

**BEFORE THE INDEPENDENT HEARING PANEL  
APPOINTED BY PORIRUA CITY COUNCIL**

**IN THE MATTER** of the Resource Management  
Act 1991 (**RMA**)

**AND**

**IN THE MATTER** of Variation 1 to the  
Proposed Porirua District  
Plan and Plan Change 19 to  
the Operative Porirua District  
Plan

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**STATEMENT OF EVIDENCE OF ANDREW BROWN CUMMING**

**PLANNING**

**24 FEBRUARY 2023**

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**Counsel acting:**

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## **INTRODUCTION**

1. My full name is Andrew Brown Cumming.

### *Qualifications and experience*

2. I am self-employed as a planning consultant. I hold the qualifications of Bachelor of Science (Zoology) from Massey University and Master of Science (Environmental Science and Zoology) (First Class Honours) from the University of Auckland.
3. I have worked in resource management and planning in both the public and private sectors for more than 25 years. My experience includes senior management and policy experience at district councils and policy experience at a regional council as well as 12 years of private resource management practice. My most recent role at a council was as District Plan Manager at Hutt City Council from 2015 until 2019.
4. I have been involved in a wide range of projects and tasks including preparing regional and district plans, reviewing district plan changes and policy documents, identifying implications for clients and preparing formal submissions, preparing applications for consent for a variety of subdivision and land use projects, and commissioning and reviewing specialist inputs (e.g. ecologists, surveyors, geotechnical engineers, traffic engineers, noise specialists, landscape architects and archaeologists).
5. I am a full member of the New Zealand Planning Institute.

### *Code of Conduct*

6. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions. I have not omitted material facts known to me that might alter or detract from my evidence.

## CONTEXT FOR MY EVIDENCE

7. In December 2022 I was approached by Brendan Hogan on behalf of KM and MG Holdings Ltd (**the submitter**). I understand KM and MG Holdings Ltd to be the current owner of Plimmerton Farm, and was advised that it had made a submission on Variation 1 (**V1**) to the Proposed District Plan and Plan Change 19 (**PC19**) to the Operative District Plan. Mr Hogan asked if I would be willing to provide a statement of evidence to the Independent Hearing Panel hearing V1 and PC19. The statement of evidence would set out my knowledge of the development and final mapping of the Significant Natural Areas and Biodiversity Offsetting and Restoration Areas that formed part of PC18 Plimmerton Farm.
8. By way of disclosure, I note that since 15 June 2021 I have been engaged by Maymorn Developments Ltd, which has links to Gillies Group and therefore KM and MG Holdings Ltd, to provide planning advice in respect of private plan change 55 to the Upper Hutt District Plan and associated subdivision and land use consent applications for the subject property.
9. I am also currently engaged by Porirua City Council (**PCC**) to assist with the preparation of its Code of Development Standards. I have previously been contracted to PCC to provide planning advice on aspects of the Proposed District Plan, to assist in finalising PCC's application to use a Streamlined Planning Process to advance PC18 Plimmerton Farm, to prepare and advance PC18 (as I discuss further below) and to assist with applications to the Government's Infrastructure Acceleration Fund.
10. Based on my role in PC18 I therefore have personal knowledge of some of the matters raised in the submission by the submitter. For that reason, and due to the other roles I have had relating to Porirua City, on 2 December 2022 I telephoned Stewart McKenzie, then Manager Environment and City Planning at PCC, to ask if he would have any concerns on behalf of PCC about me providing the statement of evidence described above. Mr McKenzie advised me that he considered such a statement would potentially assist the Hearing Panel, he did not see any conflicts and he was content with me proceeding.

- 11.** I have read the section 42A report prepared by Torrey McDonnell in so far as it relates to the matters discussed here. I met with Mr McDonnell on 22 February 2023 at the PCC offices to better understand the position he sets out in the section 42A report. I refer to the section 42A report or the discussion with Mr McDonnell from time to time in this statement.
- 12.** In this statement I set out the following:
- (a) My involvement in PC18;
  - (b) My understanding of the development and mapping of the Significant Natural Areas and Biodiversity Offsetting and Restoration Areas of PC18 in both the Plimmerton Farm Precinct Plan and the PC18 Planning Maps. I provide a summary table (Attachment Three, Table 1) and annotated copies of iterations of the Precinct Plan and Planning Map – Environmental Overlays (Attachment Three, Figures 1 – 9);
  - (c) Comments on PCC’s unintentional Proposed District Plan notification of SNAs and the Kakaho Special Amenity Landscape on the PC18 site;
  - (d) Comments on the PCC position expressed in the section 42A report;
  - (e) Conclusion and recommendations.

### **MY INVOLVEMENT IN PC18**

- 13.** In June 2019 Tom Anderson of Incite Wellington 2012 Ltd and I (“we”, “our”) were engaged by PCC to prepare PC18 Plimmerton Farm and take it through the Streamlined Planning Process that was in due course approved by the Minister for the Environment.
- 14.** We carried out, or arranged administrative support to carry out, the following tasks:
- (a) Preparing PC18;
  - (b) Preparing the PC18 section 32 evaluation report;
  - (c) Publicly notifying PC18;
  - (d) Preparing and notifying the Summary of Decisions Requested;
  - (e) Preparing the Section 42A Report to the Hearing including a track changes version of PC18 that responded to matters raised in submissions;

- (f) Participating in the Hearing, including by providing rebuttal evidence and a right of reply, including updated track changes versions of PC18;
- (g) Providing comments on the Hearing Panel’s Draft Decision.

**THE DEVELOPMENT AND MAPPING OF THE SIGNIFICANT NATURAL AREAS AND BIODIVERSITY OFFSETTING AND RESTORATION AREAS OF PC18**

- 15.** At the time I became involved in the PC18 project, the then landowner Plimmerton Developments Ltd (**PDL**) had already engaged a range of experts to investigate the constraints and attributes of the site. The experts’ investigations came together spatially as the Plimmerton Farm Precinct Plan (**Precinct Plan**). The first iteration of the Precinct Plan I refer to here (Attachment Three, Table 1 Row 1 and Figure 1) was used in the PCC application to the Minister for the Environment to use a streamlined planning process to advance PC18.
- 16.** The Precinct Plan (Attachment 3, Figure 1) identified four precincts (A-D) with different potential for development. Precinct A was considered suitable for medium density housing and included a retirement village; Precinct B was considered suitable for general residential housing and included provision for a school and a small neighbourhood centre; Precinct C was considered suitable for residential clusters; Precinct D was considered suitable for a small commercial centre. An indicative road and pathway network linked the precincts. The Precinct Plan also identified (among other things):
- (a) Possible neighbourhood reserves for vesting to PCC;
  - (b) Significant Natural Areas (the SNA map layer was obtained from PCC and was part of the City-wide SNA mapping undertaken by Wildlands for PCC as part of the district plan review);
  - (c) “Indicative offsetting restoration and revegetation areas, subject to restoration management plan – privately owned and managed/restored within a small number of lots and protected by covenant where practicable”;
  - (d) Wetland areas;

- (e) “Steep slopes, subject to restoration management plan – privately owned and managed, within a small number of lots or potentially with body corporate shared ownership”;
- (f) Ecological corridor;
- (g) Prominent ridgeline;
- (h) Kakaho Special Amenity Landscape boundaries.

17. The intention for PC18 was to incorporate the Precinct Plan so as to, in particular, make use of the indicative locations of roading, neighbourhood parks, the retirement village and so on. There was also the need to transfer elements of the Precinct Plan into formal planning maps with zoning and overlays at the appropriate level of precision so that planning provisions could be applied spatially. A key point I am making here is that the Planning Maps were based on the Precinct Plan.
18. At a meeting held on 20 November 2019 with landscape architects Dan Males (Local Landscape Architecture Collective) and Julia Williams (Drakeford Williams Ltd), and ecologist Paul Blaschke (Blaschke Rutherford Ltd), we discussed the difficulties being encountered in coming up with a practicable planning framework to achieve integrated management of SNAs and the various ecological, restoration and retirement areas identified in the draft Precinct Plan. To simplify matters and provide the appropriate level of precision I refer to above, the meeting decided to combine the Precinct Plan’s “indicative offsetting restoration and revegetation areas” and “steep slopes” under a new term “Biodiversity Offsetting and Restoration Areas” (**BORAs**) and delineate the BORAs as a mapped layer on the Precinct Plan and the Planning Maps.
19. The new BORA map layer was subsequently provided by Local Landscape Architecture Collective to PCC, which prepared the PC18 Planning Maps, and to urban designer Lauren White (GHD Ltd and subsequently Urban Acumen Ltd), who prepared the Precinct Plan. At this stage of creating the BORA layer from earlier map layers and sharing the BORA layer with multiple parties, errors and inconsistencies in the extent of the BORA layer were introduced. That is, the BORA layer on the Precinct Plan did not match the BORA layer on the Planning Map. This inconsistency carried through to the notification of PC18 on 20 May

2020 (refer to Attachment Three, Table 1 Row 2 and Figures 2A and 2B). The annotated arrows in Figure 2B show some of the inconsistencies between the two versions of the BORA maps.

- 20.** I have attempted to work out the basis of the two BORA map versions. Until now I had regarded the Precinct Plan version as the correct version because I understood it to simply recombine the established “indicative offsetting restoration and revegetation areas” and “steep slopes” as BORAs. I had regarded the Planning Map version to be incorrect because it varied from the established starting point of the Precinct Plan.
- 21.** However, in our discussion on 22 February 2023, Mr McDonnell pointed out to me that the PDL comments on the Draft PC18 Decision (Attachment 1 to this statement) included an extract from a map that shows draft SNAs and “other sites of ecological interest”. Some of the area shapes match those of the BORA Planning Map version. Mr McDonnell’s view is that the map from the PDL comments comprises ecological evidence in the PC18 process that supports the BORA Planning Map version.
- 22.** The map from the PDL comments comes from the Ecological Assessment Report (overall page number 000615)<sup>1</sup> that was included in the PC18 s32 Assessment (map also shown at Attachment 3, Figure 10). I therefore agree with the point expressed by Mr McDonnell in our meeting (but not explained in the s42A report) that the map is part of the evidential basis for the BORA maps.
- 23.** Similarly, I also confirmed that at least some other parts of the BORA Planning Map version appear – based on the shapes of some of the areas - to arise from the Landscape and Visual Assessment (overall page number 000729)<sup>2</sup> that was included in the PC18 s32 Assessment (map also shown at Attachment 3, Figure 11). Importantly, however, some of the developable area exclusions shown in Figure 11 (and the BORA Precinct Plan version) were not carried into the BORA Planning Map version.

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<sup>1</sup> Ecological Assessment Report - [https://storage.googleapis.com/pcc-wagtail-media/documents/S32\\_Attachment\\_9\\_Ecological\\_Assessment\\_Report\\_Overall\\_Page\\_Numbers\\_586-626.pdf](https://storage.googleapis.com/pcc-wagtail-media/documents/S32_Attachment_9_Ecological_Assessment_Report_Overall_Page_Numbers_586-626.pdf)

<sup>2</sup> Landscape and Visual Assessment - [https://storage.googleapis.com/pcc-wagtail-media/documents/S32\\_Attachment\\_10\\_Overall\\_Page\\_Numbers\\_627-733.pdf](https://storage.googleapis.com/pcc-wagtail-media/documents/S32_Attachment_10_Overall_Page_Numbers_627-733.pdf)

- 24.** Having checked the basis of the two BORA map versions, I now conclude that both versions are flawed; the BORA Precinct Plan version under-represents BORA areas and the BORA Planning Map version over-represents BORA areas. I return to this point later in this statement.
- 25.** The next iteration of the Precinct Plan appeared in the 21 August 2020 s42A Report to the Hearing (Attachment Three, Table 1 Row 3 and Figure 3A). The Precinct Plan was amended in response to submissions (The Gray Family (83), The Neil Group Ltd (84), and Robyn Smith (107)) that requested that PC18 overlays did not appear on land beyond the Plimmerton Farm site. However, the replacement Precinct Plan that removed the overlays beyond the site inadvertently introduced the incorrect BORA layer that had been used on the Planning Map. This was an error and was not in response to any submission. There were no submissions that requested changes to the mapping of the BORA layer (except that Forest and Bird Kapiti-Mana Branch (1) requested the inclusion of the lone tōtara).
- 26.** The s42A Report also amended the Planning Map (Attachment Three, Table 1 Row 3 and Figure 3B) to amend the area of SNAs. The changes resulted from a review of the SNAs by ecologist Nick Goldwater of Wildlands Ltd, and our opinion (in discussion with Mr Goldwater) that wetland identification and management was the responsibility of Greater Wellington Regional Council and should not be included in terrestrial SNAs identified and managed by territorial local authorities such as PCC. The Wildlands review and our rethink on wetlands were instigated in response to submissions that questioned the extent of the SNAs as well as the impact of the then recently-introduced National Policy Statement on Freshwater Management 2020 (**NPSFM**). The BORAs were amended consequentially in concert with the SNA changes to avoid nonsensical overlaps or underlaps involving previously contiguous SNA/BORA boundaries.
- 27.** In our 5 October 2020 Statement of Rebuttal Evidence, there were no changes to the parts of the Precinct Plan being discussed here. However, the Planning Map (Figure 4B) was revised to show natural wetlands identified by GWRC and indicative wetlands identified by PCC. The wetlands were shown not as part of the



SNAs but to assist PCC in meeting its NPSFM obligations around integrated management of wetlands.

- 28.** The next changes occurred in the 23 October 2020 PCC Right of Reply (Attachment Three, Table 1 Row 5, Figures 5A and 5B). The Precinct Plan was amended to remove Precinct D due to the uncertainty about the extent of natural wetlands, if any, in Precinct D. The area shown as Precinct D became part of Precinct A. The plan provisions associated with Precinct D were deleted or incorporated into the Precinct A plan provisions. The Planning Map was amended to add a lone tī kōuka identified by Te Rūnanga o Toa Rangatira (Submitter 131).
- 29.** The Hearing Panel issued its Draft Decision for Comment on 3 December 2020. The Precinct Plan and Planning Map contained no further changes from what had been presented in our Right of Reply (Attachment Three, Table 1 Row 6, Figures 6A and 6B). Parties to the proceedings were invited to comment on the Draft Decision.
- 30.** On 10 December 2020 PDL lodged comments on the Draft Decision (Attachment One and Attachment Three, Table 1 Row 7, Figure 7). The comments included identifying that:
- (a) The Precinct Plan as notified included the correct BORA layer;
  - (b) The Planning Map as notified included the incorrect BORA layer;
  - (c) During the proceedings the Precinct Plan had been amended to use the incorrect BORA layer without there being scope from submissions to make such an amendment;
  - (d) The Precinct C Plan includes the incorrect BORA layer and the correct development layer;
  - (e) The Precinct Plan and the Planning Map in the Draft Decision both use the incorrect BORA layer.
- 31.** Until the 10 December 2020 comments from PDL I had been unaware of the BORA mapping inconsistencies. Indeed, I do not believe that any participant in PC18 had identified the inconsistencies at any stage of that process.

- 32.** The Hearing Panel’s 22 December 2020 Final Report and Recommendations (Attachment Two and Attachment Three, Table 1 Row 8, Figures 8A and 8B) agreed with PDL about the inconsistency between the BORA layer on the Precinct Plan and the Planning Maps as notified. The Hearing Panel noted that addressing the matter “goes beyond what we can address at this stage” and suggested that PCC’s PDP process would be the appropriate opportunity to rectify the matter.
- 33.** I comment on this under the heading “PC19” below.

**PCC NOTIFICATION OF SNAs AND THE KAKAHO SPECIAL AMENITY LANDSCAPE ON THE PC18 SITE**

- 34.** For completeness I note that PCC erred when notifying the PDP on 28 August 2020. Despite the fact that the Plimmerton Farm site was specifically identified as being excluded from the PDP, the online Planning Map<sup>3</sup> (Attachment Three, Table 1 Row 9, Figure 9) includes the SNA layer (without PC18 amendments) and the boundary of the Kakaho Special Amenity Landscape.

**PC19**

- 35.** I have read PC19 and its section 32 report. I have read the submitter’s submission on V1/PC19 and considered the relief sought in the light of:
- (a) My above summary of the history of the PC18 SNA and BORA map layers; and
  - (b) The requirements and scope of PC19 as an Intensification Planning Instrument (IPI).
- 36.** I agree with the views expressed in the submission that:
- (a) An inappropriate BORA map layer is shown in the Operative Precinct Plan and Planning Map; and

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<sup>3</sup> <https://eplan.porirua.govt.nz/districtplan/property/0/0/141? fp=true>

(b) The changes to the BORA map layer from the notified Precinct Plan to the Operative Precinct Plan were not within scope derived from relevant submissions.

**37.** These points were also clearly acknowledged in the Hearing Panel's 22 December 2020 Final Report and Recommendations, but because of the very late stage that the mapping issues were identified, the Minister for the Environment approved PC18 with the inclusion of the mapping issues.

**38.** I therefore agree that the relief sought in the submission would be appropriate; that is, that the BORA layer in both the Precinct Plan and the Planning Map is amended to match the BORA layer shown in the Precinct Plan notified on 20 May 2020. I explain my reasoning below.

**39.** As mentioned above, I am now of the view that both the Precinct Plan and the Planning Map versions of the BORA map are flawed, with neither fully and accurately reflecting the expert ecological and landscape evidence presented in PC18. The Precinct Plan version does not include some areas earlier identified by experts as of "ecological interest" or landscape value. On the other hand, the Planning Map version captures as BORAs areas that were clearly intended to be available for built development and roading. The flaws in the Planning Map version were transferred into the Precinct Plan version during the process, without those changes being based on submissions.

**40.** As a result of the issues with the BORA Planning Map version, I do not support the recommendation of the s42A Report that the BORA Planning Map version is retained. In my opinion that would compromise the landowner's carefully considered and integrated development of the site for no ecological or landscape benefit, which in turn would fail to achieve the purpose of PC19 to facilitate increased housing supply. In my view PCC has a clear responsibility to ensure that inaccurately identified qualifying matters do not frustrate appropriate outcomes. I comment on this further below.

**41.** On the other hand, as I acknowledge above, the BORA Precinct Plan version omits areas that may have ecological value. Therefore, if the BORA Precinct Plan version

is adopted as requested by the submitter, there is an obvious question as to whether that would create the risk of poor ecological outcomes. I am satisfied that the answer to that question is no because the Plimmerton Farm Zone specifically requires comprehensive assessment and appropriate management of the site's ecology as part of subdivision applications. The requirement is set out in detail in Information Requirement SUB<sub>PFZ</sub>-IR-1) and includes taking into account:

- (a) The mapped ecological areas, i.e. SNAs and BORAs; and
- (b) Ecological areas that may be of significance but have not been formally mapped as SNAs or BORAs. PC18 terms these areas "Areas of Significant Terrestrial Indigenous Biodiversity"<sup>4</sup>.

**42.** The PC18 hearing panel included the above assessment requirement in response to concerns from submitters that SNA or BORA mapping could have inaccuracies at the time of mapping or may become less accurate over time (before development occurs) as the site responds to the cessation of farming and the growth and maturation of vegetation.

**43.** The Plimmerton Farm Zone provisions<sup>5</sup> require the Areas of Significant Terrestrial Indigenous Biodiversity to be treated in a manner similar to SNAs and BORAs. For example, they must be included in the Ecosystems and Indigenous Biodiversity Management Plan and their fragmentation must be avoided (SUB<sub>PFZ</sub>-O4, SUB<sub>PFZ</sub>-P5 *Subdivision of an Allotment with a Significant Natural Area, Area of Significant Terrestrial Indigenous Biodiversity or Biodiversity Offsetting and Restoration Area*). The subdivision and land use rules that apply to SNAs and BORAs also apply to Areas of Significant Terrestrial Indigenous Biodiversity (e.g. SUB<sub>PFZ</sub>-R3 *Subdivision of a Site Containing a Significant Natural Area, Area of Significant Terrestrial Indigenous Biodiversity or Biodiversity Offsetting and Restoration Area*, ECO<sub>PFZ</sub>-R1 *Trimming or Removal of Vegetation within a Significant Natural Area*,

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<sup>4</sup> Definition - AREA OF SIGNIFICANT TERRESTRIAL INDIGENOUS BIODIVERSITY means an area of significant terrestrial, indigenous biodiversity outside of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas that meets the criteria in Policy 23 of the Wellington Regional Policy Statement. It excludes wetlands and other waterbodies.

<sup>5</sup> Operative Porirua District Plan, Plimmerton Farm Zone Chapter - [https://storage.googleapis.com/pcc-wagtail-media/documents/ODP\\_PFZ\\_Plimmerton\\_Farm\\_Zone\\_8277722\\_Updated\\_July\\_2021.pdf](https://storage.googleapis.com/pcc-wagtail-media/documents/ODP_PFZ_Plimmerton_Farm_Zone_8277722_Updated_July_2021.pdf)

*Areas of Significant Terrestrial Indigenous Biodiversity or Biodiversity Offsetting and Restoration Area).*

44. To my mind, a question also arises as to whether or not the IPI of PC19 is able to accommodate the relief sought. I think the answer is yes as I discuss below.
45. The purpose of PC19 is to give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 by introducing the Medium Density Residential Standards and giving effect to the directions on the location, height and form of urban development in Policies 3 and 4 of the National Policy Statement on Urban Development (**NPSUD**), modified only to the extent necessary to accommodate a qualifying matter. An IPI may also include related provisions (including objectives, policies, rules, standards and zones) that support or are consequential on the MDRS or the NPSUD intensification policies.
46. Qualifying matters at Plimmerton Farm include both SNA and BORA overlays as section 6 matters of national importance that constrain the development enabled by the underlying zone provisions. To avoid unnecessary constraints that serve no indigenous biodiversity purpose, the SNAs and BORAs should be identified accurately, which obviously entails applying the correct map layers to cover the appropriate areas. Section 77L sets out that Section 32 analyses must evaluate “the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter”.
47. In my opinion, the BORA overlay should be corrected wherever it is located in the Plimmerton Farm Zone, including in Precinct C. Although PC19 does not seek to make changes in Precinct C, “the policy intent of section 80E is that the IPI provides for a comprehensive change to the relevant district plan<sup>6</sup>”. Precinct C also provides, in an integrated manner, for residential housing capacity within the Plimmerton Farm Zone, which has resulted from a comprehensive change to the district plan. Precinct C therefore has a relationship to that policy intent. Section

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<sup>6</sup> Ministry for the Environment 2022. Intensification streamlined planning process: A guide for territorial authorities <https://environment.govt.nz/assets/publications/Intensification-streamlined-planning-process-A-guide-for-territorial-authorities.pdf>

80E provides that the IPI may address related provisions including qualifying matters and district-wide matters that support Policies 3 and 4 of the NPSUD.

- 48.** The support for Policies 3 and 4 derives from the Plimmerton Farm Zone's coordinated, integrated Precinct Plan approach that will guide Plimmerton Farm's development from a greenfield site to a well-functioning urban environment with rural residential margins and a supporting open space network.

#### **CONCLUSION AND RECOMMENDATIONS**

- 49.** From my perspective the BORA mapping inconsistencies were regrettable, particularly given that the very late identification of the inconsistencies meant there was no opportunity in the PC18 process to make good.
- 50.** The BORA map layers in both the Precinct Plan and the Planning Map are flawed. I understand the PCC position but, on balance, believe that the BORA Planning Map version should not be reconfirmed as a qualifying matter that would unnecessarily constrain the housing development potential of the site.
- 51.** I recommend that the BORA layer in both the Precinct Plan and the Planning Map is amended to match the BORA layer shown in the Precinct Plan notified on 20 May 2020.
- 52.** I also recommend that the SNA layer is confirmed as the layer modified through the PC18 process and shown in the Operative Plimmerton Farm Zone Precinct Plan and Planning Map.

**DATED** this 24th day of February 2023



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Andrew Cumming

**Attachment One**  
**Extract from Plimmerton Developments Ltd**  
**Comments on PC18 Draft Decision**

**Attachment Two**  
**Extract from PC18 Hearing Panel's**  
**Final Report and Recommendations**



# Attachment Three

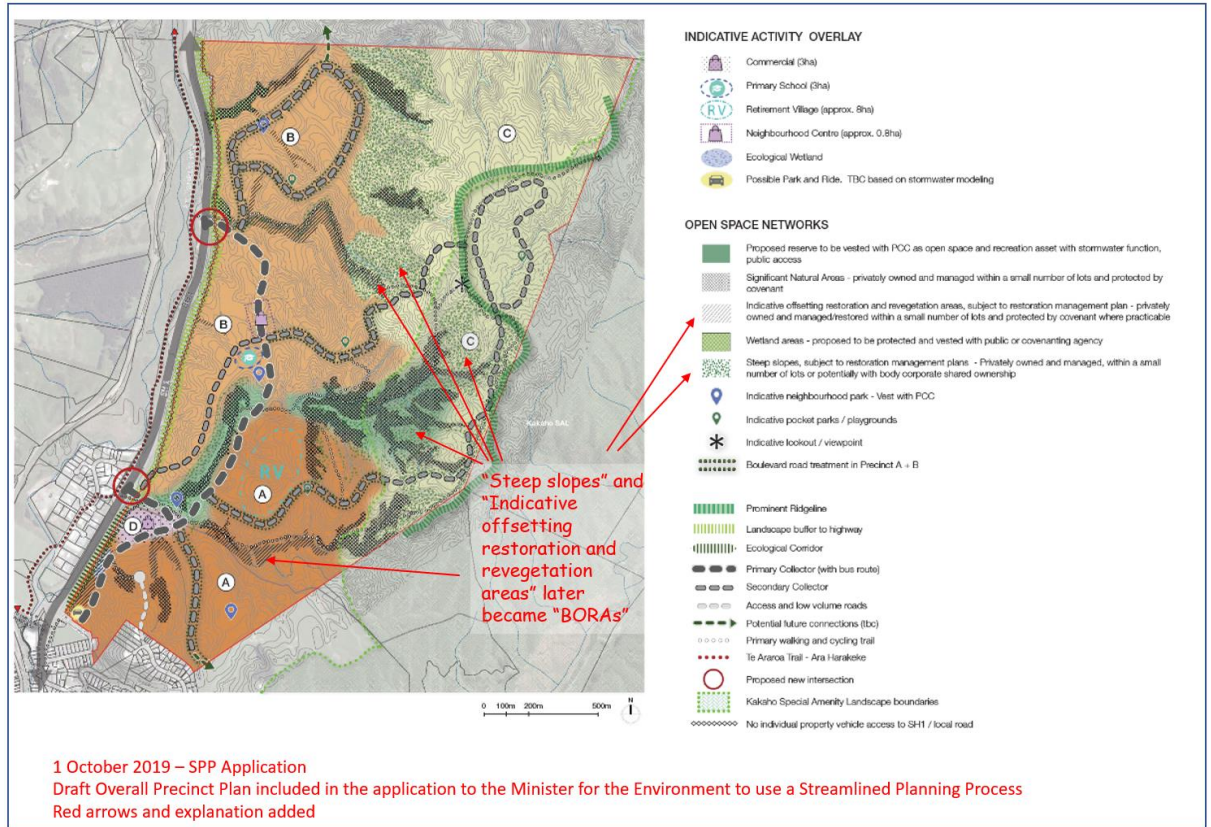
## Table 1 and Figures 1 - 9

**Table 1 Summary of Development of SNAs and BORAs in Plan Change 18**

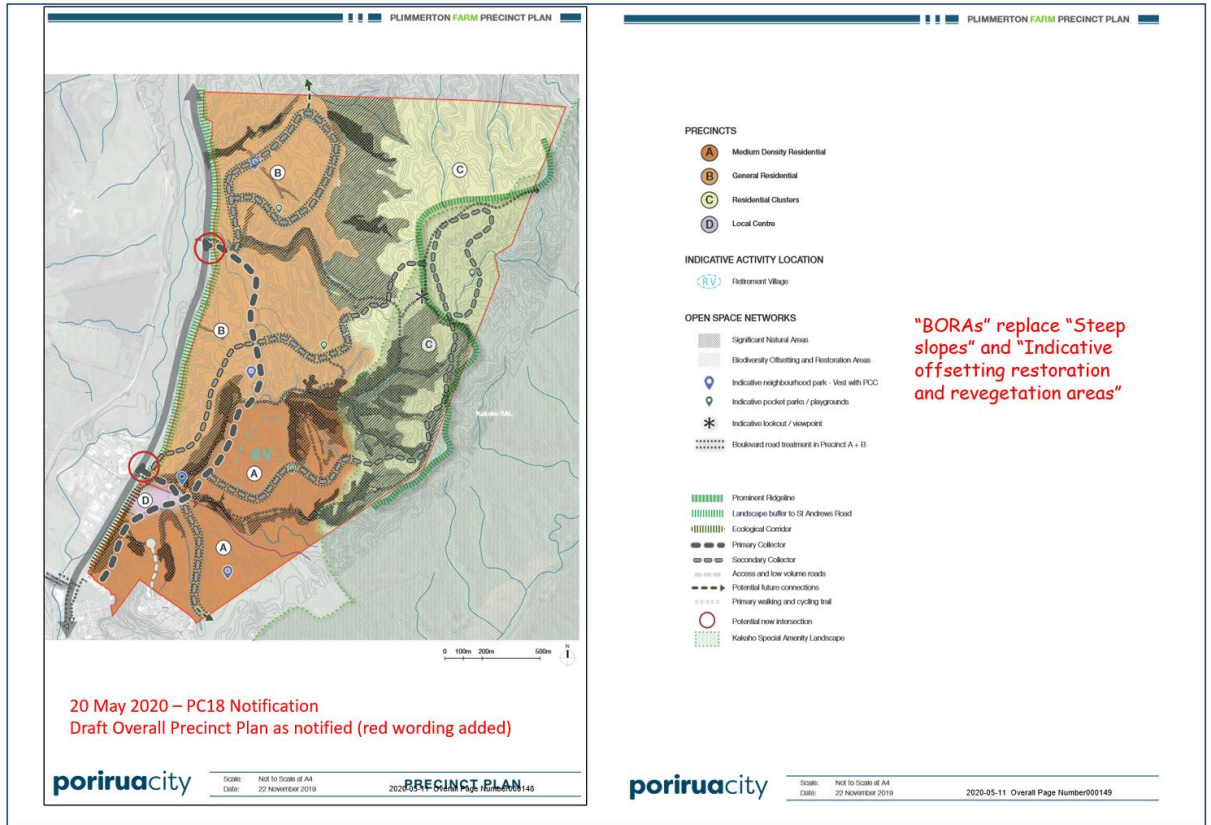
Row No.	PC18 Stage	Precinct Plan	Planning Map
1	<p><b>Application to use Streamlined Planning Process</b>  <b>1 October 2019</b></p>	<ul style="list-style-type: none"> <li>• <b>Figure 1</b></li> <li>• Precinct Plan shows PCC City-wide SNA mapping undertaken by Wildlands for PCC.</li> <li>• BORAs did not yet exist. Draft areas shown as:               <ul style="list-style-type: none"> <li>• “Indicative offsetting restoration and revegetation areas subject to restoration management plans”</li> <li>• “Steep slopes, subject to restoration management plans”.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Planning maps had not yet been prepared.</li> </ul>
2	<p><b>PC18 Notification</b>  <b>20 May 2020</b></p>	<ul style="list-style-type: none"> <li>• <b>Figure 2A</b></li> <li>• The SNA layer is the PCC City-wide SNA mapping undertaken by Wildlands for PCC<sup>7</sup></li> <li>• The BORA layer developed from the draft areas mentioned above.</li> <li>• The BORA layer is correct.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 2B</b></li> <li>• The SNA layer is the PCC City-wide SNA mapping undertaken by Wildlands for PCC</li> <li>• The BORA layer is not correct. It incorrectly includes additional areas as identified in the <i>Comments on Draft Decision on Behalf of Plimmerton Developments Ltd, dated 10 December 2020.</i></li> </ul>
3	<p><b>PC18 S42A</b>  <b>21 August 2020</b></p>	<ul style="list-style-type: none"> <li>• <b>Figure 3A</b></li> <li>• The Precinct Plan was amended in response to submissions (The Gray Family (83), The Neil Group Ltd (84), and Robyn Smith (107)) “to remove overlays beyond the site”. The replacement Precinct Plan inadvertently introduced the incorrect BORA layer.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 3B</b></li> <li>• The Planning Map – Environmental Overlays was amended:               <ul style="list-style-type: none"> <li>• To increase the areas of SNA - in response to the review of SNAs and evidence of Nick Goldwater of Wildlands</li> <li>• To remove natural wetlands on the basis that their identification and management are the responsibility of Greater Wellington Regional Council</li> <li>• To add a tōtara - in response to submissions (Forest and Bird Kapiti-Mana Branch (1)</li> </ul> </li> </ul>

<sup>7</sup> The PC18 Statement of Evidence of Nick Goldwater discusses that the SNA identification and assessment of Plimmerton Farm was part of a Porirua-wide project undertaken by Wildlands Ltd as an input to the full review of the Porirua District Plan

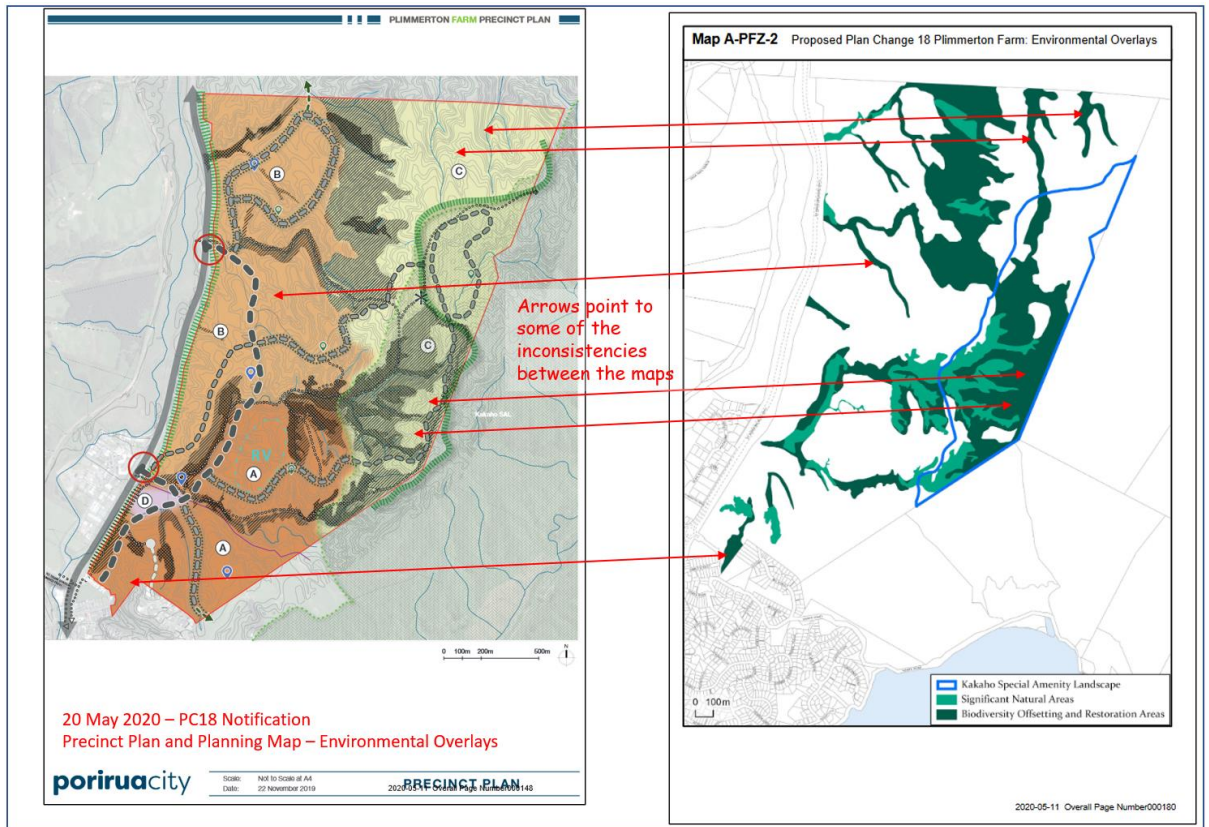
Row No.	PC18 Stage	Precinct Plan	Planning Map
			Pene Burton Bell (90) and Forest and Bird (117))
4	PC18 Statement of Rebuttal Evidence 5 October 2020	<ul style="list-style-type: none"> <li>• <b>Figure 4A – no change</b></li> <li>• There were no changes to the parts of the Precinct Plan being discussed here</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 4B</b></li> <li>• The Planning Map – Environmental Overlays was amended: <ul style="list-style-type: none"> <li>• To show natural wetlands identified by GWRC and indicative wetlands identified by PCC to assist with the integrated management of wetlands</li> </ul> </li> </ul>
5	PCC Right of Reply 23 October 2020	<ul style="list-style-type: none"> <li>• <b>Figure 5A</b></li> <li>• The Precinct Plan was amended to remove Precinct D, due to the uncertainty about the extent of natural wetlands, if any, in Precinct D</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 5B</b></li> <li>• The Planning Map – Environmental Overlays was amended: <ul style="list-style-type: none"> <li>• To add the lone tī kōuka identified by Te Rūnanga or Toa Rangatira (Submitter 131).</li> </ul> </li> </ul>
6	Hearing Panel Draft for Comment 3 December 2020	<ul style="list-style-type: none"> <li>• <b>Figure 6A - No change</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 6B - No change</b></li> </ul>
7	Comments on Draft Decision on Behalf of Plimmerton Developments Ltd 10 December 2020.	<ul style="list-style-type: none"> <li>• <b>Figure 7</b></li> <li>• The comments identify that the Precinct Plan as notified is correct. However, during the PC18 process the incorrect BORA layer becomes incorporated into the Precinct Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 7</b></li> <li>• The comments identify that the BORA layer is incorrect in the notified version of the Planning Map.</li> </ul>
8	PC18 Decision Operative 19 May 2021	<ul style="list-style-type: none"> <li>• <b>Figure 8A</b></li> <li>• The Hearing Panel’s Final Report and Recommendations (22 December 2020) agreed with PDL about the inconsistency between the BORA layer on the Precinct Plan and the Planning Maps as notified. The Hearing Panel noted that addressing the matter “goes beyond what we can address at this stage” and suggested the PDP process would be the appropriate opportunity to rectify the matter.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 8B</b></li> <li>• The Hearing Panel’s Final Report and Recommendations (22 December 2020) agreed with PDL about the inconsistency between the BORA layer on the Precinct Plan and the Planning Maps as notified. The Hearing Panel noted that addressing the matter “goes beyond what we can address at this stage” and suggested the PDP process would be the appropriate opportunity to rectify the matter.</li> </ul>
9	PDP Notification 28 August 2020	<ul style="list-style-type: none"> <li>• Not included</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Figure 9</b></li> <li>• Notified in error</li> <li>• The PC18 site is not included in PDP</li> <li>• The SNAs are incorrect in that they do not encompass the additional areas added in the Wildlands review and they do not address natural wetlands</li> </ul>



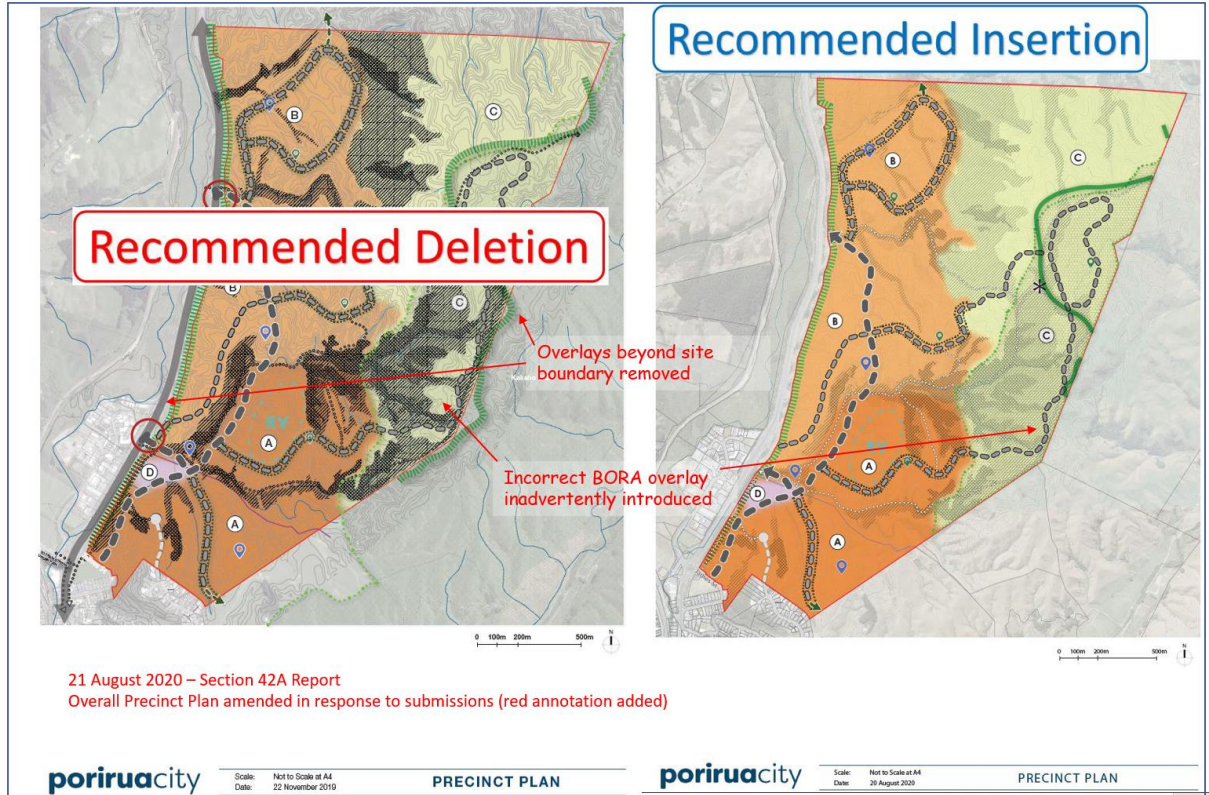
**Figure 1 – Precinct Plan as presented in the application to use a Streamlined Planning Process**



**Figure 2A Precinct Plan as notified 20 May 2020**



**Figure 2B** Precinct Plan and Planning Maps - Environmental Overlays as notified 20 May 2020



**Figure 3A** Precinct Plan – s42A Report 21 August 2020

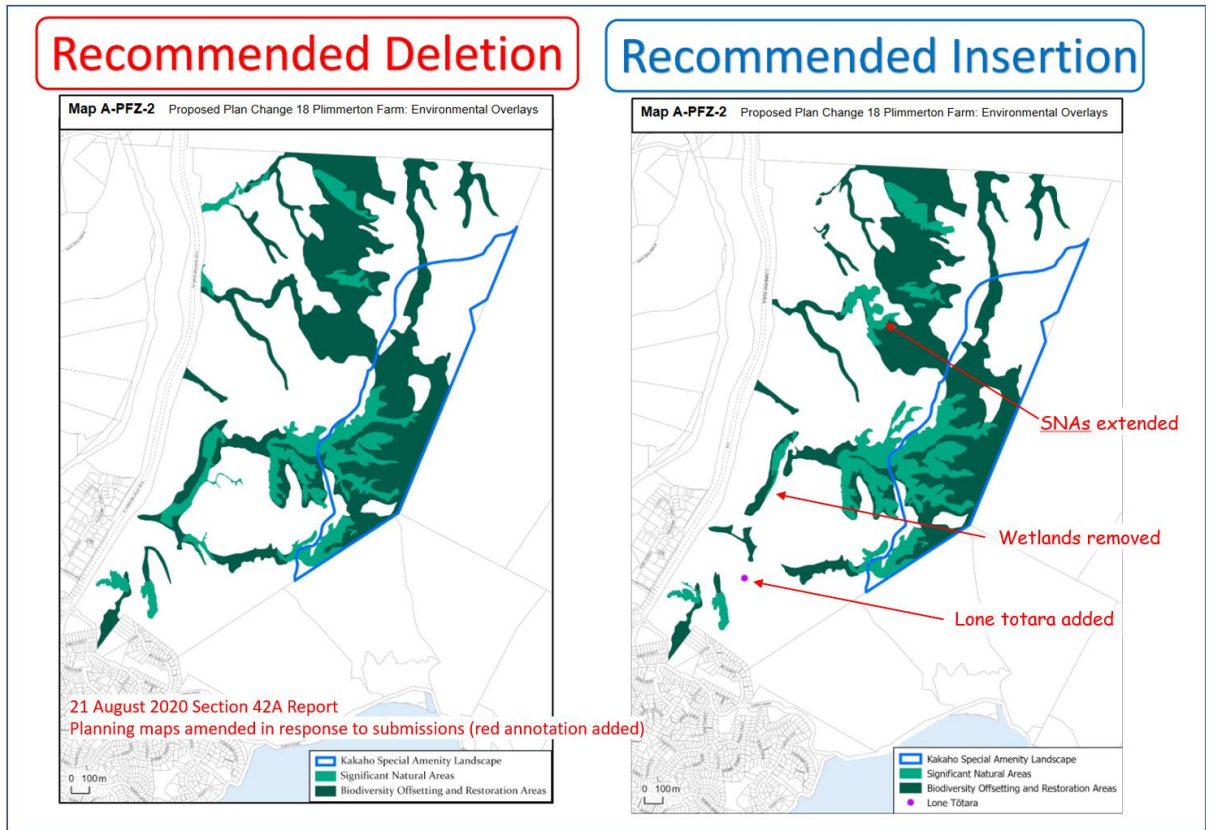


Figure 3B Planning Maps - Environmental Overlays - s42A Report 21 August 2020

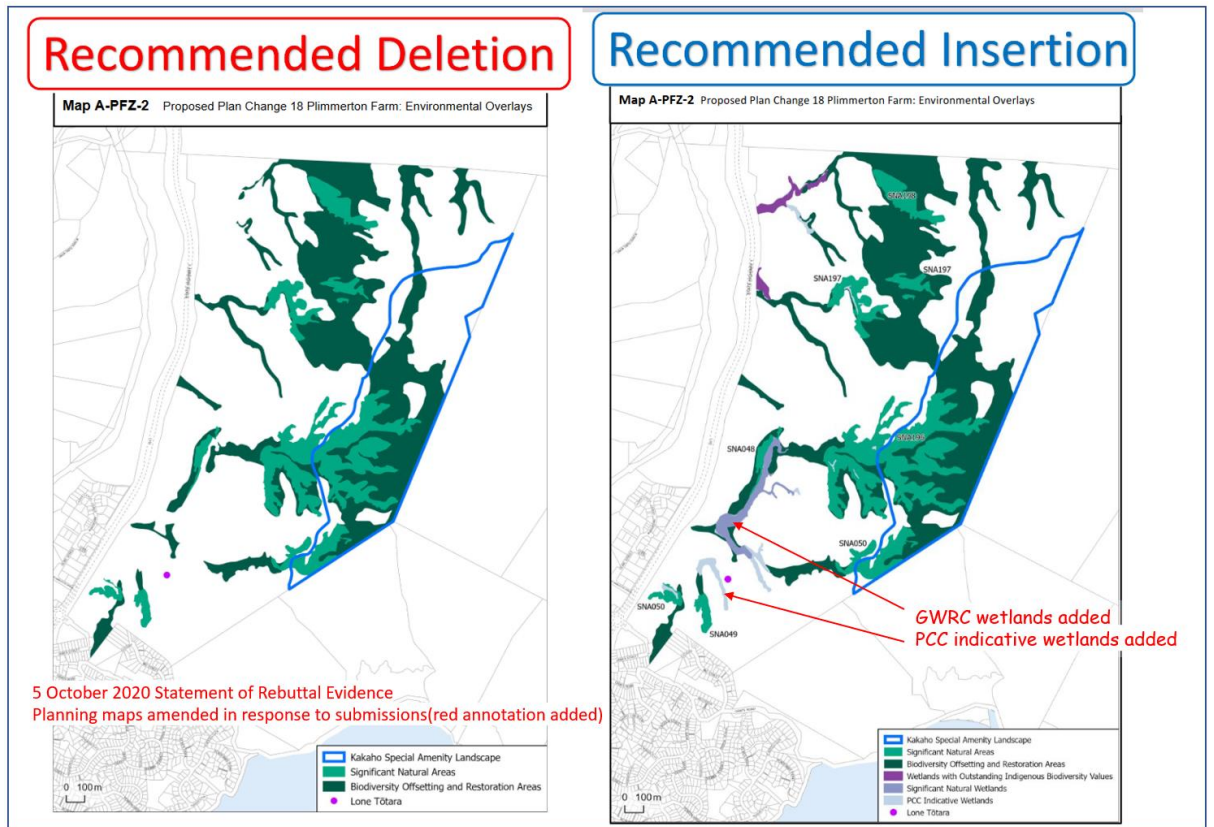
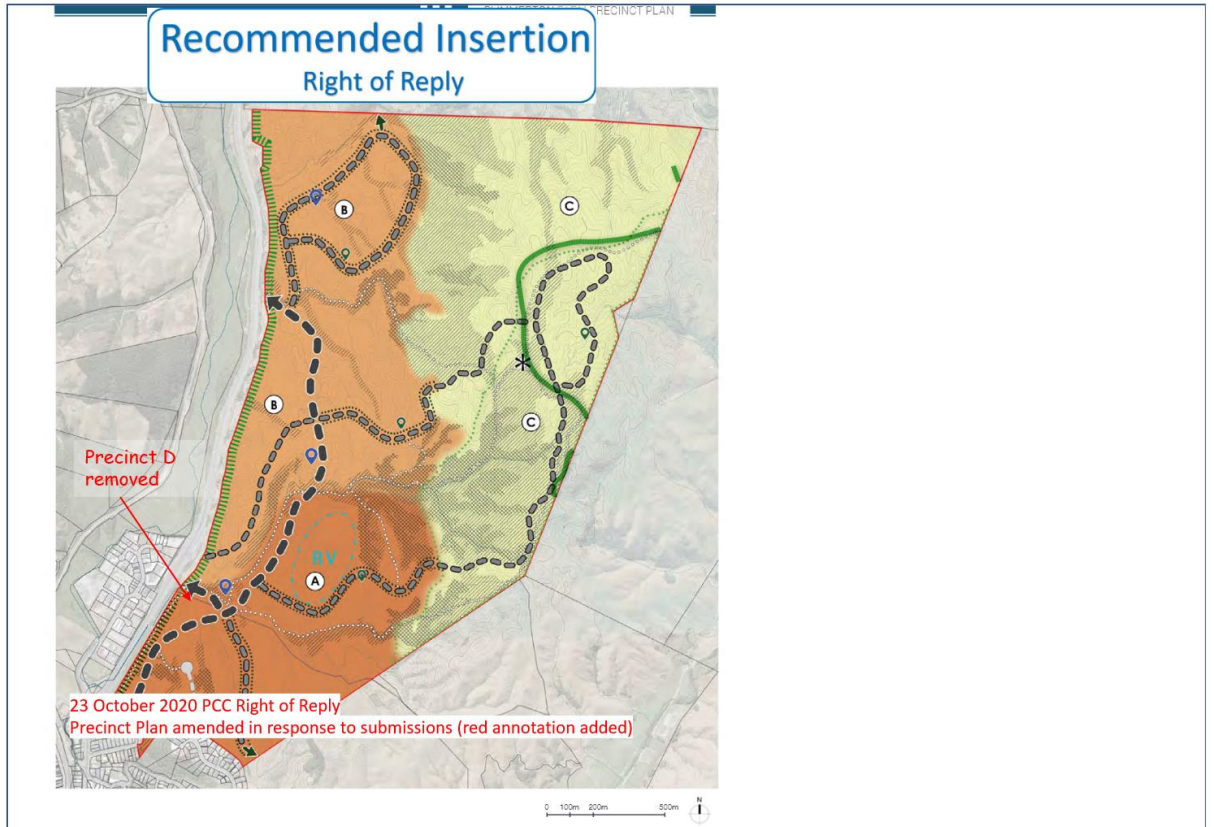
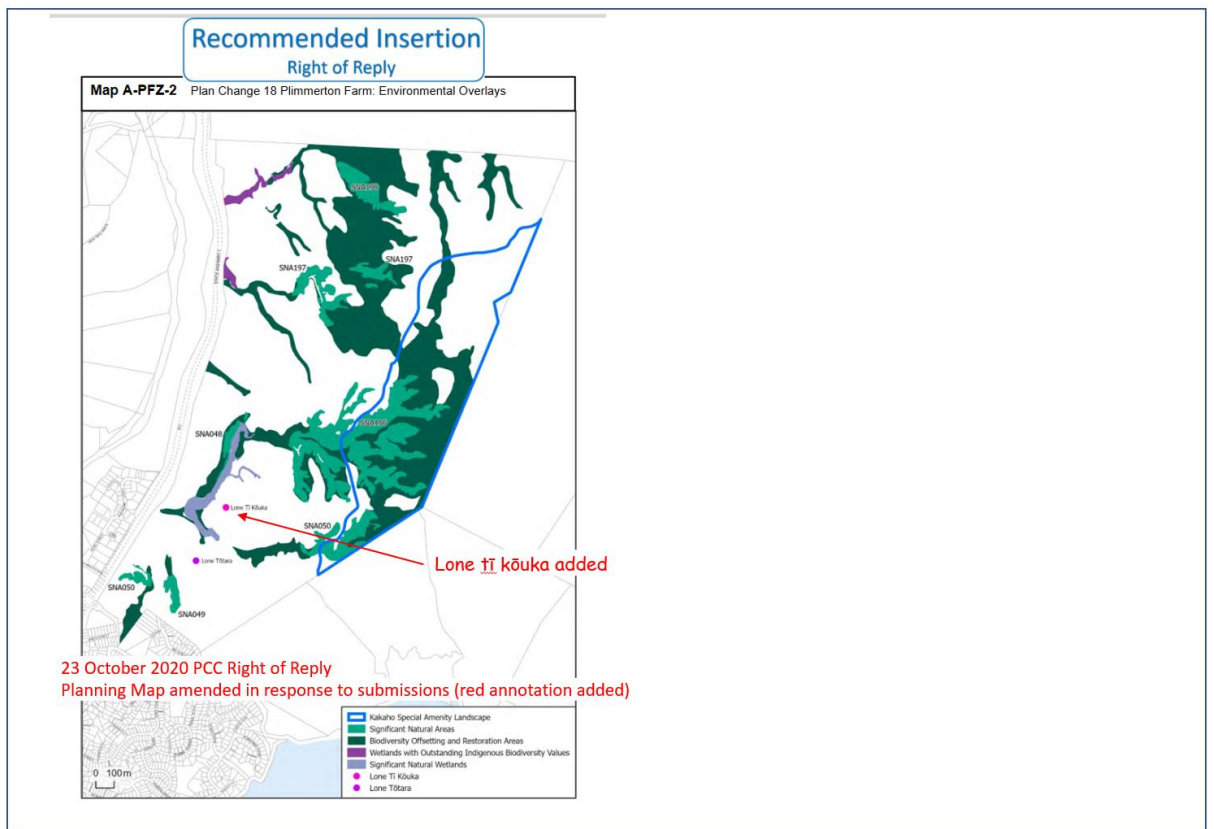


Figure 4B Planning Maps - Environmental Overlays – PCC Rebuttal Evidence 5 October 2020



**Figure 5A** Precinct Plan – PCC Right of Reply 23 October 2020



**Figure 5B** Planning Maps - Environmental Overlays – PCC Right of Reply 23 October 2020

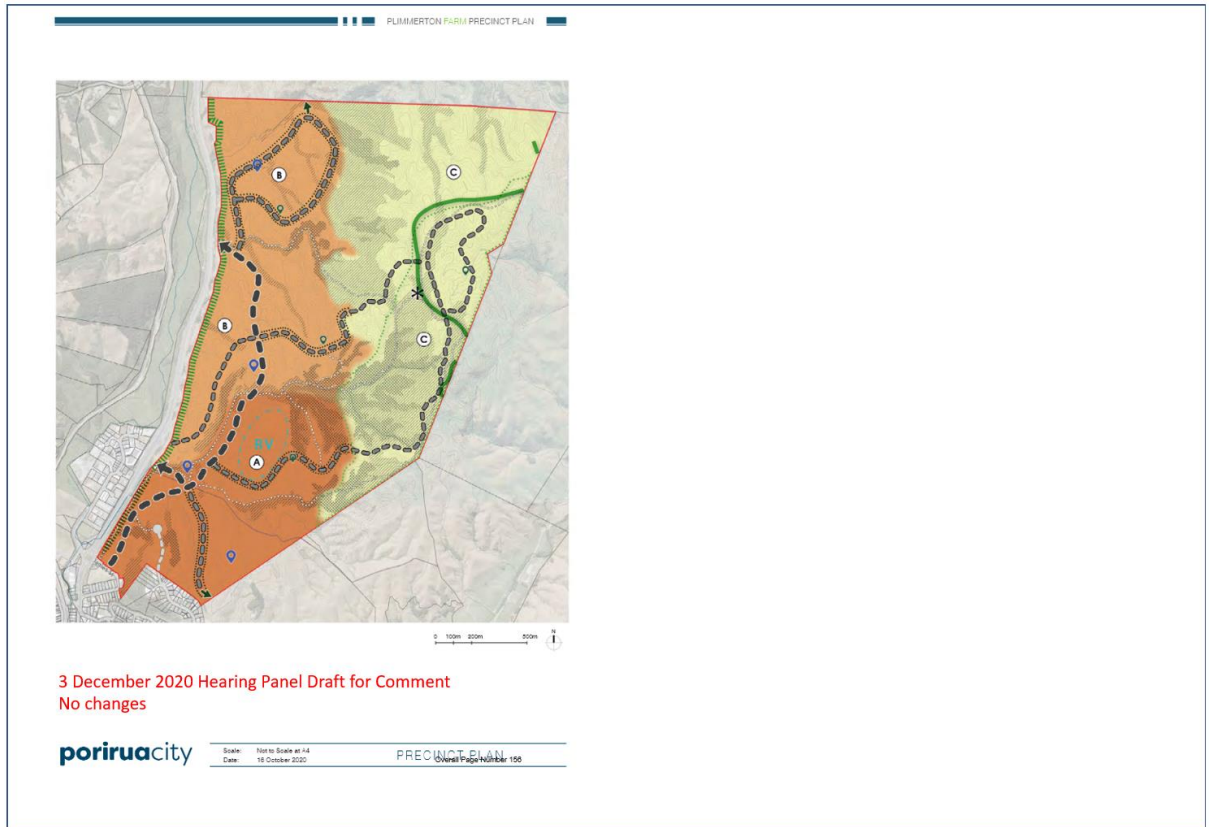


Figure 6A Precinct Plan – Hearing Panel Draft for Comment 3 December 2020

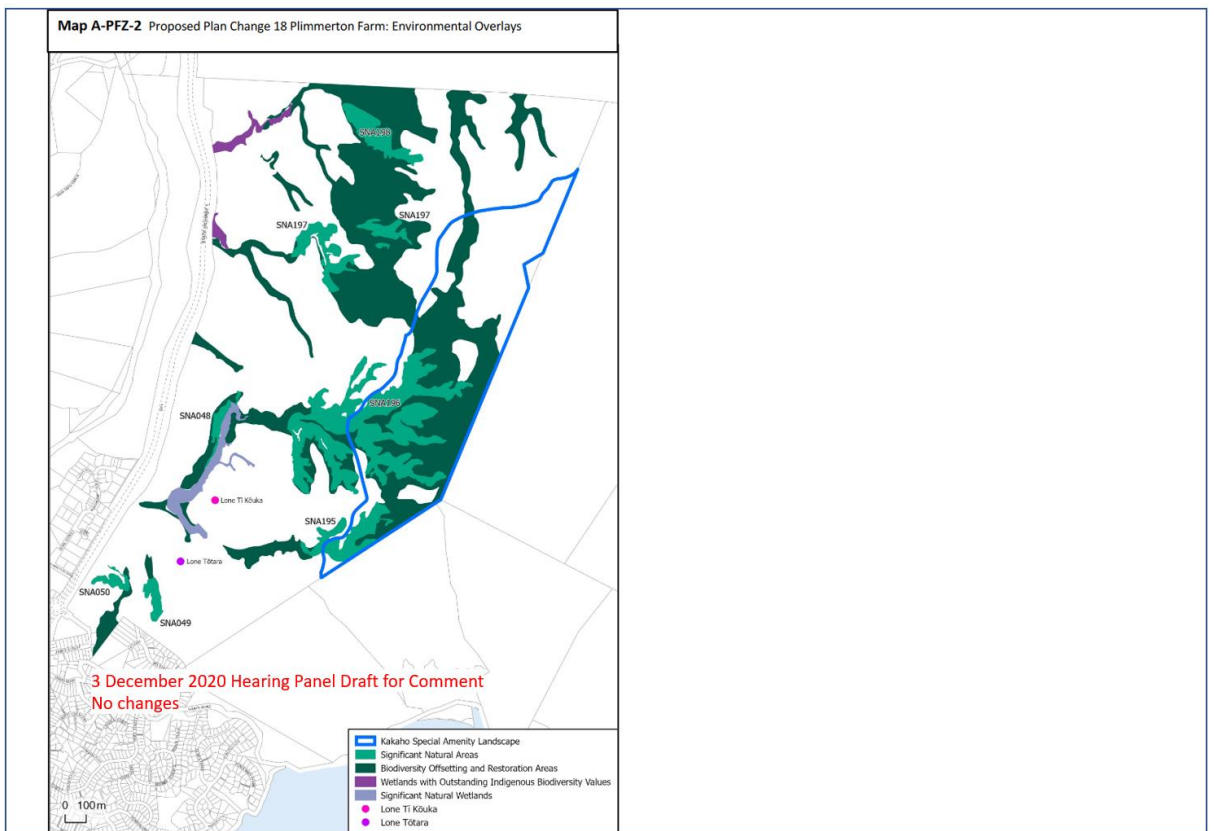
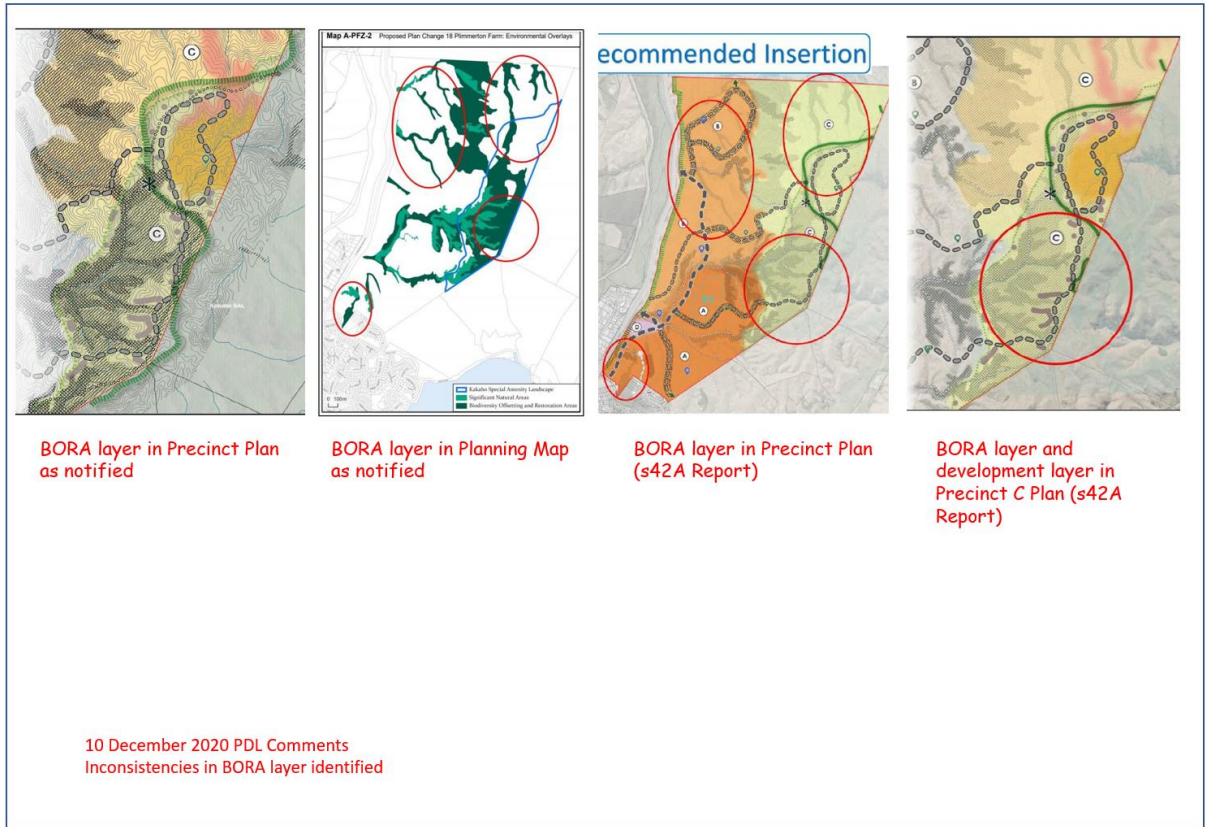
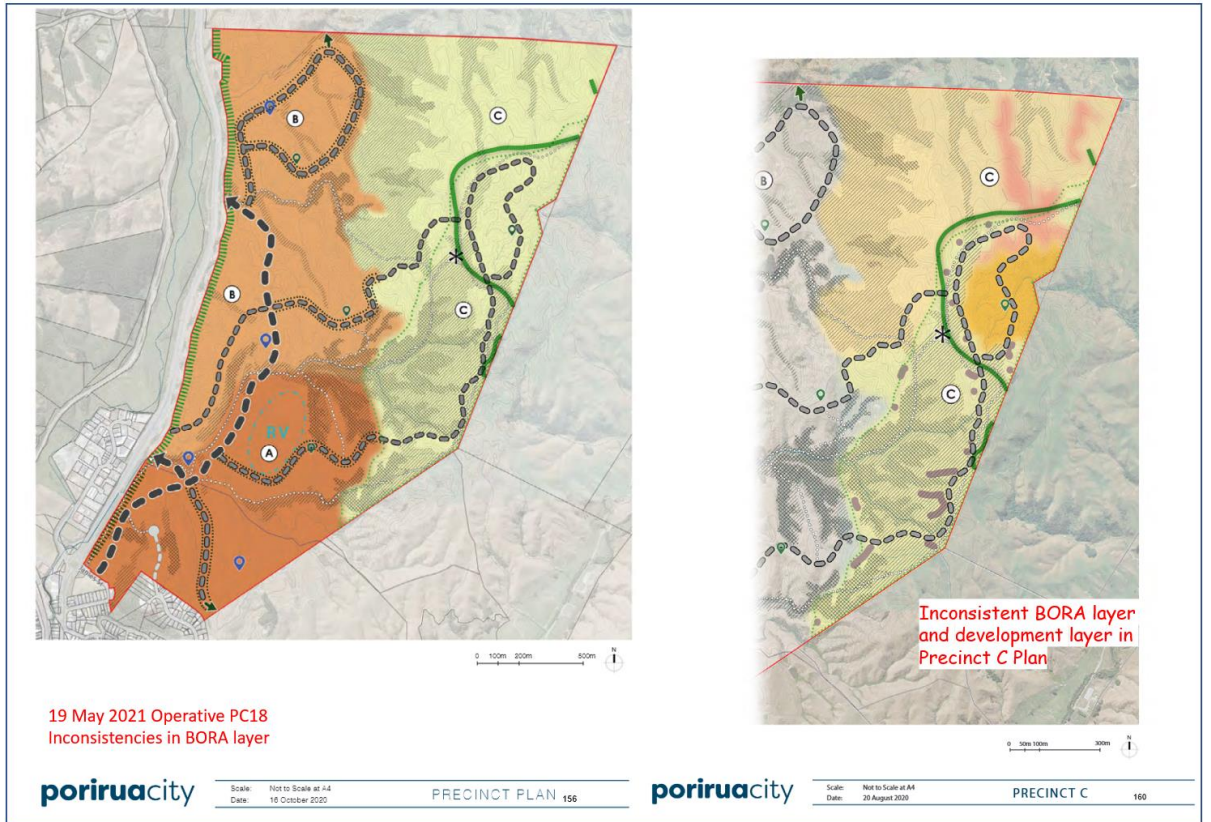


Figure 6B Planning Maps - Environmental Overlays – Hearing Panel Draft for Comment 3 December 2020

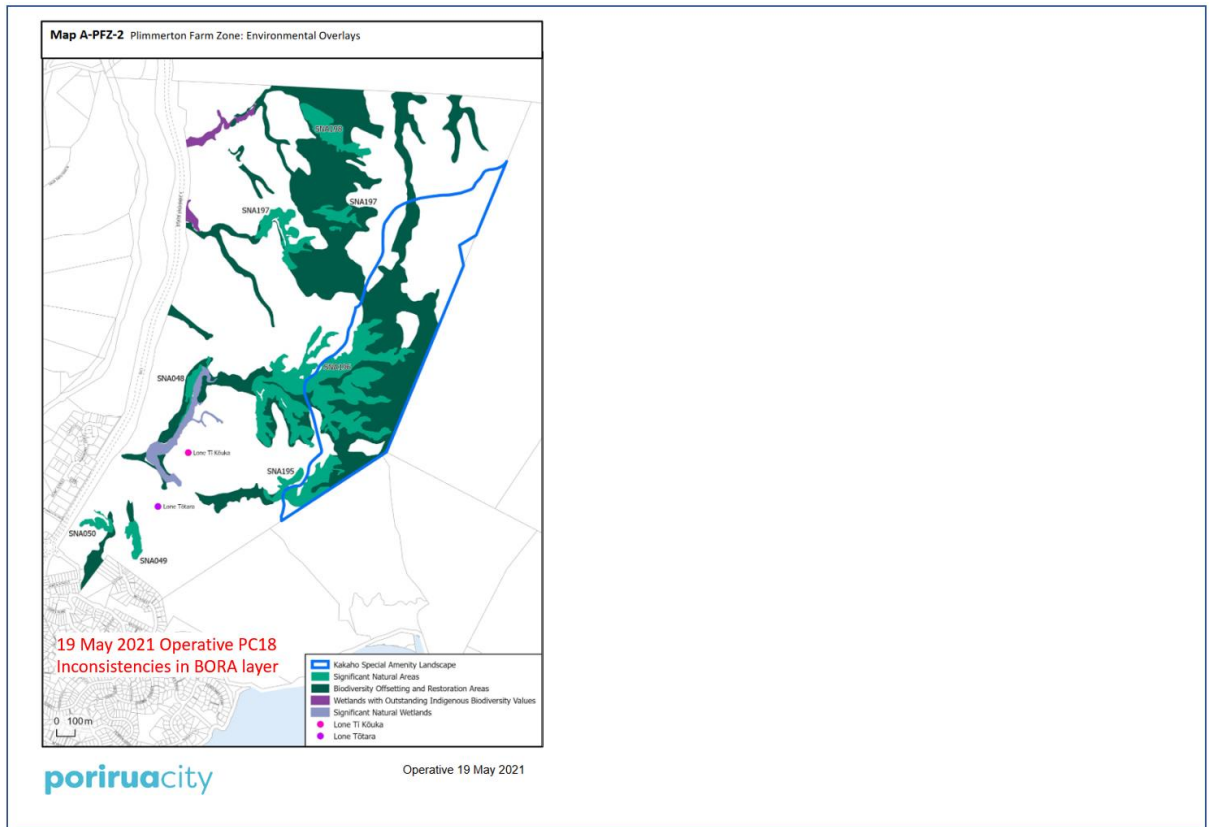


**Figure 7 Plimmerton Developments Ltd – Comments on Hearing Panel Draft 10 December 2020**

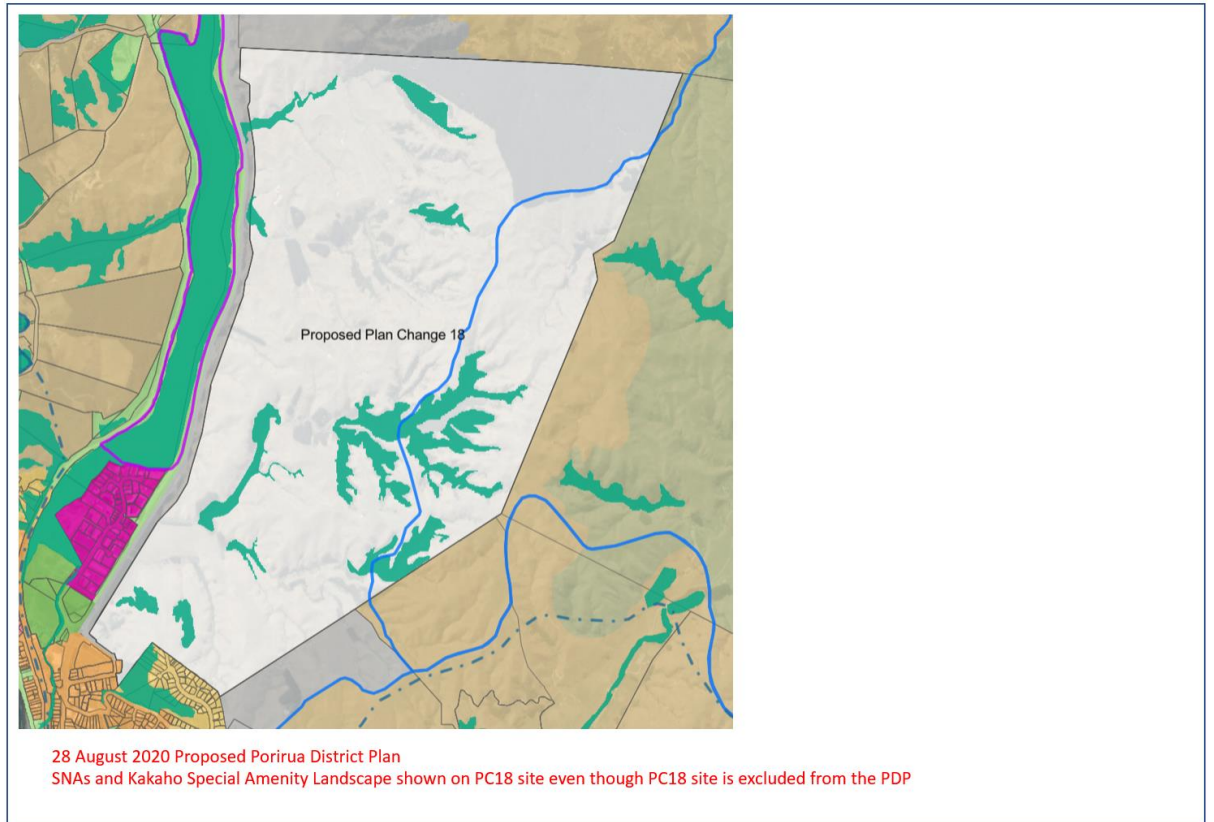


**Figure 8A Precinct Plan – Operative PC18 19 May 2021**





**Figure 8B** Planning Maps - Environmental Overlays – Operative PC18 19 May 2021



**Figure 9** Planning Maps - Overlays – Porirua Proposed District Plan 28 August 2020

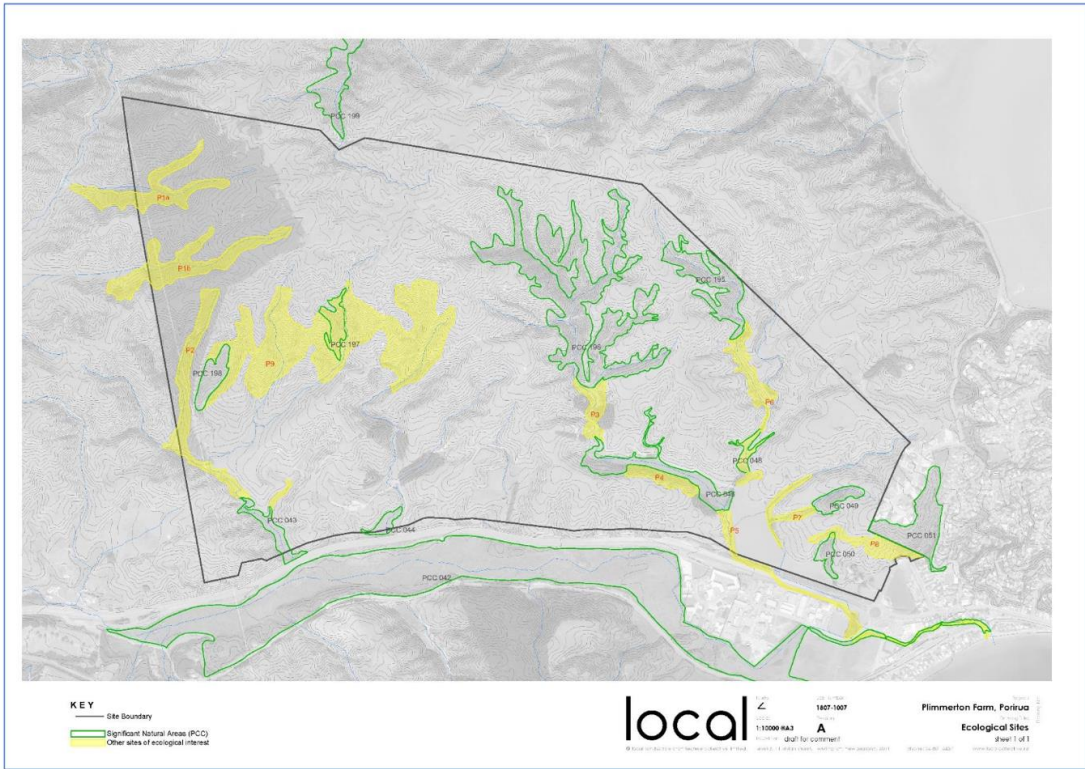


Figure 3. Significant Natural Areas and other areas of ecological interest on Plimmerton Farm

Figure 10 Map from Ecological Assessment – PC18 s32 Report

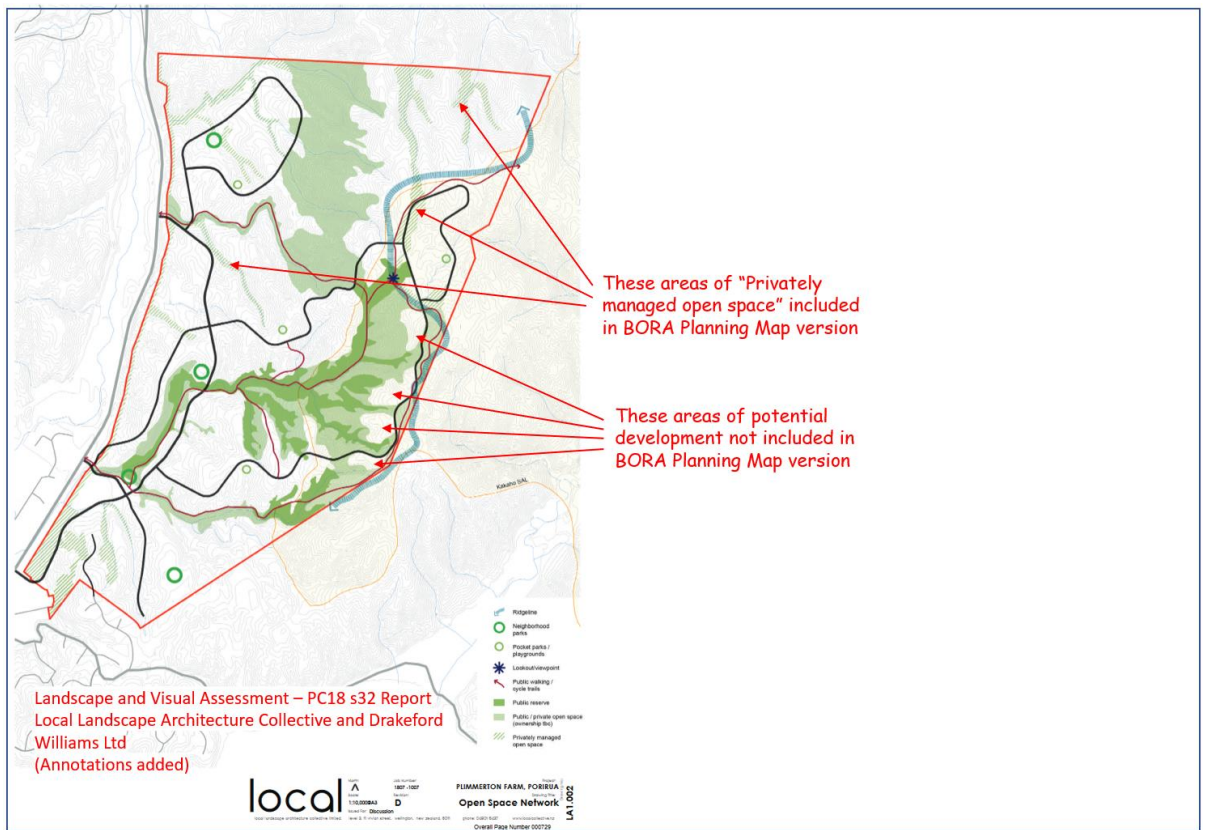


Figure 11 Map from Landscape and Visual Assessment – PC18 s32 Report