

IN THE MATTER OF: **THE RESOURCE MANAGEMENT ACT 1991**

AND

IN THE MATTER OF: **REVIEW OF DISTRICT PLAN FOR PORIRUA CITY**

**MEMORANDUM in RELATION
to
DISTRICT PLAN HEARINGS**

SNA 223 – DESCRIPTION and NOMENCLATURE

23 May 2023

MAY IT PLEASE THE PANEL

Introduction

1. This Memorandum is filed in relation to the review of the District Plan for Porirua (the PDP).
2. I am a submitter on the PDP (submitter no. 168).
3. My submission asked for the provisions of the PDP to include a description of, and name for, SNA 223 at Titahi Bay, and for this to be included in SCHED 7. In subsequent proceedings the relevant council officer has agreed and recommended a name to identify the SNA.
4. The purpose of this memorandum is to provide the Panel with factual information that has not yet been brought to its attention, and that has direct bearing on its deliberations.
5. I understand that the Panel's hearing of submissions, and further submissions, on the PDP has not yet closed.

Background and Relevant Facts

Submission – dated 20 November 2020

6. Attachment A to this memorandum is an extract from my submission.
7. As the Panel will note this aspect of my submission included this comment (as a footnote) on Page 9:

“I suggest PCC adopts the name for the stream that flows within SNA223, being Titahi Creek. This name for the watercourse is labelled on deposited survey plan DP1072 (dated 1899).”

Section 42A Report – dated 24 September 2021

8. Attachment B to this memorandum is an extract from the s.42A report authored by Mr McDonnell on behalf of Porirua City Council (PCC). Section 3.28.3.1 of his report refers to: SNA 223, its inclusion in SCHED 7, and potential naming of the watercourse and the wetland to which it relates.

9. At Para. 514 of his report, Mr McDonnell makes this comment:

“I have consulted with TROTR about the traditional name for the stream at the centre of SNA 223. They advise that the correct name for this stream is Te awa ere i Whitireia (the stream that flows from Whitireia). I consider that the SNA should be named as such in SCHED7.”

10. At Para. 515 of his report, Mr McDonnell has recommended that SNA 223 be named: *“Te awa ere i Whitireia”*.
11. Mr McDonnell does not include an official record of his engagement with mana whenua in this regard.

Evidence – PCC’s Ecology Expert – dated 24 September 2021

12. Page 37 of the evidence in chief by Mr Goldwater (ecology expert on behalf of PCC) includes a description of the ecological area that the PDP has mapped as SNA 223 (refer Attachment C to this memorandum).

My Presentation to Support My Submission – dated 24 October 2021

13. I have provided the Panel with a comprehensive summary of the 64 points allocated to my submission with respect to Hearing Stream 2.
14. My presentation confirmed that I supported Mr Goldwater’s ecological description of SNA 223. A copy of Page 46 of my presentation is attached as Attachment D.
15. My presentation to the Panel did not expand on that part of my submission referring to the nomenclature assigned to SNA 223, expecting that the outcome sought (in that regard) in my submission would stand.

Parallel Legislative Framework – Naming of Geographic Feature - dated 18 November 2021

16. On 20 October 2021 the New Zealand Geographic Board (the NZGB) met to consider a proposal submitted by a Titahi Bay resident to assign specific names (each with historic significance) to four watercourses at Titahi Bay. The proposal sought that one of those watercourses should be officially named: ‘Titahi Creek’.

17. I understand PCC (as the relevant local authority), and Ngati Toa (as mana whenua), would have had the opportunity to participate in that process.
18. With no feedback in opposition NZGB subsequently agreed with the proposal to assign that name to the watercourse in question.
19. That naming is now officially recorded in the NZ Gazette, refer Note No. 2021-In4945 dated 18 November 2021 (Attachment E). Attachment F is a screenshot from Land Information New Zealand's online database showing the location and alignment of Titahi Creek.

Right of Reply - Section 42A Author – dated 22 December 2021

20. Attachment G to this memorandum is an extract from Mr McDonnell's right of reply as the author of the s.42A report.
21. At Para. 132 of his right of reply Mr McDonnell makes this comment:

“On page 86 of my Section 42A Report I recommend that SNA 223 be renamed “Te awa ere i Whitireia”, this should read “Te awa rere i Whitireia” as I missed the beginning “r” in rere. This amendment has been made in Appendix A.”
22. Reference by Mr McDonnell to “Page 86” is an error. His prior comment (to which he refers) is on Page 77 of his s.42A report.
23. Mr McDonnell does not refer to the NZ Gazette, Note No. 2021-In4945 dated 18 November 2021.

Porirua City Council's – Reserves Management Initiative

24. PCC is currently undertaking preliminary engagement relating to land it manages under the provisions of the Reserves Act 1977. This is encompassed within the 'Arotahi Project'.
25. A map provided by council officers to PCC's Te Puna Kōrero, dated 25 May 2022, defines the scope of the project. A map is included that identifies one of four watercourses within the study area as being “Titahi Creek.” A copy of that map is attached to this memorandum as Attachment H.

26. The map attached as Attachment H suggests that PCC has adopted the NZGB's decision to identify the watercourse in question as being 'Titahi Creek'.

Summary

27. The following are the facts relating to this particular aspect of the PDP:
- my submission asked that SNA 223 be named as "Titahi Creek".
 - the author of the s.42A report, on behalf of PCC, has suggested an alternative name but without any substantiating evidence.
 - the SNA in question has direct association with a watercourse to which the NZGB has recently assigned the name: "Titahi Creek".
 - PCC (in terms of its functions under the Reserves Act) has undertaken official public engagement referring to the watercourse as being "Titahi Creek".
28. My submission, as far as it relates to SNA 223, should be accepted in full.
29. Thank you for your time and consideration.

Dated 23 May 2023



Robyn Smith

Attachment A - Proposed District Plan - Robyn Smith's Submission

2.8.3 SNA223 – Titahi Creek⁵

The C-WPR maps identify SNA223 as comprising land in the gully to the west of Transmitter Road as shown in Figure 6 below. However, there is no description of SNA223 in SCHED 7.

A description for SNA223 must be included in SCHED 7.



Figure 6: SNA223

⁵ I suggest PCC adopts the name for the stream that flows within SNA223, being Titahi Creek. This name for the watercourse is labelled on deposited survey plan DP1072 (dated 1899).

Attachment B - Section 42A Report - Part B Ecosystems and Indigenous Biodiversity

3.28.1.2 Assessment

503. Forest and Bird [225.247] raise an issue on the ECO chapter that there are SNA that have not been identified in SCHED7. As outlined in section 3.9, every effort has been made to comprehensively identify all significant natural areas within the district under Policy 23. This submission provides no evidence that there are any areas that meet this criteria that have been missed.
504. I consider that a number of changes need to be made to individual scheduled items following review by expert ecologists.

3.28.1.3 Recommendations

505. I recommend that the submission from Forest and Bird [225.247], be **rejected**.

3.28.2 Requests for additional SNA

3.28.2.1 Matters raised by submitters

506. Titahi Bay Community Group and Pestfree Titahi Bay [94.5, 94.11] and Luke Davis [226.7] seek that the entirety of Whitireia Park be included as an SNA.
507. Richard Faulkner [147.1] seeks the protection and reinstatement of wetlands on East Porirua's Waitangirua Hill, at 90 Arahura Crescent.

3.28.2.2 Assessment

508. Wildlands have identified a number of SNA on Whitireia Peninsula, including a number of requested amendments by submitters to specific SNA. They do not consider that the site as a whole meets the criteria in Policy 23 of the RPS.
509. As outlined in section 3.7 of this report, the mapping and protection of wetlands is a regional council function. I therefore do not consider that the wetlands on Waitangirua should be protected as an SNA. I would note that this area however does have some level of protection as a Special Amenity Landscape.

3.28.2.3 Recommendations

510. I recommend that the submissions from Richard Faulkner [147.1], Titahi Bay Community Group and Pestfree Titahi Bay [94.5, 94.11], and Luke Davis [226.7], be **rejected**.

3.28.3 SNA223 missing from in SCHED7

3.28.3.1 Matters raised by submitters

511. Various submitters [3.6, 80.6, 87.6, 88.7, 105.6, 127.6, 128.6, 129.6, 131.6, 132.6, 133.6, 142.6, 150.6, 166.6, 168.6, 171.6, 178.6, 197.6, 206.6, 208.6, 221.6, 236.6, 243.6, 245.6, 257.6, 268.6,

269.6, 270.6], Titahi Bay Community Group and Pestfree Titahi Bay [94.6], and Porirua City Council [11.74] submit that while SNA223 is mapped in the planning maps, a description is missing from SCHED7.

512. Robyn Smith [168.11] seeks that Transmitter Street Wetland be renamed as "SNA223 – Titahi Creek".

3.28.3.2 Assessment

513. This site description was omitted in error, and I consider that the site summary provided in Wildlands' expert evidence should be included in SCHED7.
514. I have consulted with TROTR about the traditional name for the stream at the centre of SNA223. They advise that the correct name for this stream is Te awa ere i Whitireia (the stream that flows from Whitireia). I consider that the SNA should be named as such in SCHED7.

3.28.3.3 Recommendations

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

- **Amend SCHED7** as outlined in Appendix A.

<u>SNA223</u> ⁹⁴	<u>Te awa ere i Whitireia</u> ⁹⁵
<u>Site Summary</u>	<u>A small area of wetland, which is a rare ecosystem type in the wellington region. This site includes indigenous vegetation on an Acutely Threatened land environment and a regionally uncommon species. The wetland vegetation comprises a mosaic of common Yorkshire fog and Isolepis prolifer with frequent Juncus spp. And giant umbrella sedge, and occasional creeping buttercup. Carex 77eminate and spike sedge (Eleocharis acuta) are also likely to be present.</u>
<u>Relevant values under Policy 23 of RPS</u>	<u>Rarity (RPS23B)</u>

516. I recommend that the submissions from various submitters [3.6, 80.6, 87.6, 88.7, 105.6, 127.6, 128.6, 129.6, 131.6, 132.6, 133.6, 142.6, 150.6, 166.6, 168.6, 171.6, 178.6, 197.6, 206.6, 208.6, 221.6, 236.6, 243.6, 245.6, 257.6, 268.6, 269.6, 270.6], Titahi Bay Community Group and Pestfree Titahi Bay [94.6], be **accepted**.

517. I recommend that the submission from Porirua City Council [11.74] and Robyn Smith [168.11], be **accepted in part**.

⁹⁵ various submitters [3.6, 80.6, 87.6, 88.7, 105.6, 127.6, 128.6, 129.6, 131.6, 132.6, 133.6, 142.6, 150.6, 166.6, 168.6, 171.6, 178.6, 197.6, 206.6, 208.6, 221.6, 236.6, 243.6, 245.6, 257.6, 268.6, 269.6, 270.6], Titahi Bay Community Group and Pestfree Titahi Bay [94.6], Porirua City Council [11.74], Robyn Smith [168.11]

Attachment C - Goldwaters description

SNA No.	Street address	Property ID	Submitter(s)	Field Inspection Date	Vegetation Types Surveyed at Property	Significance Assessments	Ecologists' Actions and Recommendations
SNA223	Whitireia Park and Peninsula	Sec 4 SO 446704, Pt Lot 1 DP 10900, Sec 40 Blk VIII Paekakari ki SD	Titahi Bay Community Group and Pest Free Titahi Bay (Joel de Boer and Abbe Holmes), Luke Davia, Robyn Smith	12 July	<p>The submitters have requested a description of this SNA since it has been omitted from Schedule 7.</p> <p>The wetland vegetation comprises a mosaic of common Yorkshire fog and <i>Isolepis prolifer</i> with frequent <i>Juncus</i> spp. and giant umbrella sedge, and occasional creeping buttercup. <i>Carex geminata</i> and spike sedge (<i>Eleocharis acuta</i>) are also likely to be present.</p>	<p>General comments: The SNA was inspected during the visit to Whitireia Park and can be described as an induced wetland on a very narrow gully floor buffered by regenerating indigenous shrubland and rank grass on steep hills. Common to frequent terrestrial species include <i>Coprosma propinqua</i>, tauhinu and pōhuehue (<i>Muehlenbeckia complexa</i>).</p> <p>The site comprises wetland habitat that is dominated by indigenous species, and it therefore meets the Criterion RPS23B – Rarity (wetlands are nationally rare (<10% of their original extent remains) and have been much reduced in extent in the Wellington region). The site also includes indigenous vegetation on an Acutely Threatened land environment (less than 10% indigenous vegetation remaining).</p> <p><u>Note:</u> the submitter states that a regionally significant species is present in the wetland (page 9 of the Submission on City-Wide Plan Review prepared by Robyn Smith), although this species has not been named.</p>	<p>Action: Site summary updated to include vegetation description and significance criteria met. This will be reflected in Schedule 7 as per below.</p> <p>Site summary: A small area of wetland, which is a rare ecosystem type in the Wellington region. This site includes indigenous vegetation on an Acutely Threatened land environment and a regionally uncommon species. The wetland vegetation comprises a mosaic of common Yorkshire fog and <i>Isolepis prolifer</i> with frequent <i>Juncus</i> spp. and giant umbrella sedge, and occasional creeping buttercup. <i>Carex geminata</i> and spike sedge (<i>Eleocharis acuta</i>) are also likely to be present.</p> <p>Criterion RPS23B – Rarity (wetlands are nationally rare (<10% of their original extent remains) and have been much reduced in extent in the Wellington region). The site also includes indigenous vegetation on an Acutely Threatened land environment (less than 10% indigenous vegetation remaining).</p> <p>I recommend this submission point be accepted.</p>

Attachment D - R Smiths Presentation – 24102021

Chapter		Ecosystems and Biodiversity
Plan Provision		Specific SNA Sites – Unnamed
Submission	Point No.	168.110
	Scope	Undescribed
	Explanation	Recognise and provide for s.6(a) and (c) of the RMA, and give effect to the RPS
	Outcome	Refer to text in submission, as well as additional analysis in hearing presentation (with attachments)
S42A		Submitter's Response
This aspect of my submission has not been adequately addressed by Mr Goldwater nor the s.42A author.		<ul style="list-style-type: none"> An area of land east of SNA134 is defined on the Plan maps but unlabelled. Mr Goldwater has commented on this area and labelled it as "SNA134 Te Onepoto Catchment". He has recommended some reductions and some additional areas to its extent, which I'm not opposed to. However, this land is not part of Te Onepoto stream catchment. It should be renamed and numbered. My submission point (168.110) noted this: <i>"The GIS maps in C-WPR identify a SNA south of SNA135, as shown in Figure 23 below. It is not clear if this is a different SNA or if it is part of SNA135."</i>

Chapter		Ecosystems and Biodiversity
Plan Provision		Specific SNA Sites – SNA223
Submission	Point No.	168.11
	Scope	SNA in gully west of Transmitter Road – not named and no description
	Explanation	Recognise and provide for s.6(a) and (c) of the RMA, and give effect to the RPS
	Outcome	Refer to text in submission, as well as additional analysis in hearing presentation (with attachments)
S42A		Submitter's Response
Accept in part	Refers to Wildland's re-evaluation Refers to name suggested by Ngati Toa	I support the description of SNA223.

Chapter		Ecosystems and Biodiversity
Plan Provision		Specific SNA Sites – SNA136
Submission	Point No.	168.12
	Scope	SNA136 Whitireia Bush
	Explanation	Recognise and provide for s.6(a) and (c) of the RMA, and give effect to the RPS
	Outcome	Refer to text in submission, as well as additional analysis in hearing presentation (with attachments)
S42A		Submitter's Response
Accept in part	Refers to Wildlands' re-evaluation	<p>This SNA includes the coastal bush remnant, adjacent wetland and a planted shrubland between the public toilets and the wetland. Mr Goldwater agrees that most additional areas covered in my submission should be included. However, he's not mentioned a small area of planted shrubland. This planted area meets the required 50% cover by native species and should be included in SNA136.</p> <p>Mr Goldwater has recommended that an additional area east of the identified SNA136 be included, and I agreed with that outcome.</p>

Attachment E - NZGB Notice of Proposals to Assign Names

Related notices were published on [14 July 2022, Notice No. 2022-In2845](#) and [29 September 2022, Notice No. 2022-In3997](#).

Land Notices

Notice of Proposals to Alter and Assign Geographic Names

Pursuant to section 16 of the New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 (“Act”), the New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa gives notice of proposals to alter existing and assign new geographic names as specified in the Schedule below.

Submissions on these proposed geographic names may be made on the form linked from <http://www.linz.govt.nz/regulatory/place-names/place-name-consultation>, by email to: nzgbsubmissions@linz.govt.nz, or by writing to the Secretary of the New Zealand Geographic Board, c/o Land Information New Zealand, PO Box 5501, Wellington 6145.

In accordance with section 17 of the Act, submissions must state with reasons whether a proposal is supported or objected to. If an objection is made, then the submission may suggest another name or support the existing name, if any.

Schedule

<i>Proposed New and Altered Geographic Names</i>	<i>Geographic Feature Type and Description</i>	<i>Submission deadline</i>
Kapakapanui Creek	A partially piped creek flowing from Tuna Terrace into Tītahi Bay, Porirua. NZTopo50-BP31 538474. Assigning a new name as official.	22 December 2021
Koangaumu Creek	A creek flowing from Stuart Park into Tītahi Bay, Porirua. NZTopo50-BP31 535476. Assigning a new name as official.	22 December 2021
Maungatūtū	A 478m hill approximately 10km south of Tauranga. NZTopo50-BD37 807109. Alteration from Mount Misery (recorded name).	22 February 2022
Ohangao Creek	A mostly piped creek that flows from the north side of Kura Park into Tītahi Bay, Porirua. NZTopo50-BP31 543476. Assigning a new name as official.	22 December 2021

Te Horohoroinga-o- ngā-ringā-o- Kahumatamomoe	A range west of Horohoro (locality) extending for 6.4km from NZTopo50-BF37 763645 to NZTopo50-BF36 735588. Assigning a new name as official.	22 February 2022
Tītahi Creek	A partially piped creek that flows from Whitireia Park into Tītahi Bay, Porirua. NZTopo50-BP31 544485. Assigning a new name as official.	22 December 2021

Dated at Wellington this 18th day of November 2021.

W. K. SHAW, Secretary, New Zealand Geographic Board Ngā Pou Taunaha o Aotearoa.

18
NOV
2021

Notice Number

2021-In4945

[View PDF](#)

[PDF \(31 KB\)](#)

Attachment F - LINZ map showing Titahi Creek

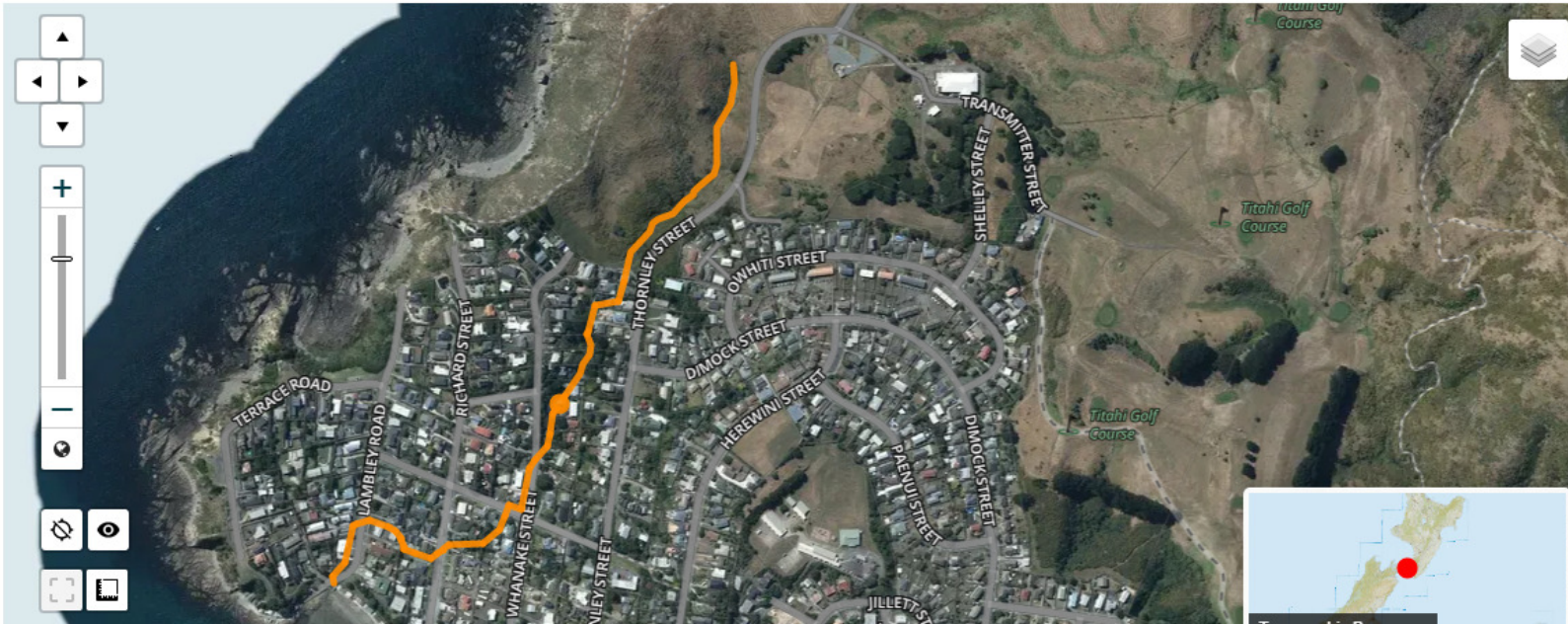
New Zealand Gazetteer

Search for place names in New Zealand, its continental shelf and Antarctica.

titahi creek



Status: Feature class/type: Land District:
Region: Territorial Authority:



How to Use

Matches Found 1

Details

Search Result - Official Name

Titahi Creek

This is an official name

Current Status: Assigned

Feature Type: Stream

Feature Description:

A partially piped creek that flows from Whitireia Park into Titahi Bay, Porirua. NZTopo50-BP31 544485.

History/Origin/Meaning:

TITAHĪ See [The University of Waikato's Index of Māori Names](#)

Event

2022-02-16: NZGB Gazettal 2022-In311

Reference Information:

Linzone file reference: GES-N15-13-22/83

Location

41.100S 174.839E (View in [Google Maps](#))

Land District: Wellington

Attachment G - Right of Reply by Section 42A Author

ecologist, where landowners considered that there may be inaccuracies. Dr Cave declined a direct offer for a site visit prior to hearings.

129 I believe that the submitter has misinterpreted the Wildlands Methodology report⁹ in relation to clipping SNA boundaries to site boundaries. This adjustment to mapping was only used where there was a small overlap of an SNA into a property:

...the proposed Ecological Site boundaries were 'snapped back' to the cadastral boundaries where the overlap was less than 30 centimetres, and checks were carried out in urban areas to remove (where ecologically-appropriate) overlaps of potential Ecological Sites onto neighbouring property, where the overlap was less than five metres.

130 This was not the case for 82 Cluny Road where the overlap was over 30 metres.

131 Lastly, I note that the relief sought in the original submission was limited to the amendment of the SNA boundary as it relates to 82 Cluny Road. I do not consider that there is scope to seek amendments to 80 Cluny Road as sought in the statement.

Errors in Section 42A Report

132 On page 86 of my Section 42A Report I recommend that SNA 223 be renamed "Te awa ere i Whitireia", this should read "Te awa rere i Whitireia" as I missed the beginning "r" in rere. This amendment has been made in Appendix A.

133 Two submission points from John Sharp [222.1 and 222.2] were addressed in Appendix B, but not in the body of the report. These points should have been included in paragraph 529 with "submitters seeking amendments to SNA boundaries without providing reasoning or

⁹ Wildlands (2018) Methodology for the Assessment of Ecological Site Significance in Porirua City (available under key topics and supporting information on Council's Proposed District Plan webpages)

Attachment H - PCC Map Showing the Arotahi Project Area

Attachment 1: Arotahi Project Area



We'd love to hear about your connection to the beach, how you use the beach, and what changes you'd like to see in the future.