

26<sup>th</sup> November 2021

Porirua City Council  
16 Cobham Court  
Porirua 5022

Attention: Ash Morton-Adair- Consultation Advisor

By email only: [Ash.Morton-Adair@porirua.govt.nz](mailto:Ash.Morton-Adair@porirua.govt.nz) [dpreview@porirua.govt.nz](mailto:dpreview@porirua.govt.nz)

Dear Ash,

**RE: PROPOSED PORIRUA DISTRICT PLAN HEARINGS**

**Hearing 3: Strategic Directions (Resilience, Efficiency & Energy and Historic and Cultural Heritage), Contaminated Land, Hazardous Substances, Natural Hazards, Coastal Environment, Historic Heritage, Sites and Areas of Significance to Maori, Notable Trees.**

**1. Introduction**

- 1.1.** I refer to the abovementioned matter set down for hearing commencing 3<sup>rd</sup> December 2021. Waka Kotahi New Zealand Transport Agency (Waka Kotahi) will not be presenting evidence in person, as Waka Kotahi is largely in agreement with the recommendations set out in the Officer's reports (Part B).
- 1.2.** This statement is prepared with the appropriate authority within Waka Kotahi. Waka Kotahi is identified as submitter **82** in the Officer's Reports (Part B).
- 1.3.** It would be appreciated if you could table this statement before the Proposed Porirua District Plan (PPDP) Hearings Panel.

## 2.0 Waka Kotahi Submissions

- 2.1 A summary of the Waka Kotahi mandate, objectives and interest in the Porirua district has been covered off in both the submissions.
- 2.2 This hearing statement relates to Hearing 3. 18 of the Waka Kotahi submission points are considered in this hearing<sup>1</sup>.
- 2.3 Waka Kotahi has reviewed the Officer's Reports (Part B- Coastal Environment, Natural Hazards and Historic Heritage) and in particular, the recommendation(s) with respect to the Waka Kotahi submission(s). Waka Kotahi supports the Reporting Officers recommendations. This is outlined in the summary table included as Attachment A to this Hearing Statement.

## 3.0 Concluding Statement

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

Kind regards,



Claudia Jones  
Planner  
Waka Kotahi NZ Transport Agency

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<sup>1</sup> 82.8, 23, 108, 109, 110, 111, 112, 113, 155, 157, 158, 159, 160, 161, 162, 163, 293, 296

**ATTACHMENT A**

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

**Proposed Porirua District Plan Hearing 3.**

<b>Submission Point</b>	<b>Waka Kotahi submission</b>	<b>Officer's Recommendation</b>	<b>Waka Kotahi Response</b>
<b>82.158</b>	<p><b>CE-P16</b></p> <p>Waka Kotahi supports this policy as it encourages soft engineering mitigation works which may be required to protect the transport network. Waka Kotahi however consider that the policy requires amendment to recognise that soft engineering measures are not always practical when undertaking hazard mitigation works.</p>	<p><b>Reject</b></p> <p><i>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.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer's recommendation, specifically that CE-P16 gives effect to Policy 25 of the NZCPS and that the term "where practical" is implicit.</p>
<b>82.159</b>	<p><b>CE-P17</b></p> <p>Waka Kotahi supports policies that provide a pathway for hard engineering methods.</p> <p>Point 1 of the policy provides for hard engineering measures for the protection of existing regionally significant infrastructure where is can be demonstrated that there is no reasonable alternative. Waka Kotahi consider that point 1 requires amendment to include</p>	<p><b>Reject</b></p> <p><i>No specific reason provided.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer's recommendation to reject submission point 82.159 as it is considered that any assessment undertaken in accordance with this standard will adequately address the practicality of any alternatives.</p>

	"no reasonably practicable alternative". Alternatives are required to demonstrate that they are practicable and the policy currently drafted does not recognise this.		
<b>82.162</b>	<b>CE-R5</b> Retain as notified.	<b>Accept</b> <i>Agree with submitter.</i>	Waka Kotahi agrees with the Reporting Officer's recommendation.
<b>82.163</b>	<b>CE-R12</b> Waka Kotahi opposes this provision as it is considered that a discretionary activity status restricts Waka Kotahi from undertaking Hard Engineering Measures that are required as part of ongoing maintenance, use and repair of the transport network. A restricted discretionary activity status is considered appropriate as this will provide for the ongoing safety and efficiency of transport network.	<b>Reject</b> <i>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.</i>	Waka Kotahi agrees with the Reporting Officer's recommendation, specifically that there is a wide-range of potential adverse effects with the introduction of hard-engineering measures in the coastal environment and as such, a discretionary activity status is appropriate.
<b>82.155</b>	<b>CE-O1</b> Retain as notified.	<b>Accept</b> <i>Agree with submitter.</i>	Waka Kotahi agrees with the Reporting Officer's recommendation.

<p><b>82.157</b></p>	<p><b>CE-P4</b></p> <p>Waka Kotahi supports this policy as it provides for earthworks and indigenous vegetation within a Coastal High Natural Character Area (CHNC). Waka Kotahi however consider that given the Coastal High Natural Character Area overlay extends in part into the NZTA-02 Designation, scope is required to maintain the existing state highway infrastructure.</p>	<p><b>Accept in part</b></p> <p><i>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.</i></p>	<p>Waka Kotahi agrees that CE-P4-3 should be deleted as the construction, maintenance and repair of state highways is an infrastructure matter and it is already addressed by INF-P22.</p>
<p><b>82.160</b></p>	<p><b>CE-R1</b></p> <p>Waka Kotahi supports the provision as it allows for earthworks within a Coastal High Natural Character Area (CHNC) overlay as a permitted activity. However, it is considered that the provision should be amended to include the maintenance of the state highway network as a permitted activity as there is existing state highway network within the CHNC area overlay. The effects are similar to the activities provided for, so it is unclear why it is a different activity status.</p>	<p><b>Reject</b></p> <p><i>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 inappropriate.</i></p>	<p>Waka Kotahi agrees that CE-R1-1.a.ii should be deleted as the Infrastructure Chapter addresses earthworks within the CHNC.</p>
<p><b>82.161</b></p>	<p><b>CE-R2</b></p> <p>Waka Kotahi supports this provision as it provides for vegetation removal within a Coastal High Natural</p>	<p><b>Reject</b></p> <p><i>The Infrastructure Chapter addresses vegetation clearance within CHNC for</i></p>	<p>Waka Kotahi agrees that CE-R2-1.a.ii should be deleted as the Infrastructure Chapter addresses</p>

	<p>Character (CHNC) area as a permitted activity, where it is for the purpose of ensuring the safe and efficient operation of any formed public road or access. However, it is considered that this provision needs to be amended to include the transport network as this term is broader than formed public road.</p>	<p><i>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 inappropriate .</i></p>	<p>vegetation clearance within the CHNC.</p>
<p><b>82.8</b></p>	<p><b>General</b></p> <p>Add the following definition for “Hard Engineering Matters”:</p> <p><u>“Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land.”</u></p>	<p><b>Accept</b></p> <p><i>Agree with submitter.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>
<p><b>82.108</b></p>	<p><b>NH-O1</b></p> <p>Waka Kotahi supports this objective which seeks to prevent the increase of natural hazard risk to people or property. Waka Kotahi however considers that the insertion of ‘infrastructure’ should be included to provide clarity that the state highway should be</p>	<p><b>Accept</b></p> <p><i>Agree with submitter.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>

	protected from any displacement of flood water from subdivision, use and development.		
<b>82.293</b>	<p><b>NH-O2</b></p> <p>Waka Kotahi supports this objective which seeks to prevent the increase of natural hazard risk to people or property. Waka Kotahi however considers that the insertion of 'infrastructure' should be included to provide clarity that the state highway should be protected from any displacement of flood water from subdivision, use and development.</p>	<p><b>Accept</b></p> <p><i>Agree with submitter.</i></p>	Waka Kotahi agrees with the Reporting Officer's recommendation.
<b>82.109</b>	<p><b>NH-P8</b></p> <p>Waka Kotahi supports this policy as it enables natural hazard mitigation by a statutory agency within a Natural Hazard Overlay where it decreases the risk to people and property. Waka Kotahi however considers that the insertion of 'infrastructure' should be included to provide clarity that natural hazard mitigation should be enabled where it decreases the risk to the state highway.</p>	<p><b>Accept</b></p> <p><i>Agree with submitter.</i></p>	Waka Kotahi agrees with the Reporting Officer's recommendation.
<b>82.110</b>	<p><b>NH-P10</b></p> <p>Waka Kotahi supports this policy as it encourages soft</p>	<p><b>Reject</b></p>	Waka Kotahi agrees with the Reporting Officer's recommendation, specifically that the policy seeks to

	<p>engineering measures when undertaking planned natural hazard mitigation works within the Natural Hazard Overlay. This will enable Waka Kotahi to undertake soft engineering measures on the state highway that reduce the risk from natural hazards. Waka Kotahi however consider that the policy requires amendment to recognise that soft engineering measures are not always practical when undertaking hazard mitigation works.</p>	<p><i>I do not consider that the term “where practicable” is needed as this is policy seeks to encourage rather than require, therefore no qualifier is needed.</i></p>	<p>encourage rather than require, therefore no qualifier is needed.</p>
82.111	<p><b>NH-R2</b> Retain as notified.</p>	<p><b>Accept</b> <i>Agree with submitter.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>
82.112	<p><b>NH-R3</b> Retain as notified.</p>	<p><b>Accept</b> <i>Agree with submitter.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>
82.113	<p><b>NH-R5</b> Retain as notified.</p>	<p><b>Accept</b> <i>Agree with submitter.</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>
82.296	<p><b>General</b> Amending the use of the term minimise throughout the Proposed District Plan. Considers that the term is difficult to interpret and apply in practice. For clarity it is</p>	<p><b>Reject</b> <i>In my view the purpose of the use of minimise within this part of the policy is to provide direction on how effects on the</i></p>	<p>Waka Kotahi agrees with the Reporting Officer’s recommendation.</p>



	considered that the term be replaced with 'mitigate; which aligns with the effects hierarchy under the RMA.	<i>identified heritage values are protected or maintained. One means of achieving this is to minimise (or reduce) risk to the heritage item to the smallest or least amount possible. This is within the context of the overall policy direction and the other factors by which developments are to be assessed. As such, I disagree with the request from Waka Kotahi.</i>	
<b>82.23</b>	<b>Definition</b> Root Protection Area.	<b>Accept in part</b> <i>Subject to the amendments made in response to other submissions.</i>	Waka Kotahi agrees with the Reporting Officer's recommendation.