- Specified overlays – means overlays set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay set out in Appendix 10.*

101. I note that this matter will also be addressed in the s42A report for Infrastructure and Renewable Electricity Generation in Hearing Stream 4.
102. Rhys Girvan from Boffa Miskell has provided expert evidence for Council on the mapping of the Coastal Environment including CHNC areas¹³. Mr Girvan has reviewed submission point 225.188 in terms of the relationship between the delineation of the Coastal Environment and coastal hazards/sea level rise. He considers that climate change and its implications, including future sea level rise, will continue to influence the coastal environment. However, he considers that impacts on significant coastal processes, influences or qualities and which influence natural character are yet to be determined. Therefore, in his opinion the delineation of the inland extent of the coastal environment should be based on the extent to which significant coastal influences, processes and qualities occur today.
103. However, the 2018 delineation of the Coastal Environment was done prior to the coastal hazard assessment undertaken for Council by Focus Resource Management as set out in the Porirua City Coastal Hazards Report (April 2020). In his expert evidence, Mr Girvan has reviewed this coastal hazard assessment, in terms of the risk from coastal erosion and storm surge events with current sea levels as they relate to the mapping of the inland extent of the coastal environment. Based on this review, two amendments to the inland extent of the coastal environment are recommended in relation to the lower parts of Taupō Stream (within Plimmerton Domain) and Porirua Stream.
104. Mr Girvan has also reviewed the relief sought by Pikarere Farms Limited. A site visit was undertaken on 30 September 2021 to better understand this submission point. Mr Girvan recommends that the delineation of the inland extent of the coastal environment should be slightly amended “to take into account the finer-grained investigations defining the dominant ridgeline”. However, he does not consider that the full relief sought by the submitter is appropriate, as there is a need to have a “consistent methodology for the entirety of Porirua City and broader Wellington Region to address NZCPS Policy 1”.
105. I accept the expert advice of Mr Girvan in relation to the mapping of the Coastal Environment as outlined in his expert evidence.

3.6.3 Summary of recommendations

106. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** all references to ‘inland extent of the coastal environment’ in the PDP to read ‘landward extent of the coastal environment’ as outlined in Appendix A;
 - b. **Amend** the definition of ‘overlay’ to remove reference to schedules 2 to 11, as outlined in Appendix A;

Overlay	means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone
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¹³ Statement of evidence by Rhys Girvan of Boffa Miskell – Landscape Planner

provisions, ~~as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay~~.¹⁴

- c. **Add** a definition of 'specified overlay', as outlined in Appendix A;

Specified overlay means overlays set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay set out in Appendix 10.¹⁵

- d. **Amend** the symbology in the planning maps, using the 'Coastal environment overlay' symbol in the National Planning Standards¹⁶ for the inland extent of the coastal environment, and use new symbology for CHNC areas¹⁷;
- e. **Amend** the mapping of the inland extent of the Coastal Environment in the planning maps as outlined in Mr Girvan's expert evidence¹⁸.

107. I recommend that the submissions from Robyn Smith [168.51] and Forest and Bird [225.182] be **accepted**.
108. I recommend that the submissions from Pikarere Farm Limited [183.9] and Forest and Bird [225.188] be **accepted in part**.
109. I recommend that the submissions from Robyn Smith [168.42, 168.52] be **rejected**.

3.6.4 Section 32AA evaluation

110. In my opinion, the amendments recommended to the definitions and planning maps are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
111. The recommended amendments to the definitions and planning maps will better align with higher order direction, including the National Planning Standards. They will also increase plan usability.
112. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

¹⁴ Forest and Bird [225.188]

¹⁵ Forest and Bird [225.188]

¹⁶ Table 20, page 52

¹⁷ Note that if the Panel accepts this recommendation, Council's GIS team will develop new symbology that visually integrates with existing symbology in the planning maps.

¹⁸ Council will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. These will be provided to the Panel either through supplementary evidence or in Council's right of reply.

3.7 Activities in the CMA and foreshore

3.7.1 Matters raised by submitters

113. Paremata Residents' Association [190.12] seeks that the PDP be "more proactive in supporting the removal of legislative barriers and adopt policies that will enable both the ecological and recreational values of the harbour to be enhanced."

The District Plan needs to include measures that avoid tidal flow restrictions and improve the flushing ability of the inlet. If we want to avoid condemning the harbour to extinction as an active recreational asset, more positive steps to increase the flushing ability of the harbour and to physically remove sediment from the harbour are needed. There are significant legislative barriers to achieving this...

...Proposals in the pipeline include erosion control at Dolly Varden, extension of the pathway around Pauatahanui Inlet, a cycle/walkway between Paremata and Porirua, removal of tidal restrictions, possible relocation of launching ramps, etc. There needs to be greater ability to carry out sensible improvements to enable more rational processing of the communities' wishes.

3.7.2 Assessment

114. I consider the Coastal Environment Chapter and associated provisions throughout the PDP strike an appropriate balance between environmental protection, restoration and development in relation to the Harbour. For example, construction and maintenance of walking and cycling tracks are a permitted activity where undertaken by a statutory authority (INF-R9). Restoration and maintenance activities are also permitted. The Coastal Environment chapter permits soft engineering coastal hazard mitigation but requires consent for hard engineering measures. I consider that this policy approach is appropriate to ensure environmental effects can be properly considered, especially as seawalls can potentially increase erosion seaward of the structure and on adjacent land.
115. Some of the matters the submitter is referring to are regional council functions and are therefore regulated by the PNRP and not the PDP. This includes dredging sediment from the harbour and constructing structures such as boat ramps and seawalls within the CMA. I also note that PCC has a broader role in the restoration of the Harbour's edge both as a partner the Harbour Strategy and Action Plan 2015 and as an asset owner.

3.7.3 Summary of recommendations

116. I recommend for the reasons given in the assessment that the submission from Paremata Residents' Association [190.12] be **rejected**.

3.8 Coastal hazard maps

3.8.1 Matters raised by submitters

117. Dierdre Dale [195.1, 195.2] seeks that the PDP include definitions of Current erosion and Current Inundation that are explicit about the fact that existing seawalls have not been taken into account, and that this should include links in the definition that take the reader to the supporting document that discusses this matter. The submitter seeks that references to these hazards in the planning maps should also be clearer. The submitter considers:

Some information about this can be found in the supporting Coastal Hazards Report but the reader needs to dig deep to find it. From Section 3.5 'Uncertainties' it can be understood that this relates to possible erosion and inundation if there are no seawalls or other hard engineering structures. An enquirer looking at the Plimmerton Inundation map and its overlays is misled into believing that properties behind the Plimmerton Seawall have been (and are currently being) eroded and inundated when this is simply not the case. This misleading information will inevitably have an unfair impact on the perceived values of these properties and could have a detrimental impact on planning.

118. Jennifer Norton [148.1] seeks similar relief. The submitter considers that the coastal inundation map is unclear particularly in relation to properties behind seawalls in Plimmerton.
119. Linda Dale [247.18] seeks that the hazard labels are amended to refer to the 1% AEP event, and that APP10-Table 4 Coastal Hazard Overlays has additional text relating to site-specific factors and the accuracy of the mapping model, including that the "hazard overlays do not currently take into account any existing mitigation measures which may substantially affect the actual risk relevant to any specific site."

3.8.2 Assessment

120. I agree that the nature of the coastal hazards could be better articulated in the PDP. For example, it is not outlined anywhere that the coastal inundation hazard is based on a 1% AEP (1 in 100 year) storm surge event. I consider that this hazard could be more clearly labelled in the hazard map. I consider that some additional clarification of the nature of coastal hazards should be included in the introduction to the chapter and in APP10.
121. Bronwen Gibberd from Focus Resource Management has provided expert evidence for Council on coastal hazards¹⁹. Ms Gibberd has reviewed these submission points, and in her expert evidence she outlines her agreement with the amendments I recommend in Appendix A.
122. The submitters are correct in that the Coastal Hazards Report²⁰ outlines the uncertainties in modelling, however I do not agree that the legend or APP10 should include information relating to the specifics of how the hazard was modelled. I consider that the modelling

¹⁹ Statement of evidence by Bronwen Gibberd of Focus Resource Management – Coastal Scientist

²⁰ Focus Resource Management (2020) Coastal Hazards Report

methodology is best outlined in detail in the technical report, and that the map legends and APP10 should be kept concise to aid navigation by plan-users.

3.8.3 Summary of recommendations

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

- a. **Amend** the introduction to the Coastal Environment Chapter as outlined below and in Appendix A;

Porirua City's coastal environment is susceptible to a wide range of natural hazards, which are mapped as Coastal Hazard Overlays:

- ~~1. Tsunami;~~
- ~~2. Coastal erosion; and~~
- ~~3. Coastal inundation.~~

~~Three tsunami hazard areas have been identified for the following return periods: 1 in 100 years, 1 in 500 years and 1 in 1000 years.~~

~~Two coastal erosion and coastal flood hazard areas have been identified:~~

~~- Current coastal erosion hazard - areas potentially vulnerable to coastal erosion with existing sea level and coastal processes.~~

~~- Current coastal flood hazard - areas potentially vulnerable to coastal flooding with existing sea level and coastal processes in a 1 in 100 year storm event~~

~~- Future coastal erosion hazard - areas potentially vulnerable to coastal erosion over the period to 2120, assuming sea level rise of 1.0 m.~~

~~- Future coastal flood hazard - areas potentially vulnerable to coastal flooding in a 1 in 100 year storm event over the period to 2120, assuming sea level rise of 1.0 m.²¹~~

- b. **Amend** the planning map legend and APP10 as outlined below and in Appendix A.

Hazards and Risks Overlays

- Flood Hazard - Stream Corridor
- Flood Hazard - Overland Flow
- Flood Hazard - ~~Pending Inundation~~²²
- Coastal ~~Erosion~~ Hazard – Current Erosion
- Coastal ~~Erosion~~ Hazard – Future Erosion (with 1m SLR)
- Coastal ~~Flood~~ Hazard – ~~Current Inundation 1:100yr storm~~
- Coastal ~~Flood~~ Hazard – ~~Future Inundation 1:100yr storm~~²³ (with 1m SLR)
- Tsunami Hazard - 1:100yr Inundation Extent

²¹ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

²² Paul and Julia Botha [118.12]

²³ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

- Tsunami Hazard - 1:500yr Inundation Extent
- Tsunami Hazard - 1:1000yr Inundation Extent
- Fault Rupture Zone

APP10-Table 4 Coastal Hazard Overlays	
Coastal Hazard Overlay	Hazard areas
Tsunami Hazard – 1:100 year inundation extent	High
Coastal <u>Flood</u> Hazard – Current Inundation 1:100 year storm ; and	
Coastal <u>Erosion</u> Hazard – Current Erosion	
Tsunami Hazard – 1:500 year inundation extent	Medium
Coastal <u>Flood</u> Hazard – Future Inundation 1:100 year storm (with 1m SLR); and	
Coastal <u>Erosion</u> ²⁴ Hazard – Future Erosion (with 1m SLR)	
Tsunami Hazard – 1:1000 year inundation extent	Low

124. I recommend that the submissions from Dierdre Dale [195.1, 195.2], Jennifer Norton [148.1], and Linda Dale [247.18] be **accepted in part**.

3.9 Site-specific coastal hazard assessments

3.9.1 Matters raised by submitters

125. Linda Dale [247.1] seeks “a more site-specific and flexible approach to the definition of hazard risk for any specific site and give consideration to the justified interests of affected property owners.” The submitter:

Raises comments/concerns in relation to the coastal hazard (inundation and erosion) provisions and layers including that it needs to be more site-specific and flexible in approach. What is presented in the overlays is a very conservative (i.e. risk averse) hazard definition and gives the impression of certainty and accuracy as to the current situation of each individual property, that is not borne out if the report is read in its entirety.

Agrees that any development on these sites needs to be more carefully considered (on a site specific basis) than developments at sites that do not carry these potential risks, but there is a lack of flexibility when dealing with this degree of uncertainty. Finds there may be a better way than what has been suggested, which is why the overall submission point is included.

²⁴ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

126. Linda Dale [247.4] seeks that CE-P9 be amended so that it includes revising and amending maps.

127. Linda Dale [247.5] seeks a new rule as follows:

Allow for the revision of the hazard overlay on a site by site basis as requested, where there is an appropriate basis for the request such as:

- a site specific evaluation by a relevant professional (coastal engineer or similar)*
- significant and relevant changes to the facts surrounding a specific site*
- inaccuracy or incorrect understanding of the facts used for the original modelling*
- an agreed adaptive management or mitigation strategy for a specific site (or sites), is adopted or implemented leading to a changed hazard risk for these sites*

As well as covering future work, the last point also covers the fact that the existing mapping does not reflect the mitigation already in place at some sites, which may lessen the hazard risk.

3.9.2 Assessment

128. I consider that the coastal hazard identification and mapping process meets current best practice for inclusion in district plans, as outlined in section 1 of the Natural Hazards s32 evaluation. It is done at a suitably fine-grained scale to be applied at a property level to determine what activity status should apply. I consider that the resource consent process provides an opportunity to further investigate the hazard risk as it relates to any given site, and the factors that need to be considered in a site-specific analysis. For example, the Coastal Hazards Report states that further analysis is required to determine appropriate additional freeboard on a site, this could range from 0.25m in sheltered areas to 0.5m in more exposed areas. In order to design any onsite mitigations, it is likely that a coastal engineer will be required to investigate the site-specific risk, and design engineering solutions to address this risk.

129. I consider the updating of maps due to incorrect modelling or changes in hydrology to be a separate issue. This Schedule 1 process provides an opportunity to investigate any potential inaccuracies in modelling or mapping. The plan change and review cycles also provide an opportunity to revise maps on a regular basis. I therefore do not consider any amendments are required to CE-P9.

3.9.3 Summary of recommendations

130. I recommend for the reasons given in the assessment that the submissions from Linda Dale [247.1, 247.4, 247.5] be **rejected**.

3.10 Amendments sought to coastal hazard maps

3.10.1 Matters raised by submitters

131. Mike Evans [29.1] seeks an amendment to coastal hazard mapping in the vicinity of 20 Beach Road as:

The current coastal inundation mapped for the Beach Road/Sunset Parade peninsula in Plimmerton does not reflect reality. The prevailing wind and associated storm surge is from the North/Northwest, and 20 Beach Road has never been affected or even close in the last 24 years. It has never made it over the road. The property is in the lee of the peninsula, and the mapping needs to more finitely model actual conditions. The 1m inundation model is inaccurate for the same region.

132. Steve Grant [158.5] seeks removal of the tsunami hazard from the property at 99-109 Saint Andrews Road, Plimmerton as it “does not make clear sense. It appears to be a standalone area not connected to the sea (the source of any Tsunami).”

133. Steve Grant [159.4] seeks “the basis of the Tsunami encroachment designation on the site [112 Mana Esplanade] to be clarified and explained by Council regarding adjacent properties that have a lower profile.” As:

The Tsunami Hazard applicable to 112 Mana Esplanade, Paremata does not differentiate between adjacent properties that have street level parking and those with original contour from the street. 112 Mana Esplanade has a raised front garden. The 1:1000 year Tsunami event needs its criteria more specifically and detail applied, than the present broad brush approach. This impacts on more than 25% of the site, greater than the adjacent properties that have level front yard access.

134. Trustees of the Blue Cottage Trust [210.3, 210.4] and Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.4, 211.5] seek removal of tsunami and coastal hazards from various properties as:

Many of the provisions of the Proposed Porirua District Plan that affect the property:

- are unreasonable given the severe impact they will have on the sustainable management and use of the property; and*
- are not the result of adequate analysis and evaluation under s32 and s32AA of the RMA; and*
- will not enable social and economic wellbeing through the appropriate use and development of the property; and, therefore*
- will not meet the foreseeable needs of future generations.*

135. Linda Dale [247.19] seeks an amendment of hazard overlays as they relate to properties at 51 & 57-59 Seaview Rd, Paremata. The submitter considers:

- The overlay does not accurately depict the risk at these properties...It has been described as having a degree of uncertainty and may not take into*

account site specific features such as existing barriers (natural and non-natural), exact ground height or historical information.

- *Seeks more site-specific assessment, especially given how long the overlay would be in the plan (noting that the current plan dates from 1999).*

3.10.2 Assessment

136. Ms Gibberd has reviewed the submission from Mike Evans relating to 20 Beach Road and considers that the coastal hazard is correctly identified as it relates to this property. The property at 20 Beach Road has an elevation of approximately 3.0m WVD (Wellington Vertical Datum) and is affected by the 'Coastal Hazard - Future Inundation' overlay. Ms Gibberd considers that the area may therefore be vulnerable to minor (shallow) coastal inundation with a 1 in 100 year storm tide, after 1m of sea level rise. This is consistent with Mr Evans' observation that the property has not been inundated in the past.

137. Ms Gibberd has reviewed the submissions from the Trustees of the Blue Cottage Trust and Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust. Ms Gibberd considers:

The affected areas of both properties are adjacent to the Kakaho Stream and is part of a low-lying river valley with ground elevation of 1.5-2.0 m (WVD). The area has a direct hydraulic connection to the coast via the Kakaho Stream and across the low-lying road. The area is therefore potentially vulnerable to coastal inundation during a 1:100-year storm tide with current sea level. An additional "strip" of land will be susceptible to coastal inundation during extreme events following up to 1.0 m of sea level rise (Coastal Hazard – Future Inundation).

There is no evidence presented in the submission to suggest that the data on which the inundation area is based is incorrect. I therefore recommend that the Coastal Hazard – Current Inundation and Coastal Hazard – Future Inundation areas be retained as notified.

138. Ms Gibberd has reviewed the submissions from Linda Dale relating to properties at 51 & 57-59 Seaview Rd, Paremata, and considers that the coastal hazard is correctly identified as it relates to these properties. Ms Gibberd considers:

The existing dwelling at 51 Seaview Road is very close to the coast and partially within the Coastal Hazard – Current Erosion and Coastal Hazard – Current Inundation overlays. The low-lying seaward portion of 57 Seaview Road is also affected by the coastal erosion and coastal inundation overlays. 59 Seaview Road is in an elevated position well landward of the hazard overlays...

...Coastal inundation hazard is limited to the seaward portion of the properties. The most seaward areas of 52 and 57 Seaview Road are very low lying and Lidar data indicates these areas are potentially vulnerable to coastal inundation during an extreme storm surge event without wave effects.

The Coastal Hazard – Current Inundation area overlay indicates the area potentially vulnerable to coastal flooding during an extreme (1% AEP) storm event, so it is not unreasonable that the mapped overlay exceeds flooding observed by residents in the past.

139. I accept the expert advice of Ms Gibberd in relation to the mapping of the coastal hazards, and I consider that no amendments to planning maps are required as sought by these submitters.

140. Dr William Power from GNS Science has provided expert evidence for Council on tsunami hazards²⁵. Dr Power has reviewed the submissions from Steve Grant.

141. In his expert evidence, Dr Power considers that the 1 in 100 year tsunami hazard layer should be modified to not extend into 99 - 109 St Andrews Road because the nature of the model and the elevation of the stream means that the tsunami hazard “cannot be clearly demonstrated to 99-109 Saint Andrews Road.”

142. Dr Power notes that there:

...appear to be other similar isolated inundation patches mapped in the overlay included in the Proposed District Plan. I have not undertaken a review (beyond the two sites identified in the submission points addressed in my evidence) of the layer and its application to along narrow streams and other waterways for which similar considerations might apply.²⁶

143. Dr Power recommends the 1 in 1000 year tsunami hazard overlay should also be amended at 112 Mana Esplanade. This is because he considers:

...that the horizontal extent of inundation may have been overestimated with the GIS data showing a thin-layer of tsunami-flow (a few cm depth) extending further from the road frontage than appears physically realistic, most likely a result of reprojection of the numerical modelling grid into GIS format.²⁷

144. Dr Power considers that the tsunami flow depth threshold used to define the tsunami hazard overlay for 112 Mana Esplanade be raised to 0.1m, it would:

...produce a more robust overlay with less sensitivity to reprojection errors and site-specific effects...This would reduce the extent of the 1000yr hazard layer onto the property at 112 Mana Esplanade by about 10 meters.²⁸

145. Dr Power notes that:

... problems identified with defining the boundary of the tsunami hazard layer at 112 Mana Esplanade are not specific to that property but can be expected to occur elsewhere along the tsunami hazard overlay boundary.²⁹

²⁵ Statement of evidence by Dr William Power of GNS Science – Geophysicist

²⁶ Para 19.6

²⁷ Para 205

²⁸ Para 20.7

²⁹ Para 20.8

146. I accept the expert evidence of Dr Power in relation to both 99 - 109 St Andrews Road and 112 Mana Esplanade. I consider that the planning maps should be amended as outlined in his expert evidence, in that the tsunami hazard is removed from 99 - 109 St Andrews Road (and the adjacent Sport and Active Recreation Zone), and the tsunami hazard at 112 Mana Esplanade is amended as outlined in Figure 4 of Dr Power's evidence³⁰.
147. Council will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. Amended maps will be provided to the Panel either through supplementary evidence or in Council's right of reply.
148. I note that in both instances, Dr Power points out that the problems identified are not unique to the two properties but would be present elsewhere. Further work would be required to address these problems city-wide.
149. While it would be ideal if the maps could be amended City-wide in both circumstances, I do not consider that these submission points provide the scope to make these changes. I consider that the maps should remain as notified on other properties to take a precautionary approach towards these hazards. A future plan change could be used to address this matter, potentially including any amendments to mapping through the next update to the national tsunami model.
150. Trustees of the Blue Cottage Trust [210.4], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.4] and Linda Dale [247.19] have not provided any evidence that the maps are incorrect but consider that the methodology was deficient including lacking site-specific information and s32 analysis. As outlined in the s32 evaluation report for this topic, I consider the process followed to map these hazards is in line with national best practice. I consider the policy approach is appropriate subject to recommended amendments in Appendix A, and is commensurate with the risks posed by these hazards.

3.10.3 Summary of recommendations

151. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the planning maps to remove the tsunami hazards from 99 - 109 St Andrews Road (and the adjacent Sport and Active Recreation Zone) and a reduce the extent of the hazard as it relates to 112 Mana Esplanade as outlined in Dr Power's expert evidence³¹.
152. I recommend that the submissions from Steve Grant [158.4, 158.5] be **accepted**

³⁰ Page 14

³¹ Council will need to undertake some additional mapping work to finalise amended maps for inclusion in the PDP. These will be provided to the Panel either through supplementary evidence or in Council's right of reply.

153. I recommend that the submissions from Mike Evans [29.1], Trustees of the Blue Cottage Trust [210.3, 210.4], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.4, 211.5] and Linda Dale [247.19] be **rejected**.

3.11 Council liability for damage caused by coastal hazards

3.11.1 Matters raised by submitters

154. Linda Dale [247.2] seeks the PDP be amended as follows:

A new policy that seeks to remove any council liability relating to new activities within coastal hazard zones. This follows the approach (noted in the S32 report) by Dunedin City Council (among others) where:

"Development in hazard prone areas, including in identified hazard overlay zones, are at an owner's risk and the DCC does not accept any liability in regards to development and risk from natural hazards."

This differs from the situation for existing properties which were legitimately built at a time when the perceived risks were much less and the general approach of protective hard engineering works was much more commonly acceptable

3.11.2 Assessment

155. There is always a level of risk that property owners take on when building in hazardous areas. The PDP seeks to avoid sensitive activities establishing in areas at risk from a 1 in 100 year (1% AEP) event, but a larger event with a longer return period could always occur. I consider that the PDP was developed in line with current national guidance as outlined in the Natural Hazards s32 evaluation report. This includes planning for at least a 1% AEP event and incorporating the effects of climate change as required by both the NZCPS and the Ministry for the Environment's 2017 guidance on coastal hazards³². Hazard mapping was undertaken using most up-to-date information held by Council. Therefore, I consider that it is unlikely that Council would have any liability in a natural hazard event as long as robust consenting processes are followed.
156. Regardless of any perceived risks around Council liability, I consider that policies should not be used to insert disclaimers around liability, their purpose under the RMA is to give effect to objectives.

³² Ministry for the Environment (2017) Coastal Hazards and Climate Change – Guidance for Local Government

3.11.3 Summary of recommendations

157. I recommend that the submissions from Linda Dale [247.2] be **rejected**.
158. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.12 Hazard provisions affecting minimum height standards

3.12.1 Matters raised by submitters

159. Steve Grant [158.4] submits that:

...prior to accepting any coastal hazard designation clear indication of any proposed Porirua City Council minimum relative lower finished floor level for any future development will not compromise the maximum height (11.0 metres) above ground level permitted.

3.12.2 Assessment

160. It is possible that a required minimum floor level could cause exceedance of a 11m height limit for an otherwise suitable building design. Exceedance of the building height standard escalates in all zones to a restricted discretionary activity. One matter of discretion anticipates this as follows:

Whether an increase in building or structure height results from a response to natural hazard mitigation; and

161. I consider that it is appropriate that breaches of the height standard default to restricted discretionary activity so that the effects of the activity can be evaluated, particularly visual dominance, shading and loss of privacy for adjacent residential sites.

3.12.3 Summary of recommendations

162. I recommend that the submission from Steve Grant [158.4] be **rejected**.

3.13 Sea level rise and managed retreat

3.13.1 Matters raised by submitters

163. DOC [126.44] seeks a “new objective, policy and rule to encourage managed retreat of develop in areas where coastal hazards are present” as:

Objectives, policies and rules should reflect NZCPS Objective 5 and Policy 25 in encouraging managed retreat from areas where coastal hazard risks are present.

164. Forest and Bird [225.187] seeks that policies for a responsive approach to sea level rise impacts incorporating and recognising natural processes be retained, and added to. The submitter considers:

Supports the approach to soft engineering methods over hard engineering which would generally be inconsistent with protecting the natural values of the coastal environment. The objective fails to provide a proactive direction for preparing for sea level rise impacts and to avoid remedy or mitigate adverse effects of such responses on natural character, natural features and landscapes. It is anticipated that natural character aspects of the coastal environment will migrate landwards in response to sea level rise.

3.13.2 Assessment

165. I do not agree additional provisions are required to encourage managed retreat. The risk-based approach in the PDP will ensure that future development is directed away from hazard prone areas if the hazard cannot be mitigated.
166. I also note that in addition to the PDP, Council has a broader role to play helping our communities adapt to the effects of climate change. Council recently adopted a climate change strategy 2021-2024 titled Rautaki o Te Ao Hurihuri. This Strategy outlines actions Council will take to adapt to sea level rise and extreme weather events.
167. I agree with Forest and Bird that the policies relating to taking a responsive approach to sea level rise impacts that incorporate and recognise natural processes should be retained. I do not consider further changes are required. The Natural Character Chapter includes coastal margin rules which manage use and development within proximity to mean high water springs.

3.13.3 Summary of recommendations

168. I recommend that the submissions from Forest and Bird [225.187] be **accepted in part**.
169. I recommend that the submissions from DOC [126.44] be **rejected**.
170. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.14 Policy approach in medium and high-hazard areas

3.14.1 Matters raised by submitters

171. Porirua City Council [11.52, 11.53] seeks that the policy approach to Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in medium (CE-P13) and high coastal hazard areas (CE-P14) is amended.
172. The submitter's reasons can be summarised as:
- Greater recognition is needed of the existing hazard risk to the built environment;

- Some zones are a scarce physical resource in Porirua, there is little ability to relocate the activities that occur within these zones;
- There are many older buildings in Porirua that are constructed to lower standards compared to new buildings, leading to a perverse outcome if they were unable to be replaced;
- There is a need for the above provisions to be amended in the natural hazards and coastal hazards chapters to provide a pathway for redevelopment to occur; and
- Retains a high regulatory bar that recognises there is a level of risk in these areas that needs to be addressed.

173. Further submitters have mixed views on this change. GWRC [FS40.13, FS40.14] support the change. DOC [FS39.45] opposes it stating:

The Director-General considers that the proposed wording is inconsistent with the directive of Policy 25 of the NZCPS, which relates to areas potentially affected by coastal hazards over at least the next 100 years. The proposed wording relates to High Hazard Areas, which pertains to current inundation and erosion. Therefore, Policy 25 should apply to High Hazard Areas of the Coastal Hazard Overlays. Policy 25(a) requires avoiding increasing the risk of social, environmental and economic harm from coastal hazards. This is not consistent with the proposed wording.

174. Paremata Business Park [69.1, 69.24] seeks that CE-P14 is amended to provide for mitigation or avoidance measures. They consider:

This policy is too restrictive and does not allow high-risk activities that can prove that risk is managed, mitigated and/or avoided. For example, should a medium density residential development be proposed in the coastal inundation area and the proposal provides evidence that through design and mitigation measures the risks are managed and residents are safe, the proposal will not meet point one of the policy. There is a need to amend the policy to more freely allow for this.

175. Linda Dale [247.7] seeks that CE-P13-1 is amended as follows: “property damage is avoided or minimised; and”. The submitter considers:

The policy displays a very risk-adverse position to any level of risk at all. It goes beyond the requirements of the Regional Policy Statement for the Wellington Region. Refers to Policy 29.

Concerns raised about the effects of requiring total risk avoidance in areas of medium risk (time and cost implications for development) and strong likelihood would encourage only large scale greenfield development, contrary to CE-P6.

Refers to how authorities approach tsunami risk, such as Auckland Council (among others) and noted in the s32 report seems to be more appropriate.

The other coastal risk in this category are for possible future risks in the event of a 1 metre sea level rise, and may be able to be minimised to an acceptable degree,

given that they are for possible future, rare, occurrences rather than common events.

176. Linda Dale [247.8] seeks that CE-P14-1 is deleted as:

The policy would have a major negative impact on owners of properties that have been deemed to fall into a high hazard zone. Given the points made in submission on CPE-9 and APP-10 regarding the uncertainty in the accuracy of this hazard definition for any specific site, this major negative impact cannot be justified.

3.14.2 Assessment

177. I agree with submitters that the current approach to the high-hazard area in certain zones, including the City Centre, could potentially impact redevelopment, including the replacement of hazard prone buildings with more modern buildings that meet the building code. There is the potential that policy CE-P14 as notified could prevent a longer-term reduction in risk³³.
178. I agree with the relief sought by Porirua City Council to remove the requirement for activities in commercial and mixed use zones to demonstrate an operational need to locate in these areas. I also agree with changes sought by submitters that the policy should be broadened out to allow for measures to reduce the risk of damage to buildings.
179. I consider that this should be balanced by an overall requirement to demonstrate a reduction in risk to people's lives and wellbeing. This would provide a pathway for redevelopment that has a net decrease in risk but is a lower regulatory bar than demonstrating that "risk to people's life and wellbeing is avoided" as CE-P14 is currently worded.
180. However, I consider that the policy setting needs to remain a "high bar" that recognises there is a high level of risk in these areas that needs to be addressed.
181. I do not agree with the wording suggested by Porirua City Council: "There will be a reduction in risk to people's lives and wellbeing". I consider that a more appropriate test would be to demonstrate that the residual risk after development is "low". Demonstrating a risk is reduced may only result in a marginal decrease in risk. Demonstrating the residual risk is low would put the onus on an applicant to demonstrate that the ultimate risk to life and property (including to neighbouring properties) from the natural hazard is low. This would likely result in much more mitigation being undertaken for redevelopment where existing buildings are hazard-prone.
182. I agree with the submission from Porirua City Council that any policy change should be restricted to certain commercial zones, as these zones contain the vast majority of older hazard-prone buildings. In other zones, such as the residential and rural zones, there is the ability to avoid high risk areas altogether. I consider that the policy in these areas should

³³ This issue is also addressed in section 3.7 the s42A report for Natural Hazards in relation to NH-P2

limit activities to those that have an operational and functional need to locate in these areas.

183. I disagree with DOC that this recommended change is inconsistent with Policy 25(a) of the NZCPS. Policy 25(a)h requires plans to “avoid increasing the risk of social, environmental and economic harm from coastal hazards;...”. These changes will not increase risk, and as outlined above, I consider that providing for redevelopment of commercial areas will enable the replacement of hazard-prone buildings which will reduce risk in high and medium hazard areas to low.

3.14.3 Summary of recommendations

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

- a. **Amend** CE-P13 and CE-P14 as outlined below and in Appendix A.

CE-P13	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Medium Hazard Areas
<p>Only allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Medium Hazard Areas of the Coastal Hazards Overlays where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that the risk to people's life and wellbeing, property damage and the environment is avoided; 2. People can evacuate safely during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as result of the activity proceeding. 	
CE-P14	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas
<p>Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 2. The activity incorporates mitigation measures that <u>minimise the risk of damage to buildings</u>; demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event; and- 3. The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity. 4. <u>Other than within Commercial and Mixed Use Zones, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option.</u>³⁴ 	

³⁴ Porirua City Council [11.53]

185. I recommend that the submissions from Porirua City Council [11.52, 11.53], Paremata Business Park [69.1, 69.24] and Linda Dale [247.7, 247.8] be **accepted in part**
186. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.14.4 Section 32AA evaluation

187. In my opinion, the amendments recommended to CE-P13 and CE-P14 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
188. I consider that the amendments provide a pathway for redevelopment of buildings in hazard prone areas where there will still be a resulting “low” risk from natural hazards. This will have economic and benefits in terms of enabling greater commercial and industrial activity, as well as socio-economic benefits in terms of increased employment and vibrancy of commercial areas through redevelopment. I consider the amendments will provide greater long-term reduction in risk through providing a pathway for replacement of building stock that is currently vulnerable to hazards. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.15 Hard and soft engineering measures

3.15.1 Matters raised by submitters

189. Waka Kotahi [82.158, 82.159, 82.163] seeks amendments to CE-P16 and CE-P17 to recognise soft engineering measures may not always be practical, and amendments to CE-R12 to provide for hard engineering measures to protect the transport network as a restricted discretionary activity with the matters of discretion restricted to the safety and efficiency of the transport network.
190. Linda Dale [247.9] seeks that CE-P17 is amended so that “an immediate risk to life” is replaced with a “serious risk to life”. The submitter states:

Two reasons for opposing this section:

- 1. The insistence that risk be 'immediate' before works can occur.*
- 2. The wording is unclear and could lead to confusion.*

191. DOC [126.57] is concerned that CE-R5 for soft engineering measures has “no conditions or parameters and will involve work in sensitive environments” and seeks amendments to:

Add checks and balances either by way of permitted activity conditions or controlled activity status to address the potential for adverse effects on dune systems, coastal processes, risk transfer, biodiversity values etc.

192. Forest and Bird [225.196] submits in relation to CE-P16 that they are unclear about what “planned mitigation works” are and why these are enabled without any consideration of effects. They seek the following amendment to CE-P16:

Provide for ~~Enable~~ soft engineered coastal hazard mitigation works undertaken by a statutory agency or their nominated contractors or agents within the identified Coastal Hazard Overlay where these decrease the risk to people and property and avoid, remedy or mitigate adverse effects on the coastal environment.

3.15.2 Assessment

193. CE-P16 “encourages” soft engineering measures and CE-R5 permits the activity which I consider is appropriate as it gives effect to Policy 25 of the NZCPS. I consider that the concept of “where practical” is implicit in the policy.
194. While the activity of soft engineering measures is permitted without standards, other district-wide provisions will apply. For example, the Earthworks Chapter includes controls on the area, height and slope of earthworks (EW-S1 and EW-S2), site reinstatement (EW-S4), silt and sediment retention (EW-S5). As such, I consider that no changes are required to CE-R5.
195. I disagree with the reduced activity status for hard-engineering measures for the transport network, as well as the narrow matter of discretion proposed. There is a wide-range of potential adverse effects with the introduction of hard-engineering measures in the coastal environment and a discretionary activity status is appropriate to enable the consideration of any effects that may be relevant.
196. I disagree with the relief sought by Linda Dale. I consider that CE-P17 should be limited to an immediate risk to life, the submitter does not give any reasons why this is inappropriate or how the wording is unclear.

3.15.3 Summary of recommendations

197. I recommend that the submissions from Waka Kotahi [82.158, 82.159, 82.163], DOC [126.57], Linda Dale [247.9] and Forest and Bird [225.196] be **rejected**.
198. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.16 Definitions

3.16.1 Matters raised by submitters

199. Titahi Bay Residents Association Incorporated [95.1, 95.3] seeks two new definitions:

Mean-high-water-springs (MHWS) is defined by the boundary line of the relevant adjacent zone on the overlay of the planning map.

Exposed (Titahi Bay fossil forest) means the fossil forest is protruding above the substrate sand/gravel base.

200. Forest and Bird [225.55] considers that the term Coastal Environment in the definitions table is inconsistent with the NZCPS and wants it amended to “Inland Coastal Environment”. Robyn Smith [168.41] seeks the definition is amended to:

The Coastal Environment comprises that part of Porirua City that is seaward of the landward extent of the coastal environment as identified in the planning maps.

201. Kainga Ora [81.44] seeks the deletion of the definitions of ‘coastal hazard overlay’ in favour of instructions on how to use the PDP in the How the Plan Works section in Part 1.
202. Forest and Bird [225.56] considers the term Coastal High Natural Character Area “fails to clarify that this area is managed as an overlay in the plan”. The submitter seeks the following amendment:

means an area of coastal high natural character identified in SCHED11 - Coastal High Natural Character Areas and shown as an overlay on the Planning maps managed through provisions in the district wide CE Chapter.

3.16.2 Assessment

203. I do not consider the definitions requested by the Titahi Bay Residents Association need to be included. Their proposed definition for MHWS does not work as it is not mapped in the PDP and the boundary lines of zones are the LINZ hydro parcel. This is covered in more detail in the Overarching s42A report and Council’s Right of Reply for Hearing Stream 1, including a recommended advice note to make it clear that MHWS is dynamic and needs to be surveyed on a site-by-site basis. The Titahi Bay fossil forest is not used in any provisions in the PDP and therefore does not need to be defined.
204. I agree with Robyn Smith that the use of “landward extent” is more in line with the RPS as mentioned earlier in this report, however I find the drafting of the amendment requested by the submitter is unclear, particularly “seaward of the landward extent”. I disagree with Forest and Bird around the use of the term “inland Coastal Environment”.
205. I am unsure why Kāinga Ora seeks the deletion of the definition for ‘coastal hazard overlay’. The Panel may wish to ask the submitter to clarify this at the Hearing.
206. I consider that the definition of ‘overlay’ makes it clear that CHNC areas are an overlay as they are scheduled in SCHED11. Note that in section 3.4 of this report I recommend that a new definition be added for ‘specified overlays’ which would include Schedule 11. I therefore consider the amendment to the definition of CHNC does not need to be amended.

3.16.3 Summary of recommendations

207. I recommend for the reasons given in the assessment, that the Hearings Panel:
- Amend** the definition of Coastal Environment as outlined below and in Appendix A.

Coastal environment means the area identified on the planning maps as being located within the ~~inland~~ landward³⁵ extent of the coastal environment.

208. I recommend that the submissions from Robyn Smith [168.41] be **accepted in part**.
209. I recommend that the submissions from Kāinga Ora [81.44], Titahi Bay Residents Association Incorporated [95.1, 95.3] and Forest and Bird [225.55, 225.56] be **rejected**.

3.17 Objectives

3.17.1 Matters raised by submitters

210. Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pauatahanui Inlet [77.17] seeks CE-O1 be amended as follows:

The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use and development and from adverse effects, especially sediment and contaminants, arising from subdivision, use and development.

211. Forest and Bird [225.186] seeks that CE-O3 is either deleted or amended to recognise the value of natural features provide to reducing natural hazard impacts, including on the natural values of the coastal environment. The submitter considers that:

The objective suggests that other natural features would not be maintained. This objective is uncertain as to whether Policy 15 of the NZCPS would be achieved.

212. Linda Dale [247.3] seeks that CE-O4 is amended as follows:

There is reduced risk to life and property from coastal inundation and erosion hazards through planned mitigation works / adaptive strategies, wherein soft engineering measures are the primary method used to reduce damage from sea level rise and coastal erosion.

213. The reasons given by the submitter for this amendment sought are as follows:

The objectives of the plan should note the intent of planned mitigation works and/or the adaptive strategies, proposed as an integral part of the Focus Management report, for coastal hazards as one of the objectives.

Changing the objective would ensure that it is consistent with Objective NH-02 relating to risks from other (non-coastal) natural hazards.

The objective should also cover the adaptive strategies recommendations of the Focus Resource Management report. Refers to specific sections from that report.

³⁵ Robyn Smith [168.51]

3.17.2 Assessment

214. I consider that the amendment sought to CE-O1 are outside of Council's s31 functions as the discharge of contaminants is a regional council function under s15 and s30 of the RMA.
215. I do not agree with the deletion or amendment proposed by Forest and Bird to CE-O3. This objective relates to the retention of natural features for natural hazard management. I do not consider that the implication is that other natural features should not be maintained. This would be inconsistent with Council's responsibilities under s7(f) and s31(1)(b) of the RMA and Policy 15 of the NZCPS. Examples of other provisions that require the maintenance of natural features include NATC-O1 - Protecting, preserving and enhancing natural character and NFL-O3 - Natural features and landscapes within the coastal environment.
216. I agree with the relief sought by Linda Dale, in that the objective could be more consistent with NH-O2. I also consider it is more consistent with the NZCPS Policy 25 which seeks to "avoid increasing the risk" from coastal hazards. I consider that the term "adaptive strategies" should be omitted. The Panel may wish to ask the submitter to clarify what they mean by "adaptive strategies".

3.17.3 Summary of recommendations

217. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** CE-O1 as outlined below and in Appendix A.

CE-O4	Measures to reduce damage from sea level rise and coastal erosion
<p><u>There is reduced risk to life and property from flood hazards through planned mitigation works, and Soft-soft³⁶ engineering measures are the primary method used to reduce damage from sea level rise and coastal erosion.</u></p>	

218. I recommend that the submission from Linda Dale [247.3] be **accepted in part**.
219. I recommend that the submissions from Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pauatahanui Inlet [77.17], and Forest and Bird [225.186] be **rejected**.
220. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.17.4 Section 32AA evaluation

221. In my opinion, for the reasons provided in my evaluation, the amendments to CE-O4 are more appropriate in achieving the purpose of the RMA than the notified objective. In

³⁶ Linda Dale [247.3]

particular, as explained in my evaluation, I consider that the amendment will better align with NH-O2 and it is more consistent with the NZCPS. Consequently, it is more appropriate than the notified objective in achieving the purpose of the Act.

3.18 Policies

3.18.1 CE-P1 - Identification of the coastal environment & CE-P2 - Identification of Coastal High Natural Character Areas

3.18.2 Matters raised by submitters

222. GWRC [137.61,137.62] seek deletion of CE-P1 and CE-P2 as:

The actions in these policies have already been completed (eg. areas of high natural character and OSNFL have been identified and included in the proposed District Plan, so too has the inland extend of the coastal environment). Including them in the PDP will likely result in confusion for plan users, as it implies that consent applicants must identify these types of sites in their applications and assessment of environmental effects.

3.18.3 Assessment

223. As explained by Ms Sweetman for the Council during Hearing Stream 2, there are two types of policies used in most district plans to give effect to objectives, those directed at Council and those directed at other plan users. CE-P1 is directed at Council. It outlines one of the actions required to give effect to NE-O1 and CE-O1. I consider that this is in line with national best practice.

224. The submitter is correct that this particular action has been undertaken at the time of notification. However, most overlays in district plans identify features that are dynamic. CHNC areas are identified due to their known biotic, abiotic and experiential values. All of these factors change through time, for example an area of regenerating native scrub may grow and mature to the point where it becomes significant. It is quite possible that in the life of this plan that there are new areas that may be considered significant enough to be incorporated into the PDP through a plan change where CE-O1 would be highly relevant.

3.18.4 Summary of recommendations

225. I recommend that the submissions from GWRC [137.61, 137.62] be **rejected**.

3.18.5 CE-P3 - Subdivision, use and development within Coastal High Natural Character Areas

3.18.6 Matters raised by submitters

226. Forest and Bird [225.190] considers it is inappropriate to allow any subdivision within CHNC areas, and seeks CE-P3 is amended as follows:

Only consider allowing subdivision, use and development...

1. ...

2. Demonstrates that it may be ~~is~~ appropriate by: ...”

Alternatively delete “or minimizing” in clause 2.

Add a clause to clarify that subdivision is not appropriate within Coastal High Natural Character Areas.

3.18.7 Assessment

227. I disagree that subdivision of a site containing an area of a CHNC is inappropriate, subject to the direction on CE-P3 “Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects”. Many of the sites containing these areas are large rural properties and it is quite possible that subdivision of these sites would have no effect on a CHNC Area.
228. I disagree that the term “minimised” needs to be removed. The term is used in the context of the overall broad judgement approach which includes consideration of both adverse and positive effects. I consider that this provides sufficient guidance to a decision maker who is looking at the adverse effects of one part of an activity, in the context of the balancing of overall effects of an activity.

3.18.8 Summary of recommendations

229. I recommend that the submission from Forest and Bird [225.190] be **rejected**.
230. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.18.9 CE-P4 - Earthworks and indigenous vegetation removal in Coastal High Natural Character Areas

3.18.10 Matters raised by submitters

231. Forest and Bird [225.191] seeks that CE-P3 is either deleted, or amended as follows

~~Allow~~ Provide for earthworks and indigenous vegetation removal within Coastal High Natural Character Areas where:

1. It is of a scale and for a purpose that maintains or maintains and restores the identified values described in SCHED11 - Coastal High Natural Character Areas, including restoration and conservation activities;

2. It is associated with existing lawfully established farming activities for an established working farm, where the identified values described in SCHED11 - Coastal High Natural Character Areas are maintained; or

3. It is associated with the ongoing maintenance and repair of existing accessways and ~~construction of~~ public cycling and walking tracks which maintain the identified values described in SCHED11 - Coastal High Natural Character Areas.

232. The submitter considers:

Generally accept that some vegetation may need to be removed for the maintenance of lawfully established infrastructure and activities. The word allow is directive and suggest a permitted activity status, however in some cases consent may be required. The words "provide for" are also enabling but less so can be set within limits.

The wording is not certain in terms of whether restoration would also maintain values.

If indigenous vegetation was previously removed unlawfully the removal of any regenerating indigenous vegetation should not be provided for by this policy.

233. Waka Kotahi [82.157] seeks CE-P4-3 is amended to refer to state highways.

3.18.11 Assessment

234. The word "allow" was used intentionally throughout the PDP to indicate which sorts of activities should be permitted. The associated rules under this policy are CE-R1 and CE-R2 which state which minor earthworks and vegetation clearance are acceptable as a permitted baseline while maintaining natural character values.

235. I do not agree that it is necessary to add "lawfully established" as anything that is legally established has existing use rights, and if something is not legally established it would be a matter for compliance and enforcement officers to investigate and address.

236. Restoration means to improve something from its current state. I consider that "maintain or restore" means the same thing as "maintain or maintain and restore" using fewer words.

237. I consider that CE-P4-3 should be deleted as construction, maintenance and repair of state highways is an infrastructure matter and it is already addressed by INF-P22.

3.18.12 Summary of recommendations

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

- a. **Amend** CE-P4 as outlined below and in Appendix A.

CE-P4	Earthworks and indigenous vegetation removal in Coastal High Natural Character Areas
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Allow earthworks and indigenous vegetation removal within Coastal High Natural Character Areas where:

1. It is of a scale and for a purpose that maintains or restores the identified values described in SCHED11 - Coastal High Natural Character Areas, including restoration and conservation activities; **or**
- ~~2. It is associated with farming activities for an established working farm, where the identified values described in SCHED11 - Coastal High Natural Character Areas are maintained; **or**~~
- ~~3. It is associated with the ongoing maintenance and repair of existing accessways and construction of public cycling and walking tracks which maintain the identified values described in SCHED11 - Coastal High Natural Character Areas.~~³⁷

239. I recommend that the submissions from Waka Kotahi [82.157] and Forest and Bird [225.191] be **accepted in part**.
240. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.18.13 Section 32AA evaluation

241. In my opinion, the amendments recommended to CE-P4 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
242. I consider that the amendments reduce duplication of provisions, and therefore increase plan usability. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.18.14 CE-P5 - Restoring and rehabilitating activities within the coastal environment

3.18.15 Matters raised by submitters

243. Forest and Bird [225.192] seeks that CE-P5 is amended so that the term “rehabilitating” is replaced with “enhancement”, and that the words “consistent with the provisions on this plan” is added to the end of the policy. The submitter considers:

Uncertainty in the policy wording as to whether adverse effects could occur. The wording is not certain in terms of whether restoration would also maintain values.

The policy is broad, applying to the full coastal environment rather than just the natural character, natural feature and landscape values which the objectives relate to. While this is not objected to, the introduction to the chapter should provide clarification on the scope of the chapter to reflect this policy. The policy also needs to be worded so that it is consistent with the ECO and ONFL provisions which apply in the coastal environment.

³⁷ Waka Kotahi [82.157]; Forest and Bird [225.191]

3.18.16 Assessment

244. I consider that using the term “rehabilitate” is appropriate as it is consistent with RPS Objective 5:

Areas of the coastal environment where natural character has been degraded are restored and rehabilitated

245. I am not sure what the purpose of adding “consistent with the provisions of this plan” would be, and the submitter has not provided a clear explanation of why they seek this amendment. There are some policies in this chapter that refer to CHNC areas while others refer to the Coastal Environment more broadly. All policies have a line of sight through to rules, and this policy links to CE-R3 which sets permitted activity standards around restoration activities.

3.18.17 Summary of recommendations

246. I recommend that the submissions from Forest and Bird [225.192] be **rejected**.

3.18.18 CE-P6 - Subdivision within the coastal environment**3.18.19 Matters raised by submitters**

247. Forest and Bird [225.193] seeks that policy CE-P6 be deleted and replaced with “clear policy direction that subdivision is not appropriate in the coastal environment.” The submitter considers it is:

Inappropriate to allow any subdivision within the coastal environment. This is a highly dynamic environment and climate change poses a very real threat to coastal properties. Inappropriate for Council to allow development in an area that will likely become uninsurable within the lifetime of this Plan.

3.18.20 Assessment

248. There are many suitable sites for subdivision within the Coastal Environment. Much of the coastal environment is highly modified and well above sea level; for example, the whole of Titahi Bay is within the coastal environment and the majority of it is neither highly dynamic nor likely to be impacted by climate change induced effects. The coastal hazard overlay and its policies and rules takes a risk-based approach to areas that are vulnerable to the effects of climate change.
249. I consider that CE-P6 should be retained as it seeks to avoid or mitigate sprawling urban growth in the Coastal Environment as required by Policy 6 of the NZCPS. The submitter's concerns about the effects of climate change are addressed through CE-P9 to CE-P14 and apply in addition to this CE-P6.

3.18.21 Summary of recommendations

250. I recommend that the submissions from Forest and Bird [225.193] be **rejected**.

3.18.22 CE-P7 - Mining and quarrying activities within the coastal environment**3.18.23 Matters raised by submitters**

251. Forest and Bird [225.194] seeks that CE-P7 is amended so that new quarrying and mining is avoided in the Coastal Environment in addition to areas of CHNC as:

The policy applies to the whole coastal environment and suggests that new mining and quarrying activities may be appropriate in any areas not covered by the HNC overlay. New mining and quarrying activities should be avoided in SCHED7 SNA, ONFLs and HNC overlays. Mining and quarrying within the coastal environment is incompatible with the NZCPS.

3.18.24 Assessment

252. I agree with the submitter that these activities should be avoided in CHNC areas. However, the submitter has not provided any reasons as to why quarrying or mining is inappropriate in the wider Coastal Environment. As outlined earlier, the majority of Porirua's Coastal Environment is highly modified. I consider that small-scale extractive industries could be appropriate as outlined in the Coastal Environment s32 evaluation³⁸ for this topic:

Within the broader coastal environment extractive industries are identified as a discretionary activity. This provides for small scale private extraction supporting on site farming activities may be appropriate and aligns with the NFL provision for such activities within the SALs. However, the activity status allows consideration of the scale and degree of the effects which is supported by the proposed policy framework.

3.18.25 Summary of recommendations

253. I recommend that the submissions from Forest and Bird [225.194] be **rejected**.

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

³⁸ Page 47, Coastal Environment s32 Evaluation Report

3.18.26 CE-P12 - Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Low Hazard Areas within the Coastal Hazard Overlays**3.18.27 Matters raised by submitters**

255. Linda Dale [247.6] seeks that CE-P12 be removed or amended as follows: “property damage is avoided or minimised”. The submitter considers:

The policy displays an extremely risk-averse position to any level of risk at all and it goes far beyond the Regional Policy Statement for the Wellington Region. Refers to Policy 29.

Concerns raised about the effects of requiring total risk avoidance in areas of low risk (time and cost implications for development) and strong likelihood would encourage only large scale greenfield development, contrary to CE-P6.

The only coastal risk in this category is a 1 in 1000 year tsunami risk. Refers to how authorities approach tsunami risk, such as Auckland (among others) and noted in the s32 report seems to be more appropriate.

3.18.28 Assessment

256. I consider that CE-P12 is a generally enabling policy that “provides for” these activities in low hazard areas. It provides an appropriate consenting pathway provided mitigation measures are incorporated. The policy does not seek to avoid the activities themselves, rather that the risk to people and property is avoided. I do not consider that it is appropriate to include a qualifier “minimised” if the risk can be avoided altogether.

257. There are other councils that do not address tsunami hazards in their district plans as outlined in section 5.2.2 of the Natural Hazards s32 evaluation, they instead rely solely on emergency management responses. I consider that this is inconsistent with the NZCPS which requires that plans address the risk of tsunami hazards through the management of subdivision, use and development.

3.18.29 Summary of recommendations

258. I recommend that the submissions from Linda Dale [247.6] be **rejected**.

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

3.18.30 CE-P17 Hard engineering measures**3.18.31 Matters raised by submitters**

260. Forest and Bird [225.197] seeks amendments to CE-P17 as follows “Only consider allowing hard engineering measures...when” and “5. Significant adverse effects on natural features and landscapes, ecosystems systems and coastal processes”. The submitter considers:

An activity could be considered appropriate on this policy alone. Other policies including those sought by Forest & Bird for consideration of effects on indigenous biodiversity outside of the SCHED7 SNA overlays will also be relevant.

3.18.32 Assessment

261. I consider that CE-P17 sets a high regulatory bar for hard engineering measures. The criteria under 'only allow...when' all need to be met, therefore the activity is unlikely to be appropriate in many circumstances. The use of the term 'only allow' is consistent throughout the PDP and therefore I do not consider it needs to be amended. The addition of "considering" does not add any value to the policy, the need to "consider" allowing is inherent in the policy.
262. I agree with the other requested amendments to criterion 5. While they lengthen the policy, they give more guidance to decision makers on potential adverse effects.

3.18.33 Summary of recommendations

263. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** CE-P17 as outlined below and in Appendix A.

CE-P17	Hard engineering measures
<p>Only allow hard engineering measures for the reduction of the risk from natural hazards when:</p> <ol style="list-style-type: none"> 1. The engineering measures are needed to protect existing regionally significant infrastructure and it can be demonstrated that there is no reasonable alternative; 2. There is an immediate risk to life or private property from the natural hazard; 3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on the adjacent properties that are not protected by the hard engineering measures; 4. It avoids the modification or alteration of natural features and systems in a way that would compromise their function as natural defences; 5. Significant adverse effects on natural features and landscapes, ecosystems and coastal processes systems³⁹ (including but not limited to beach width and beach material composition, and the presence of sand dunes) from those measures are avoided, and any other adverse effects are avoided; remedied or mitigated; and 6. It can be demonstrated that soft engineering measures would not provide an appropriate level of protection in relation to the significance of the risk. 	

³⁹ Forest and Bird [225.197]

264. I recommend that the submissions from Forest and Bird [225.197] be **accepted in part**.

3.18.34 Section 32AA evaluation

265. In my opinion, the amendments recommended to CE-P17 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

266. I consider that the amendments provide more guidance to decision makers on potential adverse environmental effects. Therefore the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.19 Rules

3.19.1 CE-R1 - Earthworks within a Coastal High Natural Character Area

3.19.2 Matters raised by submitters

267. Porirua City Council [11.54] seeks that the CE-R1-1.a.ii be deleted as the maintenance and construction of public tracks is covered by the Infrastructure Chapter.

268. Waka Kotahi [82.160] seeks that CE-R1 be amended so that to permit the maintenance of the existing state highway network.

269. GWRC [137.63] seeks that CE-R1 be amended to require consent (as either a controlled or restricted discretionary activity) for earthworks associated with new walking or bike tracks.

270. Forest and Bird [225.199] seeks CE-R1-1 be amended by including a condition that the activity is not within 15m of a natural wetland, and “further amendments to ensure that where the 15m set back is not complied with the activity considered under a non-complying classification.”

3.19.3 Assessment

271. The Infrastructure Chapter addresses earthworks within CHNC for infrastructure. Therefore, I agree that CE-R1-1.a.ii should be deleted and that the other amendments sought to this clause of the rule are inappropriate⁴⁰.

272. As outlined in section 3.7 of the ECO s42A report, requiring setbacks duplicates clause 54 of the NES-FW. Clause 54 requires a 10m setback from wetlands for both earthworks and vegetation removal.

3.19.4 Summary of recommendations

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

⁴⁰ The s42A report for Infrastructure addresses the substance of Waka Kotahi [82.160] and GWRC [137.63]

- a. **Amend** CE-R1 as outlined below and in Appendix A.

CE-R1	Earthworks within a Coastal High Natural Character Area
	<p>All zones</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The earthworks are for:</p> <p style="padding-left: 40px;">i. The maintenance of existing farm tracks, accessways or digging new fence post holes; and-or</p> <p style="padding-left: 40px;">ii. The construction of new public walking or cycling access tracks; and⁴¹</p> <p>b. Compliance is achieved with CE-S1.</p> <p>Note: The relevant earthworks provisions of the ECO and NFL chapters also apply.</p>

274. I recommend that the submission from Porirua City Council [11.54] be **accepted**.
275. I recommend that the submissions from Waka Kotahi [82.160], GWRC [137.63], and Forest and Bird [225.199] be **rejected**.
276. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.19.5 Section 32AA evaluation

277. In my opinion, the amendments recommended to CE-R1 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
278. I consider that the amendments reduce duplication of provisions, and therefore increase plan usability. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.19.6 CE-R2 - Vegetation removal within a Coastal High Natural Character Area

3.19.7 Matters raised by submitters

279. Porirua City Council [11.55] seeks that the CE-R2-1.a.iv be deleted as the maintenance and construction of public tracks is covered by the Infrastructure Chapter, as well as amending the rule so that it only applies to indigenous vegetation as “otherwise the removal will apply to all vegetation and it would not be consistent with the policy direction in CE-P3 and CE-P4”.

⁴¹ Porirua City Council [11.54]

280. Waka Kotahi [82.161] seeks that CE-R2-1.a.ii be amended as follows: “~~any formed public road~~ the transport network or access.”
281. Forest and Bird [225.200] seeks CE-R2-1 be amended as follows: “Maintenance ~~or construction of a new~~ of existing public walking” and amending CE-R2-2 by adding the following matter of discretion: “Effects on indigenous biodiversity”.

3.19.8 Assessment

282. The Infrastructure Chapter addresses vegetation clearance within CHNC for infrastructure. Therefore, I consider that CE-R2-1.a.iv and CE-R2-1.a.ii should be deleted and that the other amendments sought to the rule are inappropriate⁴².
283. I do not consider the additional matter of discretion is necessary as CE-R2-2 restricts matters of discretion to CE-P3 which covers a broad range of matters including “c. Avoiding or minimising the removal of any indigenous vegetation.” The Natural Environmental Values S42A report addresses how the maintenance of indigenous biodiversity is addressed throughout the PDP.

3.19.9 Summary of recommendations

284. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** CE-R2 as outlined below and in Appendix A.

CE-R2	Vegetation removal within a Coastal High Natural Character Area
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. The removal of vegetation is for the purpose of: <ol style="list-style-type: none"> i. Addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation; ii. Ensuring the safe and efficient operation of any formed public road or access; iii. Enabling the maintenance of buildings where the removal of vegetation is limited to within 3m from the external wall or roof of a building; iv. Maintenance or construction of a new public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with

⁴² The s42A report for Infrastructure addresses the substance of the submission points from Waka Kotahi [82.160] and Forest and Bird [225.200]

~~the Porirua City Council Track Standards Manual (Version 1.2, 2014);⁴³~~

- v. Constructing new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the removal does not exceed 2m in width; or
- vi. Enable tangata whenua to exercise customary harvesting.

Note: the ECO provisions also apply where removal of indigenous vegetation is proposed and the area is an identified Significant Natural Area.

285. I recommend that the submission from Porirua City Council [11.55] be **accepted**.
286. I recommend that the submissions from Waka Kotahi [82.161] and Forest and Bird [225.200] be **rejected**.
287. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.19.10 Section 32AA evaluation

288. In my opinion, the amendments recommended to CE-R2 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
289. I consider that the amendments reduce duplication of provisions, and therefore increase plan usability. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.19.11 CE-R3 - Restoration and maintenance activities within Coastal High Natural Character Areas

3.19.12 Matters raised by submitters

290. Forest and Bird [225.201] seeks that CE-R3-2 be amended by adding the following matter of discretion: "Effects on indigenous biodiversity".

3.19.13 Assessment

291. I do not consider the additional matter of discretion is necessary, CE-R3-2 restricts matters of discretion to CE-P3 which covers a broad range of matters including vegetation clearance and mitigating effects on values described in SCHED11. The Natural Environmental Values

⁴³ Porirua City Council [11.55]

S42A report addresses how the maintenance of indigenous biodiversity is addressed throughout the PDP.

3.19.14 Summary of recommendations

292. I recommend that the submissions from Forest and Bird [225.201] be **rejected**.

3.19.15 CE-R6 - Additions to existing buildings in all hazard areas of the Coastal Hazard Overlays

3.19.16 Matters raised by submitters

293. Linda Dale [247.10] seeks that the threshold for alterations be increased from 20m² to 35m² as:

While appreciates the flexibility provided by Policy CE-P11, finds that this rule is unnecessarily restrictive. The change is sought to allow for extensions of up to a total of 35 m² to allow for the building of one large or two medium sized rooms. This would provide for greater flexibility and to allow building in the most financially efficient manner.

3.19.17 Assessment

294. I do not agree that this permitted threshold should be increased to 35m². The rationale behind the 20m² threshold is not addressed in the s32 evaluation for this topic, but the intent was that it equates to an average sized living room. It also aligns with a similar provision in the Upper Hutt District Plan, an adjacent territorial authority:

Within the ponding area of the Pinehaven Flood Hazard Extent the alteration and addition to existing buildings, or construction of accessory buildings are a Permitted Activity provided the gross floor area is less than 20m² and the proposal complies with the relevant zone standards for permitted activities⁴⁴

3.19.18 Summary of recommendations

295. I recommend for the reasons given in the assessment that the submission from Linda Dale [247.10] be **rejected**.

⁴⁴ Chapter 33, Pinehaven Flood Hazard Extent and Pinehaven Catchment Overlay, rule 33.1

3.19.19 CE-R7 - All Potentially-Hazard-Sensitive Activities within the Low Hazard Area of the Coastal Hazard Overlay**3.19.20 Matters raised by submitters**

296. DOC [126.58] seeks that the activity status of CE-R7 be amended from controlled to restricted discretionary with relevant matters of discretion to provide Council ability to decline when appropriate. The submitter considers that "Council should maintain the ability to decline activities within the coastal hazard overlays when appropriate".

3.19.21 Assessment

297. I consider that this activity is appropriate as a controlled activity in a low hazard area. The hazard can be mitigated through establishing a suitable minimum floor level as a matter of control.

3.19.22 Summary of recommendations

298. I recommend for the reasons given in the assessment, that the submission from DOC [126.58] be **rejected**.

3.19.23 CE-R8 - New buildings and structures within a Coastal High Natural Character Area**3.19.24 Matters raised by submitters**

299. Robyn Smith [168.55] seeks the PDP is amended so "all buildings, regardless of scale or purpose within CHNCs 008 to 0014 are categorised as a non-complying activity" as:

Opposes these provisions, especially in relation to CHNC within Whitireia Park and Titahi Bay, noting that there are four in Whitireia Park (CHNCs 008, 009, 010 and 011), and three in Titahi Bay (CHNCs 012, 013 and 014). There is no reason why additional buildings are required in those areas and in the unlikely event that they are, they should be subject to a consent process.

300. Forest and Bird [225.202] seeks CE-R8-1 is amended by adding the following matter of discretion: "Effects on indigenous biodiversity".

3.19.25 Assessment

301. I consider that the restricted discretionary threshold of 50m² for new buildings and structures is appropriate as outlined in section 8.5 of the Coastal Environment s32 evaluation. It is possible that a low level of development could be complementary with protection and enjoyment of CHNC areas, subject to CE-P3, perhaps buildings and structures such as information boards, bird hides, boardwalks, boot cleaning stations etc.

302. I do not consider the additional matter of discretion is necessary, CE-R8-1 restricts matters of discretion to CE-P3 which covers a broad range of matters including vegetation clearance and mitigating effects on values described in SCHED11.

3.19.26 Summary of recommendations

303. I recommend that the submissions from Robyn Smith [168.55] and Forest and Bird [225.202] be **rejected**.
304. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.19.27 CE-R9, CE-R10 and CE-R18

3.19.28 Matters raised by submitters

305. Linda Dale [247.11, 247.12, 247.14] seeks deletion of CE-R9-1.a and CE-R10-1.a as it discourages development, and creates a high probability that building plans meeting this standard would conflict with other provisions in the PDP regarding building height (also refers to comments on associated Policy CE-P12). The submitter opposes CE-R18 “unless the submissions on CE-P9 and/or APP-10 regarding the re-classification of residential units as potentially-hazard-sensitive are followed”.
306. Kimberly Vermey [50.4] seeks that CE-R10 is amended to remove the reference to the return period of the tsunami hazard from the rule. The submitter considers:

The rule is fine but the wording of the rule is cumbersome. Suggests removing the reference to 1:500 year as this is covered in the appendix. The addition of describing the return period of the coastal hazard in the rule makes the rule long.

3.19.29 Assessment

307. I consider that requiring new buildings or substantial additions to buildings to be located above the low and medium hazard area is in line with CE-P12, as well as the overall risk-based approach the chapter takes to ensuring people and property are resilient to coastal hazards and the impacts of climate change. I do not consider any consequential changes to CE-R18 are required.
308. I agree with the Kimberly Vermey that the title of CE-R10 should be more concise, and reference to return periods should be removed, as well as the reference to “new buildings”. I also consider that the finished floor level requirement is not relevant to the coastal erosion hazard and that this should be deleted. I consider that these amendments would improve the readability of the rule title and rule.

3.19.30 Summary of recommendations

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

- a. **Amend** CE-R4 as outlined below and in Appendix A.

CE-R10	All Potentially-Hazard-Sensitive Activities within the Medium Hazard Area of the Tsunami Hazard – 1:500 year inundation extent or any new buildings for a Potentially Hazard Sensitive Activity within the Medium Hazard Area of the Coastal Hazard – Future Erosion and Coastal Hazard – Future Inundation area of the Coastal Hazard Overlays
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Any building associated with a Potentially-Hazard-Sensitive Activity within the Medium Hazard Area of the Tsunami Hazard - 1:500 year inundation extent or Coastal Hazard – Future Erosion and Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay must have a finished floor level above the inundation level.</p> <p>The matters of discretion are restricted to:</p> <p>1. The matters in CE-P13.</p>

310. I recommend that the submission from Kimberley Vermey [50.4] be **accepted**

311. I recommend that the submission from Linda Dale [247.11, 247.12, 247.14] be **rejected**.

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

3.19.31 Section 32AA evaluation

313. In my opinion, the amendments recommended to CE-R10 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

314. I consider that the amendments address an error in the notified provisions. This will reduce regulatory uncertainty and enhance plan usability. Therefore the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.19.32 CE-R15 - Quarry or mining activities within the coastal environment**3.19.33 Matters raised by submitters**

315. Forest and Bird [225.203] seeks that it be clarified that the discretionary classification does not apply within SCHED7 SNA and ONFL overlays as well as the CHNC overlay, by amending CE-R15 as follows:

The quarry or mining activity is not located within a:

- *Coastal High Natural Character Area overlay;*
- *SCHED7 SNA overlay;*
- *ONFL overlay.*

3.19.34 *Assessment*

316. The submitter does not provide any reasoning why these overlays should be referenced in this chapter. This would duplicate NFL-R11 and would be inconsistent with the approach of the Ecosystems and Indigenous Biodiversity Chapter which does not address the activity of quarrying and mining, rather the effects of earthworks and vegetation removal through the effects management hierarchy. The underlying zone provisions are also relevant where the activity of quarrying and mining is addressed. These activities are only provided for in the PDP in the General Rural Zone as a restricted discretionary activity (GRUZ-R19 and GRUZ-R20).

3.19.35 *Summary of recommendations*

317. I recommend that the submission from Forest and Bird [225.203] be **rejected**.

3.19.36 *CE-R17 - All Hazard-Sensitive Activities within the High Hazard Area of the Tsunami Hazard - 1:100 year inundation extent of the Coastal Hazard Overlay*

3.19.37 *Matters raised by submitters*

318. Linda Dale [247.13] seeks CE-R17 be amended to apply to all new activities. The submitter raises issues in line with other concerns raised on this topic, as well as stating that:

The rules seems to apply to existing activities and this creates uncertainty. It also appears to contradict CE-P11 which allows for activities of this type within this zone

3.19.38 *Assessment*

319. I consider that this amendment is unnecessary. Existing lawfully established activities have existing use rights under s10 of the RMA. Therefore, this rule only applies to new activities, or where an existing activity is proposed to be increased in terms of its character, intensity, or scale of effects and s10 does not apply.

3.19.39 *Summary of recommendations*

320. I recommend that the submission from Linda Dale [247.13] be **rejected**.

3.19.40 CE-R19 - Any activity not otherwise listed as permitted, controlled, restricted discretionary, discretionary or non-complying

3.19.41 Matters raised by submitters

321. Linda Dale [247.15] seeks amendments to CE-R19 to:

...improve the wording to be more precise (perhaps it was intended to only apply to Coastal High Natural Character Areas?) and make it 'Discretionary' rather than non-complying, as this lessens the impact of any unintended consequences from such a broadly applicable rule.

322. The submitter considers:

An extremely broad rule and it raises issues of uncertainty including the potential for activities not mentioned in the plan needing resource consent.

It is unclear which parts of the plan it relates to and there is no definition of 'activities'.

It is unclear whether it relates to the Coastal Environment, or the whole plan and it is difficult to see how it supports the objectives and policies contained in this section.

3.19.42 Assessment

323. I agree with the submitter that the rule should be discretionary for the reason given. This would align with other rules and recommended changes to rules making “catch all” rules discretionary activities (see section 3.26.8 of the s42A for Ecosystems and Indigenous Biodiversity for example).

324. I also agree that it is unclear which areas this rule applies to. I consider, consistent with other “catch all” rules in other chapters, that the rule is intended to apply to specific overlays including CHNC areas and hazard overlays. I do not consider that the rule should apply to the entire mapped Coastal Environment. As outlined earlier in this report the majority of Porirua’s Coastal Environment is highly modified and covers whole suburbs. A “catch-all” rule applying to all activities in the Coastal Environment would be inappropriate.

3.19.43 Summary of recommendations

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

- a. **Amend** CE-R19 as outlined in Appendix A.

CE-R19

Any activity within a Coastal High Natural Character Area or coastal hazard overlay⁴⁵ not otherwise listed as permitted,

⁴⁵ Linda Dale [247.15]

controlled, restricted discretionary, discretionary or non-complying	
All zones	1. Activity status: Non-complying-Discretionary ⁴⁶

326. I recommend that the submission from Linda Dale [247.15], be **accepted**.

3.19.44 Section 32AA evaluation

327. In my opinion, the amendments recommended to CE-R19 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.

328. I consider that the amendments to the rule title provide more clarity about the intent of the rule. I consider that amending the catch all rule to discretionary is more consistent with similar catch all rule across the PDP. This will reduce regulatory uncertainty and enhance plan usability. Therefore the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.20 Standards

3.20.1 CE-S1 - Trimming, pruning or removal where there is the imminent threat to the safety of people or property

3.20.2 Matters raised by submitters

329. Porirua City Council [11.56] seeks CE-S1-1.b be deleted as the construction of public tracks is covered by the Infrastructure Chapter.

330. GWRC [137.64] seeks CE-S1 be amended to reduce the scale of earthworks for tracks allowed within CHNC areas, particularly in smaller areas.

3.20.3 Assessment

331. I consider that CE-S1-1.b be deleted as rules relating to infrastructure are addressed in the infrastructure chapter (See Part B Infrastructure s42A report which will address the substance of the submission point from GWRC)⁴⁷.

3.20.4 Summary of recommendations

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

- a. **Amend** CE-S1 as outlined below and in Appendix A.

⁴⁶ Linda Dale [247.15]

⁴⁷ The s42A report for Infrastructure addresses the substance of GWRC [137.64]

CE-S1	Earthworks	
All zones	<p>1. Earthworks:</p> <p>a. Must not exceed a maximum area of 50m² within any five year continuous period per site and any exposed areas are treated or screened as soon as practical, but no later than three months after the completion of earthworks or stages of earthworks; or</p> <p>b. Where associated with the maintenance of, or new, public walking or cycling tracks must be no greater than 2.5m wide and cuts or fill less than 1.5m above ground level or 1.8m on switchbacks and undertaken by Porirua City Council or an approved contractor acting on their behalf and in accordance Porirua City Council Track Standards Manual (Version 1.2, 2014).⁴⁸</p> <p>Note: Earthworks within the coastal environment identified on the District Plan maps, but outside the Coastal High Natural Character areas are subject to the relevant zone standard or overlay standard as identified elsewhere within the Plan.</p>	<p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on the stability of land or structures in or on the site or adjacent sites; 2. Effects on the visual amenity values and character of the surrounding area; 3. Effects on the natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform; 4. Effects of dust and vibration beyond the site; 5. Measures to prevent silt or sediment from leaving the site, particularly measures to minimise silt and sediment entering the stormwater system and roads; 6. The effects of silt and sediment beyond the site; 7. The potential for staging of earthworks to minimise the total area of exposed soils at any point in time; and 8. The effect on the identified values and characteristics within SCHED11 - Coastal High Natural Character Areas.

333. I recommend that the submission from Porirua City Council [11.56] be **accepted**.

334. I recommend that the submission from GWRC [137.64] be **rejected**.

⁴⁸ Porirua City Council [11.56]

3.20.5 Section 32AA evaluation

335. In my opinion, the amendments recommended to CE-R1 are more appropriate in terms of achieving the objectives of the PDP than the notified provisions.
336. I consider that the amendments reduce duplication of provisions, and therefore increase plan usability. Therefore, the amended provisions are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

3.21 SCHED11 - Coastal High Natural Character Areas

3.21.1 Matters raised by submitters

337. Titahi Bay Residents Association [95.4, 95.6] seeks inclusion of the Titahi Bay Fossil Forest to SCHED11, as well as a policy of protection for the fossil forest as:

The PNRP for the Wellington area has elevated the fossil forest to a feature of National Significance. It is currently finalising the rules to protect it from disturbance by beach works and motor vehicles. Proposed rules in this plan need to be consistent with those policies and rules.

338. Hannah Bridget Gray No2 Trust [108.9] and Christine and Alan Stanley and Gray [106.2] seeks amendments to the title and site description of CHNC005 – Grays Road Bush. The latter states:

The area marked as CHN005 is identified as Grays Bush by all other authoritative sources such as GWRC, New Zealand Plant Conservation Network, Porirua City Council, and NZ Botanical Society. It is named after the Gray family, not the road it is on. Use of an alternative name introduces confusion.

This area is a subset of SNA069 (Grays Road Bush). Currently, CHNC005 and SNA069 contradict each other. CHNC005 had stock excluded from it in the mid 1950's. Until then, from the settlement of the Grays in the 1850's, the bush was under-grazed by cattle. As a result, there is therefore a gap in the understorey. The bush has been surveyed several times. These records are with the GWRC and Wellington Botanical Society. As highlighted in SNA069, there is a high diversity of species and contains some species of national significance

339. Pikarere Farm Limited [183.8] seeks in relation to Pikarere Farm and CHNC 014 Rukutane Escarpment: "The same comments apply as in respect of SAL 003 Rukutane/Titahi Bay (Special Amenity Landscape Schedule 10)."
340. The submitter seeks that the location of SAL 003 Rukutane/Titahi Bay be amended so that:
- It is closer to the boundary with Porirua City to exclude land not required to protect the backdrop.
 - The boundary of the SAL should follow the boundary of the Komanga title.

3.21.2 Assessment

341. Rhys Girvan from Boffa Miskell has reviewed these submissions in his expert evidence for Council.
342. Mr Girvan agrees with the relief sought in relation to the site description of CHNC005 – Grays Road Bush. I accept the advice of Mr Girvan and recommend that SCHED11 be amended accordingly.
343. Mr Girvan considers that while the Titahi Bay Fossil Forest is a geological site of regional significance, it is identified and mapped for protection in Greater Wellington's PNRP⁴⁹. He considers that such recognition is not equivalent to high natural character. He considers that modification in this area of the coast has a moderate-low level of natural character overall. This is because the beach has undergone extensive modification from construction of the boat sheds, vehicle access to the beach and stormwater drainage outlets, to construction of the seawall and other concrete structures. Given such modification the Fossil Forest is not considered to express high natural character.
344. Mr Girven recommends that there be no change to the boundary in relation to CHNC-014. He considers that the area was identified as having High Abiotic values, Moderate Biotic values and Moderate-High Experiential values, and that the boundary was mapped to reflect the area which encompasses the values described.
345. I accept the advice of Mr Girven, and I consider no change to the planning maps is required in relation to these submissions.

3.21.3 Summary of recommendations

346. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** SCHED11 as outlined below and in Appendix A.

CHNC005	Grays Road Bush
Key values	<ol style="list-style-type: none"> 1. There is some interference of abiotic processes but they are generally intact. 2. This mature tawa-kohekohe dominated forest remnant is one of only a few left in Porirua. The vegetation is in good condition and is reasonably representative of the historic vegetation of the area. The understory is assumed to have high species diversity (no internal surveys have been carried out but fencing is evident). <u>Whilst the understory has a gap due to undergrazing until the 1950s, the area has high species diversity and contains nationally threatened species, as surveyed by Wellington Botanical Society.⁵⁰</u> 3. This remnant is the only forest on the inlet to contain both coastal kowhai forest and lowland podocarp- hardwood forest.

⁴⁹ Proposed Natural Resources Plan, Schedule J: Significant geological features in the coastal marine area

⁵⁰ Hannah Bridget Gray No2 Trust [108.9] and Christine and Alan Stanley and Gray [106.2]

4. The experiential nature of the area is predominantly wild with little human interference.

347. I recommend that the submission from Hannah Bridget Gray No2 Trust [108.9] and Christine and Alan Stanley and Gray [106.2] be **accepted**.

348. I recommend that the submission from Titahi Bay Residents Association [95.4, 95.6] and Pikarere Farm Limited [183.8] be **rejected**.

4 Conclusions

349. Submissions have been received in support of, and in opposition to the PDP. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in Appendix A of this report.
350. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, 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, and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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
Report Author	Torrey McDonnell Principal Policy Planner, Porirua City Council	

Appendix A. Recommended Amendments to Chapter and SCHED11

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

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

Other notes

- Consequential changes have been made in this chapter in response to:
 - Replacement of the term 'customary harvesting' with 'hauhake' (see Part A s42A overarching report - TRONT [264.89]).
 - Replacement of the term "Flood Hazard – Ponding" with "Flood Hazard – Inundation" (see Part B s42A Report on Natural Hazards – Paul and Julia Botha [118.12]).

Definitions

Coastal environment means the area identified on the planning maps as being located within the ~~inland~~ landward⁵¹ extent of the coastal environment.

Overlay means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, ~~as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay.~~⁵²

Specified overlay means overlays set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay set out in Appendix 10.⁵³

⁵¹ Robyn Smith [168.51]

⁵² Forest and Bird [225.188]

⁵³ Forest and Bird [225.188]

Planning map legend

□ General District-Wide Matters Overlays

- ~~Landward extent of the coastal environment~~⁵⁴
- Noise Corridor

□ Historical and Cultural Values Overlays

- Natural Environment Values Overlays
- Significant Natural Areas
- Outstanding Natural Features and Landscapes
- Special Amenity Landscapes
- Coastal High Natural Character Areas
- ~~Coastal Environment Inland Extent~~⁵⁵

□ Hazards and Risks Overlays

- Flood Hazard - Stream Corridor
- Flood Hazard - Overland Flow
- Flood Hazard - ~~Pending Inundation~~⁵⁶
- Coastal ~~Erosion~~ Hazard – Current Erosion
- Coastal ~~Erosion~~ Hazard – Future Erosion (with 1m SLR)
- Coastal ~~Flood~~ Hazard – ~~Current Inundation 1:100yr storm surge~~
- Coastal ~~Flood~~ Hazard – ~~Future Inundation 1:100yr storm surge~~⁵⁷ (with 1m SLR)
- Tsunami Hazard - 1:100yr Inundation Extent
- Tsunami Hazard - 1:500yr Inundation Extent
- Tsunami Hazard - 1:1000yr Inundation Extent
- Fault Rupture Zone

⁵⁴ Robyn Smith [168.51], Forest and Bird [225.182]

⁵⁵ Robyn Smith [168.51], Forest and Bird [225.182]

⁵⁶ Paul and Julia Botha [118.12]

⁵⁷ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

CE - Coastal Environment

Porirua's coastal environment is dynamic, extending 12 nautical miles out to sea and incorporating an ~~inland landward~~⁵⁸ extent where coastal processes, influences or qualities are significant. It represents an important interface, exposed to natural hazards while also providing amenity, cultural and social value to the community and it is of particular importance to tangata whenua. This chapter only applies to the ~~inland landward~~⁵⁹ extent of the coastal environment as shown on the planning maps. The seaward extent below Mean High Water Springs ("MHWS") out to the 12 nautical mile limit is within Greater Wellington Regional Council's jurisdiction. The ~~inland landward~~⁶⁰ extent of Porirua's coastal environment has been identified in accordance with Policy 1 of the New Zealand Coastal Policy Statement (2010).

Porirua City's 55km of coastline encompasses a wide range of coastal character from inlets and harbours to open rocky coastline and offshore islands, sandy beaches and remnant coastal bush to large coastal cliffs and escarpments. Porirua's coastline contributes to the identity and character of the City. The RMA, the New Zealand Coastal Policy Statement and the Regional Policy Statement for the Wellington Region requires that the areas of high natural character in the coastal environment is preserved and protected from inappropriate subdivision, use and development, while also promoting where possible the restoration of natural character. The chapter focuses on ensuring this is achieved.

Porirua City's coastal environment is susceptible to a wide range of natural hazards, which are mapped as Coastal Hazard Overlays:

1. ~~Tsunami;~~
2. ~~Coastal erosion; and~~
3. ~~Coastal inundation.~~

Three tsunami hazard areas have been identified for the following return periods: 1 in 100 years, 1 in 500 years and 1 in 1000 years.

Two coastal erosion and coastal flood hazard areas have been identified:

- Current coastal erosion hazard - areas potentially vulnerable to coastal erosion with existing sea level and coastal processes.

- Current coastal flood hazard - areas potentially vulnerable to coastal flooding with existing sea level and coastal processes in a 1 in 100 year storm surge event

- Future coastal erosion hazard - areas potentially vulnerable to coastal erosion over the period to 2120, assuming sea level rise of 1.0 m.

⁵⁸ Robyn Smith [168.51]

⁵⁹ Robyn Smith [168.51]

⁶⁰ Robyn Smith [168.51]

- Future coastal flood hazard - areas potentially vulnerable to coastal flooding in a 1 in 100 year storm surge event over the period to 2120, assuming sea level rise of 1.0 m.⁶¹

The Chapter's objectives, policies and rules also provide the framework for ensuring that the risks of coastal hazards that threaten people and property are recognised and provided for, while also taking into account climate change effects over time. Given the continued uncertainty associated with the rate of sea level rise, the different sea level scenarios as outlined in the Ministry for the Environment 'Preparing for Coastal Change' (2017) guidance have been used to form the basis of the mapping of these hazards.

The Natural Hazards chapter (NH) provides a comprehensive assessment of the risk-based approach including a break-down of the susceptibility of different activities and the corresponding sensitivities to natural hazards. The assessment against the risk-based approach within the natural hazard chapter is equally applicable to coastal hazards, and therefore is not duplicated in this chapter. The hazard ranking of coastal hazards differs to that of other natural hazards and is set out in APP10 - Natural Hazard Risk Assessment.

The coastal environment also includes Significant Natural Areas, Outstanding Natural Features and Landscapes and Special Amenity Landscapes, which are addressed through the Ecosystems and Indigenous Biodiversity and Natural Features and Landscape chapters in accordance with the New Zealand Coastal Policy Statement. Outside those specific overlay areas, activities can be undertaken in accordance with the underlying zone provisions, subject to any other relevant overlays and district-wide rules.

Objectives	
CE-O1	Natural character of the coastal environment
	The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use and development.
CE-O2	Risk from natural hazards
	Subdivision, use and development in the Coastal Hazard Overlays do not significantly increase <u>avoid increasing the risk of social, environmental and economic harm from coastal hazards, the risk to life, or property</u> ⁶² and do not reduce the ability for communities to recover from a natural hazard event.
CE-O3	Natural features
	Natural features that reduce the susceptibility of people, communities, property and infrastructure from damage by natural hazards are maintained or enhanced.
CE-O4	Measures to reduce damage from sea level rise and coastal erosion

⁶¹ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

⁶² DOC [126.43]

There is reduced risk to life and property from flood hazards through planned mitigation works, and Soft soft⁶³ engineering measures are the primary method used to reduce damage from sea level rise and coastal erosion.

Policies

CE- P1 Identification of the coastal environment

Identify and map the ~~inland~~ landward⁶⁴ extent of the coastal environment and the different areas, elements or characteristics within it in accordance with Policy 1 of the New Zealand Coastal Policy Statement and Policy 4 of the Regional Policy Statement for the Wellington Region.

CE- P2 Identification of Coastal High Natural Character Areas

Identify and map areas of high natural character in the coastal environment as a Coastal High Natural Character Overlay and describe the identified values within SCHED11- Coastal High Natural Character Areas, in accordance with the matters set out in Policy 13 of the New Zealand Coastal Policy Statement and Policy 3 of the Regional Policy Statement for the Wellington Region.

CE- P3 Subdivision, use and development within Coastal High Natural Character Areas

Only allow subdivision, use and development within Coastal High Natural Character Areas in the coastal environment, where it:

1. Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified values described in SCHED11 - Coastal High Natural Character Areas; and
2. Demonstrates that it is appropriate by:
 - a. Minimising earthworks and changes to the landform;
 - b. Reducing the scale and prominence of any buildings or structures, including any proposed building platforms, and integrating the design with the site;
 - c. Avoiding or minimising the removal of any indigenous vegetation;
 - d. Utilising restoration or rehabilitation measures;
 - e. Utilising measures to mitigate any adverse effects on the identified values described in SCHED11 - Coastal High Natural Character Areas and
 - f. Enabling the continuation, or enhancing, of tangata whenua cultural and spiritual values and practices.

CE- P4 Earthworks and indigenous vegetation removal in Coastal High Natural Character Areas

Allow earthworks and indigenous vegetation removal within Coastal High Natural Character Areas where:

1. It is of a scale and for a purpose that maintains or restores the identified values described in SCHED11 - Coastal High Natural Character Areas, including restoration and conservation activities; **or**

⁶³ Linda Dale [247.3]

⁶⁴ Robyn Smith [168.51]

	<p>2. It is associated with farming activities for an established working farm, where the identified values described in SCHED11 - Coastal High Natural Character Areas are maintained; or</p> <p>3. It is associated with the ongoing maintenance and repair of existing accessways and construction of public cycling and walking tracks which maintain the identified values described in SCHED11 – Coastal High Natural Character Areas.⁶⁵</p>
CE-P5	Restoring and rehabilitating activities within the coastal environment
	Enable activities that restore and rehabilitate the coastal environment including Te Awarua-o-Porirua Harbour and its margins, and activities which maintain or enhance the amenity, recreational, ecological and cultural values of the coastal environment.
CE-P6	Subdivision within the coastal environment
	Only allow subdivision in the coastal environment within existing settlement areas and avoid new urban sprawl extending along the coastal margin in the General Rural Zone.
CE-P7	Mining and quarrying activities within the coastal environment
	Avoid, remedy or mitigate adverse effects of quarrying activities and mining within the coastal environment and avoid quarrying activities and mining within areas of High Natural Character.
CE-P8	Plantation forestry within the coastal environment
	Avoid establishing new plantation forestry within the coastal environment.
CE-P9	Identification of natural hazards in the coastal environment
	<p>Identify and map natural hazards in the coastal environment in the Coastal Hazard Overlays and take a risk-based approach to the management of development within the Coastal Hazard Overlays based on the approach outlined in APP10 - Natural Hazard Risk Assessment, including:</p> <ol style="list-style-type: none"> 1. The sensitivity of the activity to loss of life, damage from a natural hazard and the ability for communities to recover after a natural hazard event; and 2. The level of risk presented to people and property from a natural hazard.
CE-P10	Less-Hazard-Sensitive Activities within the Coastal Hazard Overlays
	<p>Enable Less-Hazard-Sensitive Activities within the Coastal Hazard Overlays where:</p> <ol style="list-style-type: none"> 1. Mitigation measures are incorporated, where appropriate to reduce the risk from the natural hazard to people's lives and wellbeing; and 2. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.

⁶⁵ Waka Kotahi [82.157]; Forest and Bird [225.191]

CE-P11	Additions to buildings for existing Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Coastal Hazard Overlays
<p>Provide for small scale additions to buildings for existing Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Coastal Hazard Overlays, where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The additions provide for the continued use of the existing building; 2. Mitigation measures are incorporated to reduce the potential damage from the natural hazard to people's lives and wellbeing as a result of the additions; 3. The change in the increase in risk from the additions to life and property is low; and 4. The risk to adjacent properties, activities and people is not increased as result of the activity proceeding. 	
CE-P12	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Low Hazard Areas within the Coastal Hazard Overlays
<p>Provide for Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Low Hazard Areas of the Coastal Hazard Overlays where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing, and property damage is avoided; and 2. The risk to adjacent properties, activities and people is not increased as result of the activity proceeding. 	
CE-P13	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Medium Hazard Areas
<p>Only allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Medium Hazard Areas of the Coastal Hazards Overlays where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that the risk to people's life and wellbeing, property damage and the environment is avoided; 2. People can evacuate safely during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as result of the activity proceeding. 	
CE-P14	Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas
<p>Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 2. The activity incorporates mitigation measures that <u>minimise the risk of damage to buildings</u>; demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event; and- 3. The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity. 	

4. <u>Other than within Commercial and Mixed Use Zones, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option.</u> ⁶⁶	
CE- P15	Planned mitigation works
Enable soft engineered coastal hazard mitigation works undertaken by a statutory agency or their nominated contractors or agents within the identified Coastal Hazard Overlay where these decrease the risk to people and property.	
CE- P16	Soft engineering measures
Encourage soft engineering measures when undertaking planned natural hazard mitigation works within the identified Coastal Hazard Overlay that reduces the risk from natural hazards.	
CE- P17	Hard engineering measures
Only allow hard engineering measures for the reduction of the risk from natural hazards when: <ol style="list-style-type: none"> 1. The engineering measures are needed to protect existing regionally significant infrastructure and it can be demonstrated that there is no reasonable alternative; 2. There is an immediate risk to life or private property from the natural hazard; 3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on the adjacent properties that are not protected by the hard engineering measures; 4. It avoids the modification or alteration of natural features and systems in a way that would compromise their function as natural defences; 5. Significant adverse effects on natural features and <u>landscapes, ecosystems and coastal processes systems</u>⁶⁷ (including but not limited to beach width and beach material composition, and the presence of sand dunes) from those measures are avoided, and any other adverse effects are avoided; remedied or mitigated; and 6. It can be demonstrated that soft engineering measures would not provide an appropriate level of protection in relation to the significance of the risk. 	
Rules	
Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.	
CE-R1	Earthworks within a Coastal High Natural Character Area
All zones	1. Activity status: Permitted

⁶⁶ Porirua City Council [11.53]⁶⁷ Forest and Bird [225.197]

	<p>Where:</p> <p>a. The earthworks are for:</p> <p style="padding-left: 20px;">i. The maintenance of existing farm tracks, accessways or digging new fence post holes; <u>and-or</u></p> <p style="padding-left: 20px;">ii. <u>The construction of new public walking or cycling access tracks; and</u>⁶⁸</p> <p>b. Compliance is achieved with CE-S1.</p> <p>Note: The relevant earthworks provisions of the ECO and NFL chapters also apply.</p>
	<p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with CE-R1-1.a</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">1. <u>The matters in CE-P3.</u>⁶⁹</p> <p style="padding-left: 20px;">2. The matters in CE-P4.</p>
	<p>All zones 3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with CE-S1.</p> <p>Matters of discretion are restricted to:</p> <p style="padding-left: 20px;">1. The matters of discretion of the infringed standard.</p>
CE-R2	Vegetation removal within a Coastal High Natural Character Area
	<p>All zones 1. Activity status: Permitted</p> <p>Where:</p> <p>a. The removal of vegetation is for the purpose of:</p> <p style="padding-left: 40px;">i. Addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation;</p> <p style="padding-left: 40px;">ii. Ensuring the safe and efficient operation of any formed public road or access;</p> <p style="padding-left: 40px;">iii. Enabling the maintenance of buildings where the removal of vegetation is limited to within 3m from the external wall or roof of a building;</p> <p style="padding-left: 40px;">iv. <u>Maintenance or construction of a new public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in</u></p>

⁶⁸ Porirua City Council [11.54]

⁶⁹ Robyn Smith [168.53]

		<p style="color: red;">accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014);⁷⁰</p> <p>v. Constructing new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the removal does not exceed 2m in width; or</p> <p>vi. Enable tangata whenua to exercise customary harvesting.</p> <p>Note: the ECO provisions also apply where removal of indigenous vegetation is proposed and the area is an identified Significant Natural Area.</p>
	All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with CE-R2-1.a.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in CE-P3; and 2. The matters in CE-P4.
CE-R3		Restoration and maintenance activities within Coastal High Natural Character Areas
	All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. It is for the purpose restoring or maintaining the identified values within SCHED11 - Coastal High Natural Character Areas and involves:</p> <ol style="list-style-type: none"> i. Planting eco-sourced local indigenous vegetation; ii. Carrying out animal pest control activities; iii. Demolition and removal of existing buildings or structures; or iv. Carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977.
	All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with CE-R3-1.a.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in CE-P3; and 2. The matters in CE-P5.

⁷⁰ Porirua City Council [11.55]

CE-R4	Less-Hazard-Sensitive Activities within the Low and Medium <u>and high</u>⁷¹ Hazard Areas of the Coastal Hazard Overlays
All zones	1. Activity status: Permitted
CE-R5	Soft engineering coastal hazard mitigation works undertaken by a Statutory Agency or their nominated contractor or agent in all the Hazard Areas of the Coastal Hazard Overlays
All zones	1. Activity status: Permitted
CE-R6	Additions to existing buildings in all hazard areas of the Coastal Hazard Overlays
All zones	<p>1. Activity status: Permitted</p> <p>Where the following standards are met:</p> <ol style="list-style-type: none"> a. The additions are being undertaken to a Potentially-Hazard-Sensitive Activity and Hazard-Sensitive Activity within the Low Hazard Area of the Coastal Hazard Overlays; or b. The additions are for a Less-Hazard-Sensitive Activity in either the Low, Medium or High Hazard Areas of the Coastal Hazard Overlays; or c. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the Medium Hazard Area of the Coastal Hazard - Future Inundation area and Coastal Hazard - Future Erosion area of the Coastal Hazard Overlays; or d. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the Medium Hazard Area of the Tsunami Hazard - 1:500 year inundation extent of the Coastal Hazard Overlays, the additions: <ol style="list-style-type: none"> i. Do not increase the building footprint by more than 40m²; and ii. Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity on the site; or e. If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the High Hazard Area of the Coastal Hazard Overlays the additions: <ol style="list-style-type: none"> i. Do not increase the building footprint by more than 20m²; and ii. Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity on the site. <p>Advice note - For the avoidance of doubt, when an addition or alteration to a building establishes a new Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity on the site, then it shall be assessed under the rule framework for Hazard-Sensitive Activity or</p>

⁷¹ Kimberly Vermey [50.6]

	Potentially-Hazard-Sensitive Activities and not the additions to buildings framework.
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Compliance is not achieved with CE-R6-1.a, CE-R6-1.b, CE-R6-1.c, CE-R6-1.d or CE-R6-1.e. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in CE-P11.
CE-R7	All Potentially-Hazard-Sensitive Activities within the Low Hazard Area of the Coastal Hazard Overlay
	<p>1. Activity status: Controlled</p> <p>Matters of control and limited to:</p> <ol style="list-style-type: none"> 1. The matters in CE-P12.
CE-R8	New buildings and structures within a Coastal High Natural Character Area
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The maximum gross floor area of the building or structure is no greater than 50m² per site; and b. The height of the building or structure is less than 5m above ground level. <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The matters in CE-P3. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the identified values of the Coastal High Natural Character area.
All zones	<p>2. Activity status: Non-complying</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Compliance is not achieved with CE-R8-1. <p>Note: Applications under this rule must provide the following in addition to the standard information requirements pursuant to s88(3) of the RMA:</p> <ul style="list-style-type: none"> • An assessment by a suitably qualified landscape architect to assess the proposal against the values of the Coastal High Natural Character area.

CE-R9	Hazard-Sensitive Activities within the Low Hazard Area of the Coastal Hazard Overlays
All zones	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Any building associated with a Hazard-Sensitive Activity within the Low Hazard Area of the Tsunami Hazard - 1:1000 year inundation extent of the Coastal Hazard Overlays must have a finished floor level above the inundation level.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in CE-P12.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</p>
All zones	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>1. Compliance is not achieved with CE-R9-1.</p>
CE-R10	<p>All Potentially-Hazard-Sensitive Activities within the Medium Hazard Area of the Tsunami Hazard – 1:500-year inundation extent or any new buildings for a Potentially-Hazard-Sensitive Activity within the Medium Hazard Area of the Coastal Hazard – Future Erosion and Coastal Hazard – Future Inundation area⁷² of the Coastal Hazard Overlays</p>
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Any building associated with a Potentially-Hazard-Sensitive Activity within the Medium Hazard Area of the Tsunami Hazard - 1:500 year inundation extent or Coastal Hazard – Future Erosion and⁷³ Coastal Hazard - Future Inundation area of the Coastal Hazard Overlay must have a finished floor level above the inundation level.</p> <p>The matters of discretion are restricted to:</p> <p>1. The matters in CE-P13.</p>
All zones	<p>2. Activity status; Discretionary</p> <p>Where:</p> <p>1. Compliance is not achieved with CE-R10-1.</p>

⁷² Kimberley Vermey [50.4],

⁷³ Kimberley Vermey [50.4],

CE-R11	All Hazard-Sensitive Activities within the Medium Hazard Area of the Tsunami Hazard - 1:500 year inundation extent of the Coastal Hazard Overlays
All zones	1. Activity status: Discretionary
CE-R12	All hard engineering measures in the High Hazard Area of the Coastal Hazard Overlays
All zones	1. Activity status: Discretionary
CE-R13	All new buildings for Hazard-Sensitive Activities within the Medium Hazard Area of the Coastal erosion and inundation extent of the Coastal Hazard Overlays
All zones	1. Activity status: Discretionary
CE-R14	All new buildings for Potentially-Hazard-Sensitive Activities within the High Hazard Area of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area and all new Potentially-Hazard-Sensitive Activities within the High Hazard Area of the Tsunami Hazard - 1:100 year inundation extent of the Coastal Hazard Overlays
All zones	1. Activity status: Discretionary
CE-R15	Quarry or mining activities within the coastal environment
All zones	1. Activity status: Discretionary Where: a. The quarry or mining activity is not located within a Coastal High Natural Character Area.
All zones	2. Activity status: Non-complying Where: a. Compliance is not achieved with CE-R13-1.a.
CE-R16	New plantation forestry within the coastal environment
All zones	1. Activity status: Non-complying
CE-R17	All Hazard-Sensitive Activities within the High Hazard Area of the Tsunami Hazard - 1:100 year inundation extent of the Coastal Hazard Overlay
All zones	1. Activity status: Non-complying
CE-R18	All new buildings for Hazard-Sensitive Activities within the High Hazard Area of the Coastal Hazard - Current Erosion area and Coastal Hazard - Current Inundation area of the Coastal Hazard Overlays
All zones	1. Activity status: Non-complying

CE-R19	Any activity <u>within a Coastal High Natural Character Area or coastal hazard overlay</u> ⁷⁴ not otherwise listed as permitted, controlled, restricted discretionary, discretionary or non-complying	
All zones	1. Activity status: Non-complying-Discretionary ⁷⁵	
Standards		
CE-S1	Earthworks	
All zones	<p>1. Earthworks:</p> <p>a. Must not exceed a maximum area of 50m² within any five year continuous period per site and any exposed areas are treated or screened as soon as practical, but no later than three months after the completion of earthworks or stages of earthworks; or</p> <p>b. Where associated with the maintenance of, or new, public walking or cycling tracks must be no greater than 2.5m wide and cuts or fill less than 1.5m above ground level or 1.8m on switchbacks and undertaken by Porirua City Council or an approved contractor acting on their behalf and in accordance Porirua City Council Track Standards Manual (Version 1.2, 2014).⁷⁶</p> <p>Note: Earthworks within the coastal environment identified on the District Plan maps, but outside the Coastal High Natural Character areas are subject to the relevant zone standard or overlay standard as identified elsewhere within the Plan.</p>	<p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on the stability of land or structures in or on the site or adjacent sites; 2. Effects on the visual amenity values and character of the surrounding area; 3. Effects on the natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform; 4. Effects of dust and vibration beyond the site; 5. Measures to prevent silt or sediment from leaving the site, particularly measures to minimise silt and sediment entering the stormwater system and roads; 6. The effects of silt and sediment beyond the site; 7. The potential for staging of earthworks to minimise the total area of exposed soils at any point in time; and 8. The effect on the identified values and characteristics within SCHED11 - Coastal High Natural Character Areas.

⁷⁴ Linda Dale [247.15]⁷⁵ Linda Dale [247.15]⁷⁶ Porirua City Council [11.56]

APP10 - Natural Hazard Risk Assessment

Coastal Hazard Overlay	Hazard areas
Tsunami Hazard – 1:100 year inundation extent	High
Coastal <u>Flood</u> Hazard – Current Inundation 1:100 year storm ; and Coastal <u>Erosion</u> Hazard – Current Erosion	
Tsunami Hazard – 1:500 year inundation extent	
Coastal <u>Flood</u> Hazard – Future Inundation 1:100 year storm (with 1m SLR); and Coastal <u>Erosion</u> ⁷⁷ Hazard – Future Erosion (with 1m SLR)	Medium
Tsunami Hazard – 1:1000 year inundation extent	Low

SCHED11 - Coastal High Natural Character Areas

CHNC005	Grays Road Bush
Key values	<ol style="list-style-type: none"> 1. There is some interference of abiotic processes but they are generally intact. 2. This mature tawa-kohekohe dominated forest remnant is one of only a few left in Porirua. The vegetation is in good condition and is reasonably representative of the historic vegetation of the area. The understory is assumed to have high species diversity (no internal surveys have been carried out but fencing is evident). Whilst the understory has a gap due to undergrazing until the 1950s, the area has high species diversity and contains nationally threatened species, as surveyed by Wellington Botanical Society.⁷⁸ 3. This remnant is the only forest on the inlet to contain both coastal kowhai forest and lowland podocarp- hardwood forest.

⁷⁷ Dierdre Dale [195.1, 195.2] and Jennifer Norton [148.1]

⁷⁸ Hannah Bridget Gray No2 Trust [108.9] and Christine and Alan Stanley and Gray [106.2]

4. The experiential nature of the area is predominantly wild with little human interference.

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 Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
General							
264.56	Te Rūnanga o Toa Rangatira	General	Retain as notified.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.479	Kāinga Ora	General	Retain as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
137.82 ⁷⁹	GWRC	General	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): submitter supports: the inclusion of coastal flooding, sea level rise and tsunami into the coastal environment section, and the use of different scenarios for mapping the potential impacts of sea level rise. Considered managing and allowing for the impacts of climate change and sea level rise is consistent with the RPS direction on climate change in Objective 21 and Policy 51.	N/A	Accept	Agree with submitter	No
60.87	Transpower		Retain the Coastal Environment Chapter. If the chapter applies to the National Grid, amend provisions to reflect the relief sought in submission. [refer to original submission and specific submission points for full decision requested]	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
Giving effect to the New Zealand Coastal Policy Statement							
225.255 ⁸⁰	Forest and Bird	New Provision	Include policy direction to give effect to NZCPS Policy 14 Restoration of natural character.	3.2	Reject	See body of report	No
126.47 ⁸¹	DOC	New Provision	Provide policy direction to avoid adverse effects on areas of outstanding natural character in the coastal environment.	3.2	Reject	See body of report	No
225.184	Forest and Bird	CE-O1	Amend CE-O1 as follows: <u>The characteristics and qualities of Porirua's coastal environment which contribute to natural character, natural features and landscapes are recognized and valued.</u> The natural character, <u>natural features and landscapes</u> of the coastal environment is preserved and protected from inappropriate subdivision, use and development.	3.2	Reject	See body of report	No
225.47	Forest and Bird	New Provision	Avoid indigenous vegetation clearance in the coastal environment consistent with the NZCPS and limit other indigenous vegetating clearance to maintain indigenous biodiversity.	3.2	Reject	See body of report	No
126.43	DOC	CE-O2	Amend to require that subdivision, use and development in the coastal hazard overlays avoid increasing the risk of: - social, environmental and economic harm from coastal hazards; and - adverse effects from coastal hazards.	3.2	Accept	See body of report	Yes
Earthworks in a Coastal High Natural Character Area							

⁷⁹ Support – Waka Kotahi [FS36.27]⁸⁰ Support – GWRC [FS40.143]⁸¹ Support – GWRC [FS40.110]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
168.53	Robyn Smith	General	Amend the policies, rules and standards so that earthworks regardless of scale or purpose within CHNCs 008 to 014 are a non-complying activity, with an explicit exemption for planting associated with ecological restoration.	3.3	Accept in part	See body of report	No
Biodiversity in a Coastal High Natural Character Area							
225.49	Forest and Bird	New Provision	Retain connectivity from the coast to the hills and mountains through connected biodiversity corridors.	3.4	Reject	See body of report	No
168.54	Robyn Smith	General	Amend the policies, rules and standards so that all clearance of indigenous and endemic vegetation regardless of scale or purpose within CHNCs 008 to 014 is categorised as a non-complying activity.	3.4	Reject	See body of report	No
Vehicle use on Titahi Bay Beach							
95.5	Titahi Bay Residents Association Incorporated	General	<p>Seeks the addition of rules and standards to:</p> <ul style="list-style-type: none"> Extend the current centre-beach motor vehicle prohibited area to the stream at Bay Drive, and maintain the current operative Regional Coastal Plan exemptions for Surf Club, official and emergency vehicles etc. Prohibit the use of caterpillar-tracked motor vehicles on the active beach, coastal marine area (CMA). Prohibit the use of motor vehicles within 8 metres of any exposed fossil forest. Prohibit the use of motor vehicles for beach grooming or contouring. Permit motor vehicle access to the beach boat shed areas, 5 am to 9.30 pm daily. After those hours, it be a discretionary activity, except for official/emergency vehicles etc. Permit motor vehicle access any time for owner/operators on the Porirua City Council (PCC) boat shed register (provided the vehicle is immediately publicly identifiable as being on the register). <p>Allow motor vehicle parking in the boat shed areas at each end as a discretionary activity so PCC may take out a blanket (global) resource consent for an agreed management plan.</p>	3.5	Reject	See body of report	No
Coastal Environment Inland Extent							
168.42	Robyn Smith	New definition	Add a definition of 'landward extent of the coastal environment'.	3.6	Reject	See body of report	No
168.51	Robyn Smith	Coastal Environment Inland Extent	Amend all references to "inland extent of the coastal environment" in the PDP to read: "landward extent of the coastal environment."	3.6	Accept	See body of report	Yes
168.52	Robyn Smith	Coastal Environment Inland Extent	Amend to include a statement detailing how the landward limit of the coastal environment was determined.	3.6	Reject	See body of report	No
183.9	Pikarere Farm Limited	Coastal Environment Inland Extent	<p>In relation to the Coastal Environment Inland Extent:</p> <ul style="list-style-type: none"> This is shown as going north to south along the eastern and middle part of the farm [in relation to Pikarere Farm]. It should follow the natural ridgeline along the centre of the farm as shown on the plan attached to the submission. <p>[Refer to original submission for full decision requested, including attachment]</p>	3.6	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.182	Forest and Bird	General	In the Map tools show the Coastal Environment Inland Extent under the heading for General District-Wide Matters Overlays for consistency with the location of the coastal Environment Chapter location in the Plan.	3.6	Accept	Agree with submitter	Yes
225.188	Forest and Bird	CE-P1	Clarify the policy with respect to the coastal environment identified on the planning maps and whether this is an "overlay". Clarify that case by case determinations of the coastal environment may still need to be made to recognise coastal hazard risks and the impacts of sea level rise.	3.6	Accept in part	See body of report	Yes
Activities in the CMA and foreshore							
190.12	Paremata Residents Association	CE-P5	Add to be more proactive in supporting the removal of legislative barriers and adopt policies that will enable both the ecological and recreational values of the harbour to be enhanced.	3.7	Reject	See body of report	No
Coastal hazard maps							
148.1	Jennifer Norton	Coastal Hazards, New Provision	The current inundation map needs to be clearer and more understandable. The legend of the overlay map needs to define what 'current inundation' means – particularly in relation to the effect of current inundation on properties behind the Plimmerton seawall, since the seawall is deemed not to exist for the purposes of this map. Clarification in the Plan itself could be achieved in a number of ways: <ul style="list-style-type: none"> the definition section could include a definition of Current Inundation – that is explicit about the fact that existing seawalls haven't been taken into account. links could be put in the definition that takes the reader to the supporting document that discusses this matter.	3.8	Accept in part	See body of report	Yes
195.1	Deirdre Dale	Coastal hazards	Amend so that: <ul style="list-style-type: none"> Reference to Current erosion and Current inundation in the map and in the Plan itself is clearer and more understandable. The legend of the overlay map defines what 'current erosion' and 'current inundation' mean, particularly in relation to the effect of current erosion and current inundation on properties behind the Plimmerton seawall, since the seawall is deemed not to exist for the purposes of this map. 	3.8	Accept in part	See body of report	Yes
195.2	Deirdre Dale	General	Amend as follows: <ul style="list-style-type: none"> include definitions of Current erosion and Current Inundation that are explicit about the fact that existing seawalls have not been taken into account. links in the definition that take the reader to the supporting document that discusses this matter. 	3.8	Accept in part	See body of report	Yes
247.18	Linda Dale	APP10-Table 4 Coastal Hazard Overlays	Opposes unless amended. There are two amendments required: <ol style="list-style-type: none"> Labels Change the following labels in all parts of this document where these are used. Coastal Hazard - Current Inundation change to Coastal Hazard - Inundation (AEP >1%) Coastal Hazard - Current Erosion change to Coastal Hazard - Erosion (AEP >1%) Context 	3.8	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Add the following 3 paragraphs below the table in this section.</p> <p>It is acknowledged that risk can be influenced by site or area specific factors, such as topography, elevation, natural features, soil classification, existing mitigation measures etc. When assessing applications, these factors should be taken into account to allow for a site-specific determination of the risk associated with a particular proposal.</p> <p>It is also acknowledged that the hazard overlays do not currently take into account any existing mitigation measures which may substantially affect the actual risk relevant to any specific site. When assessing applications, these factors should also be taken into account to allow for a site-specific determination of the risk associated with a particular proposal.</p> <p>It should be noted that the mapping model used to create the hazard overlay has been developed for Porirua City Council planning purposes only. It gives precautionary, high-level depiction of risk areas and should not be considered definitive as to the actual current risk for any specific property.</p>				
Site-specific coastal hazard assessments							
247.1	Linda Dale	General	<p>Amend or delete as suggested under individual provisions below or take other measures in order to provide for a more site-specific and flexible approach to the definition of hazard risk for any specific site and give consideration to the justified interests of affected property owners.</p> <p>This is as recommended in the Focus Resource Management Report.</p> <p>The suggested amendments in CE-P9 and APP10-4, are particularly key to this.</p>	3.9	Reject	See body of report	No
247.4	Linda Dale	CE-P9	<p>Amend CE-P9:</p> <p>Identify, and map, <u>and revise / maintain the mapping</u> of natural hazards in the coastal environment in the Coastal Hazard Overlays and take a risk-based approach to the management of development within the Coastal Hazard Overlays based on the approach outlined in APP10 - Natural Hazard Risk Assessment, including:</p> <ol style="list-style-type: none"> 1. The sensitivity of the activity to loss of life, damage from a natural hazard and the ability for communities to recover after a natural hazard event; and 2. The level of risk presented to people and property from a natural hazard. 	3.9	Reject	See body of report	No
247.5	Linda Dale	New provision	<p>Suggested rule:</p> <p>Allow for the revision of the hazard overlay on a site by site basis as requested, where there is an appropriate basis for the request such as:</p> <ul style="list-style-type: none"> - a site specific evaluation by a relevant professional (coastal engineer or similar) - significant and relevant changes to the facts surrounding a specific site - inaccuracy or incorrect understanding of the facts used for the original modelling - an agreed adaptive management or mitigation strategy for a specific site (or sites), is adopted or implemented leading to a changed hazard risk for these sites <p>As well as covering future work, the last point also covers the fact that the existing mapping does not reflect the mitigation already in place at some sites, which may lessen the hazard risk.</p>	3.9	Reject	See body of report	No
Amendments sought to coastal hazard maps							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
29.1	Mike Evans	Coastal Hazard Mapping	Amend coastal hazard mapping in the vicinity of 20 Beach Road.	3.10	Reject	See body of report	No
158.5	Steve Grant	Tsunami Hazard	Remove the Tsunami Hazard from the property at 99-109 Saint Andrews Road, Plimmerton.	3.10	Accept	See body of report	Yes
158.4	Steve Grant	Natural Hazards Section 32 Evaluation Report	Seeks the basis of the Tsunami encroachment designation on the site [112 Mana Esplanade] to be clarified and explained by Council regarding adjacent properties that have a lower profile.	3.10	Accept	See body of report	Yes
210.3	Trustees of the Blue Cottage Trust	Coastal Hazards	Removal of the "Coastal Hazard - Current Inundation" and "Coastal Hazard - Future Inundation" overlays from Lot 6 DP 28478.	3.10	Reject	See body of report	No
210.4	Trustees of the Blue Cottage Trust	Tsunami Hazards	Removal of the "Tsunami Hazard Overlay (1:100yr, 1:500yr and 1:1000yr) Inundation Extent" from Lot 6 DP 28478.	3.10	Reject	See body of report	No
211.4 ⁸²	Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust	Coastal Hazards	Removal of the "Coastal Hazard - Current Inundation" and "Coastal Hazard - Future Inundation" overlays from Lot 1-2 DP 1408, Lot 1 DP 89872, Lot 3 DP 332721 and Lot 2 DP 408158.	3.10	Reject	See body of report	No
211.5 ⁸³	Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust	Tsunami Hazards	Removal of the "Tsunami Hazard Overlay (1:100yr, 1:500yr and 1:1000yr) Inundation Extent" from Lot 1-2 DP 1408, Lot 1 DP 89872, Lot 3 DP 332721 and Lot 2 DP 408158.	3.10	Reject	See body of report	No
247.19	Linda Dale	Natural Hazards	In relation to the hazard overlays relating to properties at 51 & 57-59 Seaview Rd, Paremata, Porirua: <ul style="list-style-type: none"> • Amend the hazard overlay as it relates to these properties. • If the submission on CE-P9 is enacted then this submission is no longer necessary. 	3.10	Reject	See body of report	No
Council liability for damage caused by coastal hazards							
247.2 ⁸⁴	Linda Dale	New Provision	Add: <p>A new policy that seeks to remove any council liability relating to new activities within coastal hazard zones. This follows the approach (noted in the S32 report) by Dunedin City Council (among others) where:</p>	3.11	Reject	See body of report	No

⁸² Oppose – GWRC [FS40.121]⁸³ Oppose – GWRC [FS40.122]⁸⁴ Oppose – TROTR [FS70.33]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			"Development in hazard prone areas, including in identified hazard overlay zones, are at an owner's risk and the DCC does not accept any liability in regards to development and risk from natural hazards." This differs from the situation for existing properties which were legitimately built at a time when the perceived risks were much less and the general approach of protective hard engineering works was much more commonly acceptable.[Refer to original submission for full reason]				
Hazard provisions affecting minimum height standards							
158.4	Steve Grant		The owners of 99-109 Saint Andrews Road, Plimmerton require prior to accepting any coastal hazard designation clear indication of any proposed Porirua City Council minimum relative lower finished floor level for any future development will not compromise the maximum height (11.0 metres) above ground level permitted.	3.12	Reject	See body of report	No
Sea level rise and managed retreat							
126.44	DOC	New objective, policy or rule	Include new objective, policy and rule to encourage managed retreat of develop in areas where coastal hazards are present.	3.13	Reject	See body of report	No
225.48 ⁸⁵	Forest and Bird	General	Retain the focus on soft coastal protection works.	N/A	Accept	Agree with submitter	No
225.256	Forest and Bird	General	Reduce and avoid new development in the coastal environment which would prevent landward migration.	N/A	Accept	Agree with submitter	No
225.187	Forest and Bird	CE-O4	Retain and add to the policies for a more responsive approach to sea level rise impacts recognizing natural processes.	3.13	Accept in part	See body of report	No
Policy approach in medium and high-hazard areas							
11.52	Porirua City Council	CE-P13	Amend policy as follows: CE-P13 Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the Medium Hazard Areas <u>Subject to NH-P11, Only allow Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Coastal Hazard Overlays where:</u> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided <u>there will be a reduction in risk to people's lives and wellbeing, and any damage to buildings is minimised;</u> 2. People can safely evacuate the property during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding.	3.14	Accept in part	See body of report	Yes
FS39.45	DOC		<i>Disallow</i>	3.14	Reject	See body of report	No
FS40.13	GWRC		<i>Allow</i>	3.14	Accept in part	See body of report	No
11.53	Porirua City Council	CE-P14	Amend the policy as follows: CE-P14 Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas	3.14	Accept in part	See body of report	Yes

⁸⁵ Support – GWRC [FS40.143]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>Subject to CE-P11, Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</u></p> <ol style="list-style-type: none"> <u>1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option;</u> <u>1. There will be a reduction in risk to people's lives and wellbeing;</u> <u>2. The activity incorporates mitigation measures that minimise the risk of damage to buildings; demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event;</u> <u>3. People can safely evacuate the property during a natural hazard event;</u> <u>4. The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity-; and</u> <p><u>Other than within Commercial and Mixed Use Zones, the activity has an operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option.</u></p>				
FS39.46	DOC		Disallow	3.14	Reject	See body of report	No
FS40.14	GWRC		Allow	3.14	Accept in part	See body of report	No
69.1 ⁸⁶	Paremata Business Park Ltd	CE-P14	<p>Amend:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; <u>or</u> 2. <u>The activity includes mitigation and avoidance measures as follows:</u> <ul style="list-style-type: none"> • The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event; and • The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity. </div> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission</p>	3.14	Accept in part	See body of report	No

⁸⁶ Oppose – GWRC [FS40.32]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
69.24 ⁸⁷	Paremata Business Park Ltd	CE-P14	<p>Amend:</p> <div style="border: 1px solid black; padding: 5px;"> <p>Avoid the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; <u>or</u> 2. <u>The activity includes mitigation and avoidance measures as follows:</u> <ul style="list-style-type: none"> ○ The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided, and people can evacuate safely during a natural hazard event; and ○ The risk to the activity and surrounding properties is either avoided or is low due to site specific factors, and/or the scale, location and design of the activity. </div> <p>Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>	3.14	Accept in part	See body of report	No
247.7	Linda Dale	CE-P13	<p>Amend point 1. in this policy to read:</p> <p>The activity incorporates mitigation measures that demonstrate that risk to people's life and well-being, and property damage is avoided <u>or minimised</u>; and ...</p> <p>"Minimised" would allow for such emergency management type measure as alarms, and (for larger scale buildings) evacuation procedures in areas where the risk is from tsunami. It would also allow for appropriate mitigation or adaptation measures to be put in place for areas with other types of coastal risks.</p>	3.14	Accept in part	See body of report	No
247.8	Linda Dale	CE-P14	<p>Oppose or amend as follows.</p> <p>However, if the definition of the hazard areas is amended as per submission on APP-10, and CP-9 is amended so that the hazard risk status of a property can be amended based on site specific considerations (such as existing mitigation or an adaptive strategy which forms part of an agreed plan), then would no longer oppose this policy.</p> <p>Avoid the establishment of Hazard-Sensitive and Potentially-Hazard Sensitive Activities in the High Hazard Areas of the Coastal Hazard Overlays unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 	3.14	Accept in part	See body of report	No

⁸⁷ Oppose – GWRC [FS40.33]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing, property damage and the environment is avoided or <u>mitigated</u>, and people can evacuate safely during a natural hazard event; and</p> <p>3. The risk to the activity and surrounding properties is either avoided or is low due to site specific factors and/or the scale, location and design of the activity.</p>				
Hard and soft engineering measures							
82.158	Waka Kotahi	CE-P16	<p>Amend provision:</p> <p>“Encourage soft engineering measures <u>where practical</u>, when undertaking planned natural hazard mitigation works within the identified Coastal Hazard Overlay that reduces the risk from natural hazards.”</p>	3.15	Reject	See body of report	No
82.159	Waka Kotahi	CE-P17	<p>Amend provision:</p> <p>Only allow hard engineering measures for the reduction of the risk from natural hazards when:</p> <p>1. The engineering measures are needed to protect existing regionally significant infrastructure and it can be demonstrated that there is no <u>reasonably practicable</u> alternative;</p> <p>[...]</p> <p>AND</p> <p>Define ‘Hard Engineering Measures’.</p>	3.15	Reject	See body of report	No
82.162	Waka Kotahi	CE-R5	Retain as notified.	3.15	Accept	Agree with submitter	No
82.163 ⁸⁸	Waka Kotahi	CE-R12	<p>Amend provision:</p> <p><u>1. Activity Status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>a. It is for the ongoing maintenance, use and repair of the transport network.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Safety and efficiency of the transport network.</u></p> <p>2. Discretionary Activity</p> <p>AND</p> <p>Define ‘Hard Engineering Measures’.</p> <p>AND</p> <p>Provide reference to Overlays hazard area classifications within Appendix 10.</p>	3.15	Reject	See body of report	No
86.55	KiwiRail Holdings Limited (KiwiRail)	CE-O4	Retain as proposed.	3.15	Accept	Agree with submitter	No
86.56	KiwiRail Holdings Limited (KiwiRail)	CE-P17	Retain as proposed	3.15	Accept	Agree with submitter	No

⁸⁸ Oppose – DOC [FS39.49], Oppose – GWRC [FS40.100]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
126.57 ⁸⁹	DOC	CE-R5	Add checks and balances either by way of permitted activity conditions or controlled activity status to address the potential for adverse effects on dune systems, coastal processes, risk transfer, biodiversity values etc.	3.15	Reject	See body of report	No
225.196	Forest and Bird	CE-P16	Amend as follows: <u>Provide for Enable</u> soft engineered coastal hazard mitigation works undertaken by a statutory agency or their nominated contractors or agents within the identified Coastal Hazard Overlay where these decrease the risk to people and property <u>and avoid, remedy or mitigate adverse effects on the coastal environment.</u>	3.15	Reject	See body of report	No
247.9	Linda Dale	CE-P17	Amend: Only allow hard engineering measures for the reduction of the risk from natural hazards when: 1. The engineering measures are needed to protect existing regionally significant infrastructure and it can be demonstrated that there is no reasonable alternative or there is an immediate <u>serious</u> risk to life or private property from the natural hazard;	3.15	Reject	See body of report	No
Definitions							
95.1	Titahi Bay Residents Association Incorporated	General	Add: Mean-high-water-springs (MHWS) is defined by the boundary line of the relevant adjacent zone on the overlay of the planning map.	3.16	Reject	See body of report	No
95.3	Titahi Bay Residents Association Incorporated	General	Add: Exposed (Titahi Bay fossil forest) means the fossil forest is protruding above the substrate sand/gravel base.	3.16	Reject	See body of report	No
81.43	Kāinga Ora	Coastal environment	Retain definition as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
225.55	Forest and Bird	Coastal environment	Amend the definition as follows: <u>Inland coastal environment</u> means the area identified on the planning maps as being located within the inland extent of the coastal environment.	3.16	Reject	See body of report	No
168.41	Robyn Smith	Coastal environment	Amend the definition to read: <i>"The Coastal Environment comprises that part of Porirua City that is seaward of the landward extent of the coastal environment as identified in the planning maps"</i> .	3.16	Accept in part	See body of report	No
81.44	Kāinga Ora	Coastal Hazard Overlay	Delete definition: Coastal Hazard Overlay means the areas identified in Table 4 Coastal Hazard Overlays in APP10 - Natural Hazard Risk Assessment and shown on the planning maps.	3.16	Reject	See body of report	No
81.45	Kāinga Ora	Coastal High Natural Character Area	Retain definition as notified	N/A	Accept	Agree with submitter	No
60.2	Transpower	Coastal High Natural Character Area	Retain	N/A	Accept	Agree with submitter	No

⁸⁹ Neutral – Waka Kotahi [36.13]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.56	Forest and Bird	Coastal High Natural Character Area	Amend the definition as follows: means an area of coastal high natural character identified in SCHED11 - Coastal High Natural Character Areas <u>and shown as an overlay on the Planning maps managed through provisions in the district wide CE Chapter.</u>	3.16	Reject	See body of report	No
Objectives							
77.17	Te Awarua-o-Porirua Harbour & Catchments Community Trust, and Guardians of Pauatahanui Inlet	CE-O1	Amend: The natural character of the coastal environment is preserved and protected from inappropriate subdivision, use and development <u>and from adverse effects, especially sediment and contaminants, arising from subdivision, use and development.</u>	3.17	Reject	See body of report	No
82.155	Waka Kotahi	CE-O1	Retain as notified.	N/A	Accept	Agree with submitter	No
126.40	DOC	CE-O1	Retain as notified	N/A	Accept	Agree with submitter	No
225.186	Forest and Bird	CE-O3	Delete or Alternatively amend to recognise the value of natural features provide to reducing natural hazard impacts, including on the natural values of the coastal environment.	3.17	Reject	See body of report	No
126.41	DOC	CE-O3	Retain as notified	N/A	Accept	Agree with submitter	No
126.42	DOC	CE-O4	Retain as notified	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
247.3	Linda Dale	CE-O4	Amend: <u>There is reduced risk to life and property from coastal inundation and erosion hazards through planned mitigation works / adaptive strategies, wherein soft engineering measures are the primary method used to reduce damage from sea level rise and coastal erosion.</u>	3.17	Accept in part	See body of report	Yes
Policies							
126.45	DOC	CE-P1	Retain as notified.	N/A	Accept	Agree with submitter	No
137.61	GWRC	CE-P1	Delete the policy.	3.18	Reject	See body of report	No
60.88	Transpower	CE-P1	Retain	N/A	Accept	Agree with submitter	No
225.189	Forest and Bird	CE-P2	Retain.	N/A	Accept	Agree with submitter	No
126.46	DOC	CE-P2	Retain as notified.	N/A	Accept	Agree with submitter	No
137.62	GWRC	CE-P2	Delete the policy.	3.18	Reject	See body of report	No
225.190	Forest and Bird	CE-P3	Amend as follows: Only <u>consider allowing subdivision</u> , use and development... 1. ... 2. Demonstrates that it <u>may be</u> is appropriate by: ..." Alternatively delete "or minimizing" in clause 2. Add a clause to clarify that subdivision is not appropriate within Coastal High Natural Character Areas.	3.18	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.191	Forest and Bird	CE-P4	Delete or Alternatively amend as follows: Allow Provide for earthworks and indigenous vegetation removal within Coastal High Natural Character Areas where: 1. It is of a scale and for a purpose that maintains or <u>maintains and restores</u> the identified values described in SCHED11 - Coastal High Natural Character Areas, including restoration and conservation activities; 2. It is associated with <u>existing lawfully established</u> farming activities for an established working farm, where the identified values described in SCHED11 - Coastal High Natural Character Areas are maintained; or 3. It is associated with the ongoing maintenance and repair of existing accessways and construction of public cycling and walking tracks which maintain the identified values described in SCHED11 - Coastal High Natural Character Areas.	3.18	Accept in part	See body of report	No
82.157	Waka Kotahi	CE-P4	Amend provision: "3. It is associated with the ongoing maintenance and repair of the existing accessways <u>and state highway infrastructure</u> , and construction of public cycling and walking tracks which maintain the identified values described in SCHED11- Coastal High Natural Character Areas."	3.18	Accept in part	See body of report	No
225.192	Forest and Bird	CE-P5	Amend the heading for consistency with the policy wording to provide for "restoration and <u>enhancement</u> rehabilitating activities within the coastal environment". Amend the policy as follows: Enable activities that restore and rehabilitate the coastal environment including Te Awarua-o-Porirua Harbour and its margins, and activities which maintain or enhance the amenity, recreational, ecological and cultural values of the coastal environment <u>consistent with the provisions on this plan</u> .	3.18	Reject	See body of report	No
126.48	DOC	CE-P5	Retain as notified	N/A	Accept	Agree with submitter	No
225.193 ⁹⁰	Forest and Bird	CE-P6	Delete. Add clear policy direction that subdivision is not appropriate in the coastal environment.	3.18	Reject	See body of report	No
225.194 ⁹¹	Forest and Bird	CE-P7	Amend policy as follows: Avoid, remedy or mitigate adverse effects of <u>existing</u> quarrying activities and mining within the coastal environment and avoid <u>new</u> quarrying activities and <u>new</u> mining within <u>the coastal environment areas of High Natural Character</u> .	3.18	Reject	See body of report	No
225.195	Forest and Bird	CE-P8	Retain.	N/A	Accept	Agree with submitter	No

⁹⁰ Oppose – GWRC [225.193]

⁹¹ Support – DOC [FS39.13], Support – GWRC [FS40.141]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
126.49	DOC	CE-P8	Retain as notified.	N/A	Accept	Agree with submitter	No
126.50	DOC	CE-P9	Retain as notified, subject to any amendments needed to ensure the 'risk based approach' is consistent with the NZCPS.	N/A	Accept	Agree with submitter	No
126.51	DOC	CE-P10	Retain as notified.	N/A	Accept	Agree with submitter	No
247.6 ⁹²	Linda Dale	CE-P12	Remove policy. Option 2 Amend point 1. in this policy to read: The activity incorporates mitigation measures that demonstrate that risk to people's life and well-being, and property damage is avoided <u>or minimised</u> ; and ... "Minimised" would allow for such emergency management type measures as alarms, and (for larger scale buildings) evacuation procedures.	3.18	Reject	See body of report	
126.52	DOC	CE-P15	Retain as notified.	N/A	Accept	Agree with submitter	No
126.53	DOC	CE-P16	Retain as notified.	N/A	Accept	Agree with submitter	No
126.54	DOC	CE-P17	Retain as notified.	N/A	Accept	Agree with submitter	No
225.197	Forest and Bird	CE-P17	Amend policy as follows: Only <u>consider allowing</u> hard engineering measures for the reduction of the risk from natural hazards when: 1. The engineering measures are needed to protect existing regionally significant infrastructure and it can be demonstrated that there is no reasonable alternative; 2. There is an immediate risk to life or private property from the natural hazard; 3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on the adjacent properties that are not protected by the hard engineering measures; 4. It avoids the modification or alteration of natural features and systems in a way that would compromise their function as natural defences; 5. Significant adverse effects on natural features and <u>landscapes, ecosystems systems and coastal processes</u> (including but not limited to beach width and beach material composition, and the presence of sand dunes) from those measures are avoided, and any other adverse effects are avoided; remedied or mitigated; and 6. It can be demonstrated that soft engineering measures would not provide an appropriate level of protection in relation to the significance of the risk.	3.18	Accept in part	See body of report	Yes
Rules							
11.54 ⁹³	Porirua City Council	CE-R1	Amend the rule as follows: 1. Activity status: Permitted	3.19	Accept	See body of report	Yes

⁹² Oppose – GWRC [FS40.157]

⁹³ Oppose – GWRC [FS40.15]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Where: a. The earthworks are for: i. The maintenance of existing farm tracks, accessways or digging new fence post holes; or ii. The construction of new public walking or cycling access tracks; and Compliance is achieved with CE-S1.				
82.160	Waka Kotahi	CE-R1	Amend provision: a. <u>iii</u> <u>The maintenance of the existing state highway network.</u>	3.19	Reject	See body of report This submission point is also addressed in the s42A report for Infrastructure	No
137.63 ⁹⁴	GWRC	CE-R1	Amend CE-R1 to require consent (as either a controlled or restricted discretionary activity) for earthworks associated with new walking or bike tracks in areas of high natural character.	3.19	Reject	See body of report This submission point is also addressed in the s42A report for Infrastructure	No
225.199	Forest and Bird	CE-R1	Amend CE-R1.1. by including a condition that the activity is not within 15m of a natural wetland. Make further amendments to ensure that where the 15m set back is not complied with the activity considered under a non-complying classification.	3.19	Reject	See body of report	No
126.55	DOC	CE-R2	Retain as notified.	N/A	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
11.55 ⁹⁵	Porirua City Council	CE-R2	Amend the rule as follows: <u>Indigenous</u> Vegetation removal within a Coastal High Natural Character Area 1. Activity status: Permitted Where: a. The removal of <u>indigenous</u> vegetation is for the purpose of: i. Addressing an imminent threat to people or property represented by deadwood, diseased or dying vegetation; ii. Ensuring the safe and efficient operation of any formed public road or access; iii. Enabling the maintenance of buildings where the removal of vegetation is limited to within 3m from the external wall or roof of a building; iv. Maintenance or construction of a new public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in	3.19	Accept	See body of report	Yes

⁹⁴ Support – DOC [FS39.37]⁹⁵ Support – GWRC [FS40.16]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014);</p> <p>v. Constructing new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the removal does not exceed 2m in width; or</p> <p>vi. Enable tangata whenua to exercise customary harvesting.</p> <p>Note: the ECO provisions apply where removal of indigenous vegetation is proposed and the area is an identified Significant Natural Area.</p>				
82.161	Waka Kotahi	CE-R2	<p>Amend provision:</p> <p>a. ii</p> <p>Ensuring the safe and efficient operation of any formed public road <u>the transport network</u> or access.</p>	3.19	Reject	<p>See body of report</p> <p>This submission point is also addressed in the s42A report for Infrastructure</p>	No
225.200	Forest and Bird	CE-R2	<p>Amend CE-R2. 1. a. iv. as follows:</p> <p>iv. Maintenance or construction of a new <u>of existing</u> public walking or cycling track up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014);</p> <p>Amend CE-R2.2 by adding the following matter of discretion:</p> <p>Effects on indigenous biodiversity</p>	3.19	Reject	<p>See body of report</p> <p>This submission point is also addressed in the s42A report for Infrastructure</p>	No
126.56	DOC	CE-R3	Retain as notified.	3.19	Accept	Agree with submitter	Yes
225.201	Forest and Bird	CE-R3	<p>Amend CE-R3.2 by adding the following matter of discretion:</p> <p>Effects on indigenous biodiversity</p>	3.19	Reject	See body of report	No
50.6	Kimberley Vermey	CE-R4	Include less hazard sensitive activities in this rule or insert a new rule for less hazard sensitive activity if it is needed.	3.19	Accept	Agree with submitter	Yes
247.10	Linda Dale	CE-R6	<p>Amend point e. of the rule:</p> <p>If the additions are for a Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity in the High Hazard Area of the Coastal Hazard Overlays the additions:</p> <p>1. Do not increase the building footprint by more than 20<u>35</u>m²; and</p> <p>Do not establish a new additional Hazard-Sensitive Activity or Potentially-Hazard-Sensitive Activity on the site.</p>	3.19	Reject	See body of report	No
126.58	DOC	CE-R7	Amend activity status from controlled to restricted discretionary with relevant matters to provide council ability to decline when appropriate.	3.19	Reject	See body of report	No
168.55	Robyn Smith	CE-R8	Amend the policies, rules and standards so that all buildings, regardless of scale or purpose within CHNCs 008 to 0014 are categorised as a non-complying activity.	3.19	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.202 ⁹⁶	Forest and Bird	CE-R8	Amend CE-R8.1 by adding the following matter of discretion: <ul style="list-style-type: none"> Effects on indigenous biodiversity Retain the non-complying activity statuses in CE-R8.2.	3.19	Reject	See body of report	No
247.11 ⁹⁷	Linda Dale	CE-R9	Amend by removing point 1a, as follows: All zones 1. Activity status: Restricted discretionary Where: a. Any building associated with a Hazard Sensitive Activity within the Low Hazard Area of the Tsunami Hazard – 1:1000 year inundation extent of the Coastal Hazard Overlays must have a finished floor level above the inundation level. Matters of discretion are restricted to: 1. The matters in CE-P12.	3.19	Reject	See body of report	No
247.12	Linda Dale	CE-R10	Amend by removing point 1a: All zones 1. Activity status: Restricted discretionary Any building associated with a Potentially Hazard Sensitive Activity within the Medium Hazard Area of the Tsunami Hazard – 1:500 year inundation extent or Coastal Hazard Future Erosion and Coastal Hazard – Future Inundation area of the Coastal Hazard Overlay must have a finished floor level above the inundation level. The matters of discretion are restricted to: 1. The matters in CE-P13	3.19	Reject	See body of report	No
50.4	Kimberley Vermey	CE-R10	Remove the reference to the return period of the tsunami hazard from the rule.	3.19	Accept	See body of report	Yes
225.203	Forest and Bird	CE-R15	Amend the rule heading to clarify where the rule applies, alternatively add the following overlays under R15.1. where: a. The quarry or mining activity is not located within a: <ul style="list-style-type: none"> Coastal High Natural Character Area <u>overlay</u>; <u>SCHED7 SNA overlay</u>; <u>ONFL overlay</u>. 	3.19	Reject	See body of report	No
126.59	DOC	CE-R15	Retain as notified.	3.19	Accept	Agree with submitter	No
126.60	DOC	CE-R16	Retain as notified.	3.19	Accept	Agree with submitter	No

⁹⁶ Support – DOC [FS39.14]

⁹⁷ Oppose – GWRC [FS40.158]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.204	Forest and Bird	CE-R16	Retain	3.19	Accept	Agree with submitter	No
247.13	Linda Dale	CE-R17	Delete. If, not then specific to reason 4/ amend as follows: CE-R17 All new Hazard-Sensitive Activities within the High Hazard Area of the Tsunami Hazard - 1:100 year inundation extent of the Coastal Hazard Overlay Opposes the rule unless the submission on CE-P9 and/or APP-10 regarding the re-classification of residential units as potentially-hazard-sensitive are followed, in which case would no longer oppose it but would still suggest the amendment.	3.19	Reject	See body of report	No
126.61	DOC	CE-R17	Retain as notified.	3.19	Accept	Agree with submitter	No
126.62	DOC	CE-R18	Retain as notified.	3.19	Accept	Agree with submitter	No
247.14	Linda Dale	CE-R18	Follow the recommendations in submissions on CPE-9 and APP-10 Opposes unless the submissions on CE-P9 and/or APP-10 regarding the re-classification of residential units as potentially-hazard-sensitive are followed.	3.19	Reject	See body of report	No
247.15	Linda Dale	CE-R19	If not, then improve the wording to be more precise (perhaps it was intended to only apply to Coastal High Natural Character Areas?) and make it 'Discretionary' rather than non-complying, as this lessens the impact of any unintended consequences from such a broadly applicable rule.	3.19	Accept	See body of report	Yes
225.205	Forest and Bird	CE-R19	Retain.	3.19	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
126.63	DOC	CE-R19	Retain as notified.	3.19	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
60.89	Transpower	CE-R19	Retain CE-R19. If the rule applies to the National Grid, amend provision to reflect the relief sought in submission and provide a discretionary activity status for the planning and development of the National Grid.	3.19	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
Standards							
11.56	Porirua City Council	CE-S1	Amend the rule as follows: <i>Where associated with the maintenance of, or new, public walking or cycling tracks must be no greater than 2.5m wide and cuts or fill less than 1.5m above ground level or 1.8m on switchbacks and undertaken by Porirua City Council or an approved contractor acting on their behalf and in accordance Porirua City Council Track Standards Manual (Version 1.2, 2014).</i>	3.20	Accept	See body of report	Yes
137.64	GWRC	CE-S1	Amend CE-S1 to reduce the scale of earthworks allowed within areas of high natural character, particularly in smaller areas.	3.20	Reject	See body of report This submission point is also addressed in the s42A report for Infrastructure	No
SCHED11							
225.226	Forest and Bird	General	Retain.	3.21	Accept in part	Accept in part, subject to amendments made in response to other submissions	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.900	Kāinga Ora	General	Retain as notified	3.21	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
95.6	Titahi Bay Residents Association Incorporated	General	Seeks addition of: Titahi Bay Fossil Forest 1. 100,000 year old stumps of National Significance (GWRC, PNRP). 2. One of only two in the country, located on beaches where are easily accessible for viewing. 3. Samples become exposed by wave turbulence on occasions throughout the monthly tidal cycle.	3.21	Reject	See body of report	No
95.4	Titahi Bay Residents Association Incorporated	New provision	A policy of protection of the fossil forest at Titahi Bay beach.	3.21	Reject	See body of report	No
108.9	Hannah Bridget Gray No2 Trust	CHNC005 Grays Road Bush	Amend: Grays Road Bush <ul style="list-style-type: none"> There is some interference of abiotic processes but they are generally intact. This mature tawa-kohekohe dominated forest remnant is one of only a few left in Porirua. The vegetation is in good condition and is reasonably representative of the historic vegetation of the area. <u>The understory is assumed to have high species diversity (no internal surveys have been carried out but fencing is evident). Whilst the understory has a gap due to under grazing until the 1950's, the area has a high species diversity and contains nationally threatened species, as surveyed by Wellington Botanical Society.</u> This remnant is the only forest on the inlet to contain both coastal kowhai forest and lowland podocarp- hardwood forest. <p>The experiential nature of the area is predominantly wild with little human interference.</p>	3.21	Accept	See body of report	Yes
106.2	Christine and Alan Stanley and Gray	CHNC005 Grays Road Bush	Amend: Grays Road Bush <ul style="list-style-type: none"> There is some interference of abiotic processes but they are generally intact. This mature tawa-kohekohe dominated forest remnant is one of only a few left in Porirua. The vegetation is in good condition and is reasonably representative of the historic vegetation of the area. <u>The understory is assumed to have high species diversity (no internal surveys have been carried out but fencing is evident). Whilst the understory has a gap due to undergrazing until the 1950s, the area has a high species diversity and contains nationally threatened species, as surveyed by Wellington Botanical Society.</u> This remnant is the only forest on the inlet to contain both coastal kowhai forest and lowland podocarp- hardwood forest. 	3.21	Accept	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			The experiential nature of the area is predominantly wild with little human interference.				
168.117	Robyn Smith	CHNC008 Onehunga Duneland	Supports the identification of CHNC008 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.118	Robyn Smith	CHNC009 Te Onepoto Wetland	Supports the identification of CHNC009 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.119	Robyn Smith	CHNC010 Whitireia Bush	Supports the identification of CHNC010 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.120	Robyn Smith	CHNC011 Kaitawa Escarpment	Supports the identification of CHNC011 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.121	Robyn Smith	CHNC012 Rocky Bay	Supports the identification of CHNC012 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.122	Robyn Smith	CHNC013 Stuart Park Forest	Supports the identification of CHNC013 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
168.123	Robyn Smith	CHNC014 Rukutane Escarpment	Supports the identification of CHNC014 as a coastal area with High Natural Character.	3.21	Accept	Agree with submitter	No
183.8	Pikarere Farm Limited	CHNC014 Rukutane Escarpment	In relation to Pikarere Farm and CHNC 014 Rukutane Escarpment: <i>"The same comments apply as in respect of SAL 003 Rukutane/Titahi Bay (Special Amenity Landscape Schedule 10)."</i> [Refer to submission point on SAL003]	3.21	Reject	See body of report	No

Appendix C. Report Author's Qualifications and Experience

Torrey McDonnell – Principal Policy Planner, Porirua City Council

I hold the following qualifications:

- Bachelor of Science (Majoring in Geography), Otago University
- Master of Planning, Otago University
- New Zealand Certificate in Te Reo Māori (Level 4), Te Wānanga o Aotearoa

I have 12 years' experience working as a planner for local and central government organisations.

My work experience includes working as a planner for the Transit New Zealand Otago/Southland regional office (consent processing and plan advocacy), and as a Senior Analyst for the Ministry for the Environment (developing national direction under the RMA).

I have been employed by the Porirua City Council since May 2017 as a Principal Policy Planner within the Environment and City Planning Team.

I am a full member of the New Zealand Planning Institute.