

Reasons to retain individual Designation Conditions (from designation K0412) in the proposed Porirua District Plan at this stage

Notes:

- References to “*people*” include members of the community and those who will be involved in consultations with Waka Kotahi on matters outlined in condition 59 of K0412 - including “*any changes to be sought to the designation in relation to those matters*”.
- (“*Recommended*”) or (“*Not recommended*”) refers to the recommendations contained in Rory Smeaton’s s42A report as to whether the existing provision should or shouldn’t be retained.
- “*Reasons to retain*” provide examples of what the Paremata Residents Assn believes are reasons to retain the existing provisions.

Paragraph I **Requiring Authority** (Not recommended)

Reasons to retain: People should be able to see who the requiring authority was at the time.

Paragraph II **Objectives of the Work** (Not recommended)

Reasons to retain: People need to know the original objectives for carrying out the work so that they understand the reasons at that time and can assess whether the work has been successful. The proposed “purpose” for the new amalgamated designation tells us nothing about the original designation objectives.

Condition 1. **Boundaries of the designation** (Not recommended)

Reasons to retain: People should be able to tell what designation and land the conditions refer to.

Condition 2. **Properties subject to the designation** (Not recommended)

Reasons to retain: People (including, for example, prospective purchasers) should be able to see what properties were affected by the designation.

Condition 3. **Building Line Restrictions** (Not recommended)

Reasons to retain: People should be able to know about the building line restrictions – e.g. in case they think they are not being observed or should be changed.

Condition 4. **Scope and extent of work** (Not recommended)

Reasons to retain: People should be able to know about the scope and extent of work allowed under the designation - e.g. in case there are concerns about any differences. The condition is also needed to make sense of what plans are retained.

Condition 5. **Certificate of final design** (Not recommended)

Reasons to retain: People may be interested in what processes were employed and how effective they were – e.g. in case designation changes are proposed involving additional work.

Condition 5A. **Maintenance of built structures** (Recommended)

Reasons to retain: Maintenance requirements are on-going.

Conditions 6 & 7. **Landscaping** (Not recommended)

Reasons to retain: Adds to the context if people know that a landscape architect was employed and time limits were imposed. It indicates that landscaping was considered very important at that time - and should continue to be so with any changes.

Condition 7A. **Maintenance of landscaping** (Recommended)

Reasons to retain: Maintenance responsibilities are on-going.

Condition 8.1. **Landscape design principles** (Not recommended)

Reasons to retain: Defines the principles used at the time – which people should expect to be followed into the future (unless redefined after consultations and negotiations are undertaken).

Condition 8.2 **Plimmerton Weighstations – James Street** (Not recommended)

to

Condition 8.17 **Landscape Plans** (Not recommended)

Reasons to retain: It is likely that during the consultations and revocation discussions required, there will be requests for changes or additions to the landscaping and other requirements contained in these designation conditions. It will be important that people know of and have ready access to the designation conditions and landscape plans required by those conditions so that they can determine why the current situation exists, whether the conditions were met, and whether changes to the designation are now required. In some instances, the current conditions are the only places that factors which were considered important by Transit, the community or the Court are mentioned – e.g. *“The importance of westward views of the sea from 150 to 166 St Andrews Road and from passing vehicles”* in condition 8.8. This is a matter that is likely to be raised within the required consultations and negotiations.

Conditions 9, 10 & 10A **Earthworks** (Not recommended)

Reasons to retain: These requirements may be of interest to people and could be relevant if there are requests for changes involving earthworks made during the forthcoming consultations and negotiations.

Conditions 11 & 12 **Lighting** (Not recommended)

Reasons to retain: People should be able to know what lighting levels were considered appropriate at time of approval – e.g. in the event that there are moves to change them.

Condition 13 to 20 **Construction effects mitigation** (Not recommended)

Reasons to retain: Probably not essential but provides context and could be useful if additional works (e.g. removal of the clearways or old bridge) are added to the designation.

Conditions 21 to 24 **Operational noise mitigation** (Not recommended)

and

Condition 25 **Compliance Monitoring** (Not recommended)

and

Conditions 26 to 27.5 **Acoustic treatment of residential dwellings** (Not recommended)

Reasons to retain: There are calls from various quarters for the clearways through Mana to be retained or the road to be permanently four-laned. One of the major concerns at the time of the Environment Court hearings was expected noise and what noise standards should be used during the design period for the works. We anticipate that those involved in the consultations will want to be brought up-to-date on current guidelines and how the road is now performing in relation to them – perhaps requiring renewed monitoring similar to that carried out earlier. It would seem helpful for people to know what was required at the time. One particular requirement is to use a low noise road surface and to maintain that surface in good order in accordance with normal maintenance practices. This has not always been followed in the past.

Conditions 28 to 31 **Pedestrian overbridge at Plimmerton** (Not recommended)

Reasons to retain: The conditions provide the context behind the overbridge and pedestrian crossing in the event that changes are considered during the forthcoming consultations.

Conditions 32 & 33 **Provision for emergency service vehicles** (Not recommended)

Reasons to retain: Provides context. Maybe consultations could suggest changes for future.

Condition 34 **Access to Shell/McDonald's Site** (Not recommended)

Reasons to retain: Not essential but provides context and illustrates factors that were given attention at the time.

Condition 35 to 37 **Signage** (Recommended)

Reasons to retain: As conceded by Waka Kotahi, retention "gives some visibility to the public that the highway network will be maintained to the standard that was required at the time of construction, or that infrastructure is retained and/or replaced if damaged".

Conditions 38 & 39 **Sewer and water main protection and fire hydrants** (Not recommended)

Reasons to retain: Identify factors afforded attention at the time (and may need future attention if designation is changed).

Conditions 40 & 41 **Consultation** (Not recommended)
and

Condition 42 **Community Information Programme** (Not recommended)

Reasons to retain: These conditions emphasize the importance given to consulting and informing the community. Condition 42 requires implementation of an on-going Community Information Programme which should still be being followed.

Condition 43 **Community Liaison Group** (Not recommended)

Reasons to retain: Provides for a Community Liaison Group, which may be a possibility raised during consultation.

Conditions 43A to 43C **Consultation in relation to detailed road design** (Not recommended)

Reasons to retain: These conditions emphasise the importance the Court gave to discouraging use of the kerbside lanes and avoiding access difficulties to properties. They also emphasise the importance of involving the residents associations "*having regard to the interests of residents*" – a current issue which could be even more important during the forthcoming consultations.

Condition 44 **Mitigation of dust including management plan** (Not recommended)
and

Condition 45 **Protocol for discovery of koiwi, taonga or other artefact material** (Not recommended)

Reasons to retain: Provides context by identifying other matters given attention at the time.

Condition 46 to 47A **Footpath widths and handrails** (Not recommended)

Reasons to retain: These matters are likely to be raised during consultations and it will be helpful to know of the previous requirements.

Condition 48 **Community feedback register** (Recommended)

Reasons to retain: This is supposed to be a permanent record and should still be being maintained.

- Condition 49 **Traffic calming** (Not recommended); and
 Condition 50 **James Street Car Parking** (Not recommended); and
 Condition 51 **Paremata Station Car Park** (Not recommended); and
 Condition 52 & 52A **New Parking Area in Redoubt Lane** (Not recommended); and
 Condition 53 **Plimmerton Domain Playing Field** (Not recommended); and
 Condition 54 **Plimmerton Pony Club** (Not recommended)

Reasons to retain: Some or all of these matters should probably be reviewed during consultations to assess their implementation and effectiveness, and to determine any need for continuation or changes to the designation.

- Conditions 55.1a to 55.8 **Restriction on the operation of kerbside lanes** (Recommended)

Reasons to retain: While the Mana clearways remain in operation, these conditions need to remain operative. It would also be helpful if there was a note next to condition 55.2 advising readers that the clearway times were changed as from 6 April 2020 and including the new times. After the required consultations and if decisions are made to remove the clearways, that would presumably the time to remove the conditions and make any other changes needed.

- Condition 55A **Monitoring parking** (Recommended)

Reasons to retain: An on-going requirement to keep records.

- Condition 56 **Notices** (Recommended)

Reasons to retain: Another on-going requirement (even though it may seem outdated).

- Condition 57 **Reference to PCC** (Not recommended)

Reasons to retain: Presumably it still applies.

- Conditions 58 & 59 **Review of designation** (Recommended)

Reasons to retain: It is likely that people will want to know about what reviews and consultations were required under condition 58 and should certainly be aware of what consultations were required to take place prior to the completion of Transmission Gully Motorway – but have yet to be undertaken - under condition 59. (As identified by the Hearings Panel Chair, since the Transmission Gully Motorway is now operational, condition 59 has not been complied with. This condition must be retained but in its current wording is unachievable in the proposed rollover designation.

[Additional note: There are a number of mostly minor typing errors in the current PDP version of the designation which should be corrected. These include: Condition 1.1 - (“POP”) should read (“PDP”); Condition 4 – insert word “by” before “1 March 2012; Condition 6 – “advice” should read “advise”; Condition 8.9(a)ii “Oil” should read “on”; Condition 8.13(a)iiB – “cottons” should read “options”; Condition 8.17(c)l – “ill” should read “in”; Conditions 20.1 and 20.2 – “pee” should read “PCC”; Condition 24 – “Wart” should read “Work”; Condition 27.5 – “condition hereof” should read “condition 27.2 hereof”; Condition 28.3 – “pee” should read “PCC”; Condition 29A – should be moved to the left margin; Condition 30 – “pee” should read “PCC”; Condition 46.1 - should read “The section of carriageway does not provide for kerbside parking at any time; and”; Condition 53 – “fie la” should read “field”.]