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Porirua 5022

20 November 2020

Porirua City Council  
P O Box 50-218  
PORIRUA

Delivered by email to: [dpreview@porirua.govt.nz](mailto:dpreview@porirua.govt.nz)

Attn: The District Plan Policy Team

**SUBMISSION on CITY-WIDE DISTRICT PLAN REVIEW**

Dear Madam/Sir,

Please find enclosed my submission on the proposed City-Wide District Plan Review.

Please contact me should you require clarification about this submission, or if I can be of assistance.

My mobile number is 0274 372 497 and my email is [robsmithii@xtra.co.nz](mailto:robsmithii@xtra.co.nz).

Yours faithfully



Robyn Anne Smith

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1      **Form 5**

**NOTICE OF SUBMISSION TO PORIRUA CITY COUNCIL  
CITY-WIDE DISTRICT PLAN REVIEW  
PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE  
RESOURCE MANAGEMENT ACT 1991**

To:            Porirua City Council  
                 P O Box 50-218  
                 Porirua

Name:        Robyn Anne Smith

Address:     73 Tireti Road  
                 Titahi Bay  
                 Porirua 5022

This is a submission on the proposed city-wide district plan review for Porirua: 'C-WPR'.

I do not gain an advantage in trade competition through this submission.

The specific provisions of the proposal to which my submission relate are identified in Sections 2 to 9 of this submission below.

I oppose some of the specific provisions, but also support some of the specific provisions, referred to in Sections 2 to 9 of this submission below. My support or opposition as the case may be is indicated where required. In some cases, I have identified required revisions and amendments.

The reasons for my support, or opposition, as the case may be, are given in Sections 2 to 9 of this submission below.

My submission does not relate to a proposed plan prepared or changed using the collaborative planning process.

I seek the outcomes and decisions outlined in Sections 2 to 9 of this submission below.

I do wish to be heard in support of my submission.

If others make a similar submission, I might consider presenting a joint case with them at a hearing.



.....  
Signature

20/11/2020  
.....

Date

Electronic address for service of submitter: [robsmithii@xtra.co.nz](mailto:robsmithii@xtra.co.nz)

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## 2 Specific Site – Whitireia Park and Peninsula

### 2.1 Overview

This part of my submissions relates to the land generally known as Whitireia Park. For the purposes of this submission when I refer to Whitireia Park I include all lands owned by the Department of Conservation (DoC), Porirua City Council (PCC), Ngāti Toa Rangatira, Radio New Zealand (RNZ) and legal road within Whitireia Park.

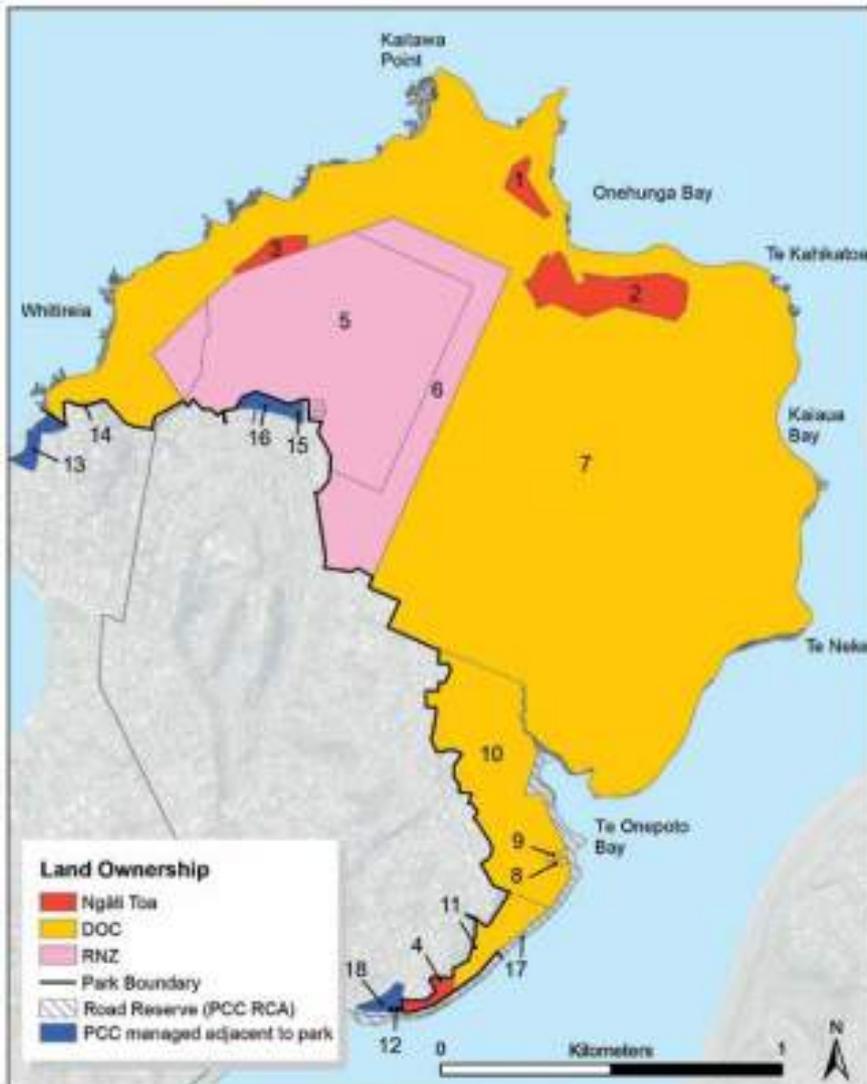


Figure 1: Map taken from Whitireia Park Management Plan and Whitireia Park Bylaws 2016

### 2.2 Section 6(a) of the RMA

All areas of Whitireia Park are part of the coastal environment because they have elements and features that contribute to the natural character, landscape, visual qualities or amenity values and therefore any provisions for development are subject to section 6(a) of the Resource Management Act 1991 (the RMA).

*“All persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:”*

6a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development”.*

**I submit that all of Whitireia Park must be protected from inappropriate subdivision, use and development, and I am opposed to any provisions of the C-WPR (as notified and/or potentially amended by way of submissions by others, or by council officer evidence and/or recommendations) that do not provide for the required protection.**

### 2.3 Section 75(3)(b) of the RMA - New Zealand Coastal Policy Statement

Under section 75(3)(b) of the RMA the district plan must: *“give effect to .. the New Zealand coastal policy statement.”*

### 2.4 Zoning

Whitireia Park is a prominent headland on the southern side of the entrance to Te Awarua-o-Porirua Harbour. The Park includes all land owned by the Crown, some areas owned by Ngāti Toa, the golf course and the Radio New Zealand (RNZ) land which leases most of the land to DOC. The Park is open to the public to wander at will. It is used by a wide range of people from Porirua and the wider Wellington Region for a variety of activities. It has highly significant recreation, biodiversity, landscape, educational and open space values.

Under the C-WPR, all land in Whitireia Park is proposed to be zoned Open Space.

**I fully support all land in Whitireia Park continuing to be zoned Open Space, and I am opposed to any provisions of the C-WPR as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, that do not provide for this zoning.**

### 2.5 Standards and Rules

The Open Space provisions do not limit the number of buildings – any number is possible so long as each is less than 50m<sup>2</sup> <sup>1</sup> and the combined coverage is no more than 5 percent. <sup>2</sup> Under the permitted standard relating to site coverage and floor area, up to 520 buildings could be built on the RNZ land. This would be contrary to the objective OSZ-02 *‘a low level of development and built form with few structures to support passive and active community activities.’*

**I submit the bulk and location standards need to be amended so they are consistent with objective OSZ-02.**

<sup>1</sup> Refer OSZ-S2

<sup>2</sup> Refer OSZ-S3

I further submit that it is not appropriate to have discretionary (restricted) activity status for residential, visitor accommodation or commercial activities.<sup>3</sup> These should be categorised as non-complying activities.

I am opposed to any provisions of the C-WPR as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, which do not provide for the protection required under section 6(a) of the RMA.

## 2.6 Outstanding Natural Features and Landscapes Policy Overlay

Under the C-WPR it is intended to include most of the land in Whitireia Park within an Outstanding Natural Features and Landscapes (ONFL) policy overlay. Most of the RNZ land has not been included in the ONFL policy overlay. I consider all the RNZ land, except for small footprints around parts of the golf club where the landforms and areas around the masts where the landforms have been modified, should also be included in the same classification as an ONFL.

The section 32 assessment does not justify excluding the headwaters of Te Onepoto Stream (ie the RNZ land between the golf course and Transmission Road) from the policy overlay. All the natural landforms, and in particular the headwaters of the stream, are worthy of inclusion.

My reasons for seeking inclusion are as follows:

1. The area is open space widely used by the local community for recreation
2. The area is widely recognised and valued by the community and is highly visible from the road, tracks and many other areas of the park
3. The area is highly representative of natural landforms and demonstrates the typical gentle rolling slopes and watercourses of this district.
4. The area has numerous springs and seeps which are the headwaters of Te Onepoto Stream which flows down the valley to Porirua harbour.
5. The seeps and wetlands associated with this area have naturally regenerated since grazing ceased in 2010. It is rare to find seepages and their associated wetlands vegetated with NZ native species in the Wellington region.
6. This area is an important educational resource for the community, including schools, to study the natural function and importance of protecting the headwaters of streams.
7. The area is culturally and spiritually significant to many people in the Titahi Bay and wider Porirua community.

**I submit that all of Whitireia Park, except small footprints of modified landforms in the Golf Club and RNZ mast and building area should be included in the ONFL policy overlay.**

**I am opposed to any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the extent of the ONFL policy overlay as it relates to Whitireia Park being reduced.**

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<sup>3</sup> Refer Rules OSZ-R16, OSZ-R17, and OSZ-R18.

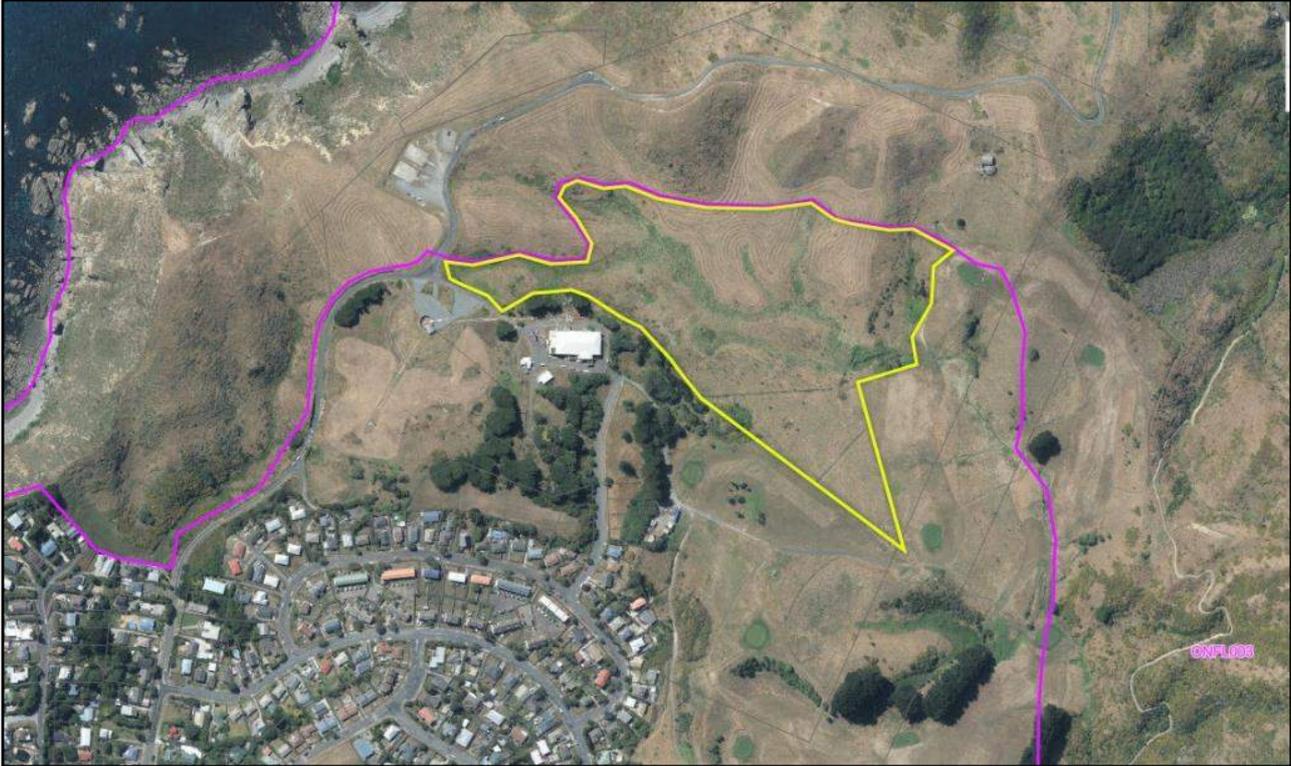


Figure 2: Land to be Included in ONFL (outlined in yellow)

## 2.7 The Threatened Environment Classification

The Threatened Environment Classification (TEC) version 2012, is a source of national scale background information on New Zealand's land environments. Specifically, it shows how much native (indigenous) vegetation remains within land environments, and how past vegetation loss and legal protection are distributed across New Zealand's landscape.

The TEC uses indigenous vegetation as a surrogate for indigenous biodiversity. This includes indigenous ecosystems, habitats and communities: the indigenous species, subspecies and varieties that are supported by indigenous vegetation, and their genetic diversity.

The TEC is most appropriately applied to help identify places that are priorities for formal protection against clearance and/or incompatible land-uses, and for ecological restoration to restore lost species, linkages and buffers. (Cieraad et al 2015).

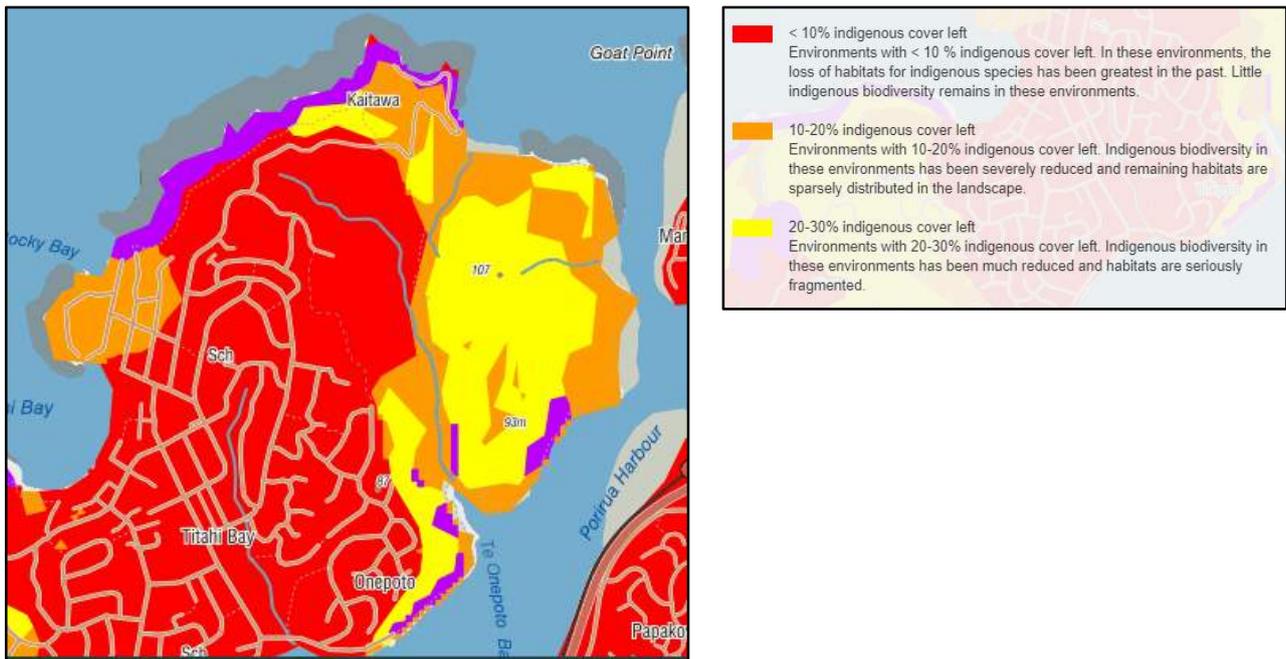


Figure 3: Threatened Environment Classification

Much of the land in Titahi Bay identified as Acutely Threatened (red in the map) is already developed, any areas which are undeveloped (which includes the RNZ land) should remain protected from development.

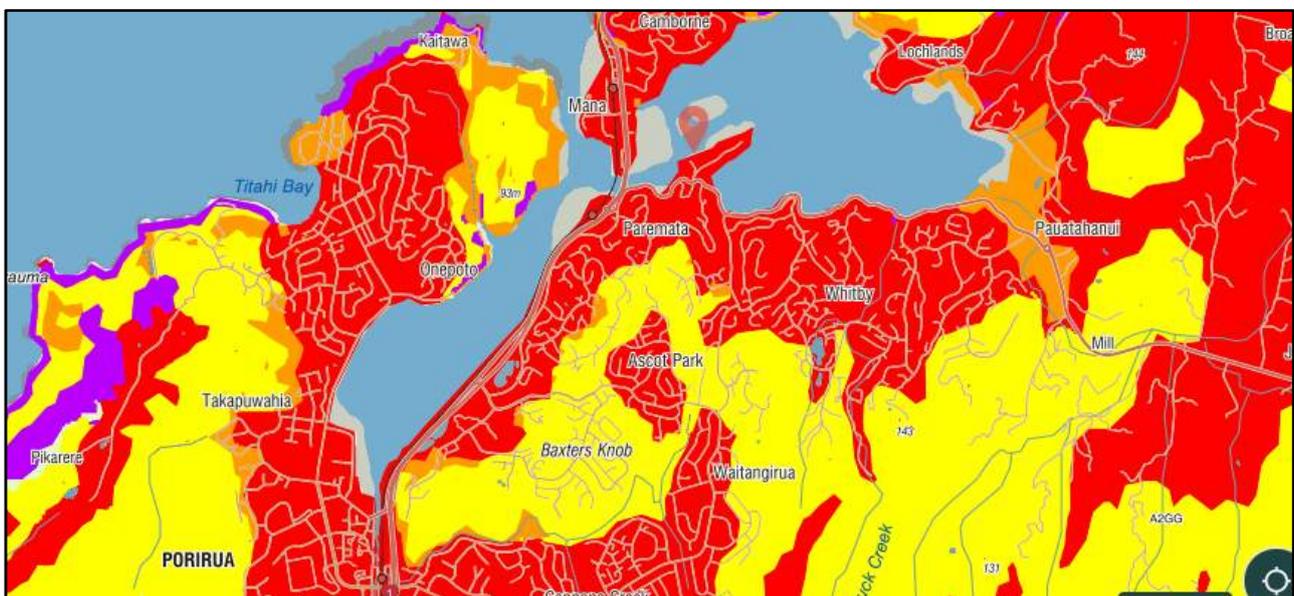


Figure 4: Threatened Environment Classification

## 2.8 Significant Natural Areas Policy Overlay

### 2.8.1 Overview

Nationally, just over 10 percent of New Zealand's wetlands remain compared to pre-human occupation. In 2008 it was estimated that in the Wellington region there were only 2.3 percent of wetlands compared to pre-human occupation (Crisp, Uys & Drummond, 2018). It is highly likely that there is an even smaller percentage of wetlands remaining today. It is imperative that there is no further loss of wetlands in Porirua.

The RMA's definition of a wetland includes "permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions".

The proposed Natural Resources Plan, decisions version, (pNRP) includes this statement: "*All natural wetlands in the Wellington Region are considered to be significant natural wetlands as they meet at least two of the criteria listed in Policy 23 of the Regional Policy Statement 2013 for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values; being representativeness and rarity.*"<sup>4</sup>

In the RNZ land, there are multiple springs which form seeps. Seeps occur where groundwater emerges on hillsides and form soils that are mostly permanently saturated with relatively nutrient and oxygen rich water (Johnson & Gerbeaux, 2004). Seeps are classified as a 'Naturally Uncommon' ecosystem (Williams, Wiser, Clarkson & Stanley, 2007) and have the second highest national threat status of 'Endangered' (Holdaway et al, 2012).

Much of Whitireia Park was grazed until the 2010 fire which burned all fences. The RNZ land except for the golf course was grazed heavily. Since 2010, no stock has grazed the park and indigenous wetland vegetation in the spring heads and seeps has regenerated naturally. These areas are now dominated by indigenous wetland rushes, sedges and herbaceous plant species.

Species present in this area of national importance are *Sonchus kirkii* (At Risk - declining) and *Ranunculus macropus* (Data deficient). Of local importance is *Machaerina rubiginosa*. Other species found in the seeps and wetlands include: *Dacrycarpus dacrydioides*, *Cyperus ustulatus*, *Carex secta*, *Phormium tenax*, *Isolepis prolifer*, *Isolepis cernua*, *Juncus australis*, *Juncus edgariae* and *Gratiola sexdentata*.

Similar spring-fed seeps and streams and associated wetlands vegetated with indigenous wetland species are also found on the western side of Transmitter Road.

I am pleased to see that some recognition has been given to my submissions on the two drafts of the C-WPR and additional areas of Significant Natural Areas (SNA) within the Park have been identified. However, I consider that amendments and clarification are still required in a number of respects. For example, the Te Onepoto Stream SNA (SNA134) in the C-WPR stops about 275 metres north-east from

<sup>4</sup> Section 4.6.2, page 66, of the pNRP.

the golf course. Te Onepoto Stream, however, continues for another 760 metres up to and through the golf course, and connects with wetlands and headwater streams and seeps. There is a small section where the stream is piped.

2.8.2 SNA134 – Te Onepoto Catchment and SNA138 – *Whitiera* Spring Wetland

The C-WPR maps identify SNA134 as comprising land in the lower part of the catchment of Te Onepoto Stream. I submit that the extent of SNA134 needs to be larger and so that encompasses the upper reaches of the stream and connects to SNA138. I also submit that the extent of SNA138 does not encompass all of the significant area/habitat. Figure 5 below shows the additional areas I consider need to be included.



Figure 5: Additional areas to be included in SNA134 and SNA138 (outlined in yellow)

2.8.3 SNA223 – *Titahi Creek*<sup>5</sup>

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.**

<sup>5</sup> 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).

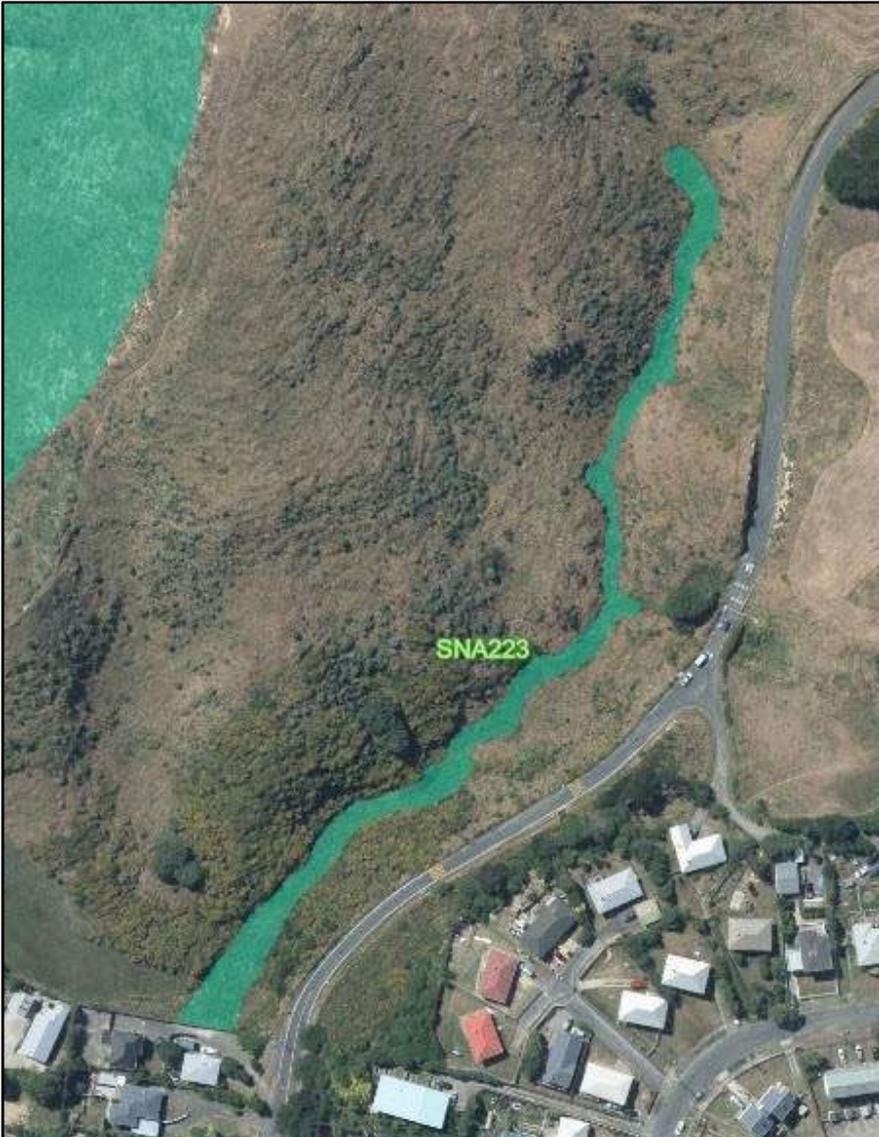


Figure 6: SNA223

#### 2.8.4 SNA136 – *Whitireia* Bush

There is an area of restored wetland which has now naturalised, and bush extension, below the bush remnant which runs down to Onehunga Bay carpark.

**This area should be included in SNA136 as shown in Figure 7 below.**



Figure 7: Additional areas to be included in SNA136 (outlined in yellow)

### 2.8.5 SNA134 – Margins of Onepoto Estuary

The vegetation surrounding Onepoto Estuary comprises *Juncus kraussii* subsp. *australiensis*, *Apodasmia similis*, *Plagianthus divaricatus*, *Phormium tenax* and *Carex geminata*. Much of this area has not been included in the SNA134. It's possible it has been excluded because the C-WPR maps omit to include some land that is landward of MHWS (refer section 6.4.6 below).

**This area should be included in SNA134 as shown in Figure 8 below.**



Figure 8: Additional area to be included in SNA134 (outlined in yellow)

2.8.6 SNA139 – *Whitireia Peninsula Coastal Margin*

The site summary for SNA139 does not acknowledge that it encompasses two communities of *Leptinella nana* which has a conservation status of “Nationally Critical”. The site summary also wrongly includes active sand dune ecosystem.

**I submit the site summary for SNA139 must be corrected.**

2.8.7 *Summary*

**I submit the areas indicated in the maps above should be included in the SNAs policy overlay as it applies to *Whitireia Park* in addition to the currently identified areas.**

**I am opposed to any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the extent of the SNA policy overlay as it relates to *Whitireia Park* being reduced.**

### 3 Specific Site – Taupō Swamp and Catchment

#### 3.1 Overview

The Wellington Region has one of the lowest amounts of freshwater wetland habitat available in New Zealand due to the extent of degradation and habitat fragmentation. (GWRC, 2015). In 2008 it was estimated that only 2.3% of the pre-human extent of wetland is left in the Wellington Region. The only region that has lost a greater percentage is Hawkes Bay with only 1.9% remaining (MfE, 2007).

#### 3.2 Policy Aspects

The GWRC section 32 report for the pNRP and entitled “Wetlands for the Proposed Natural Resources Plan for the Wellington Region”<sup>6</sup> published in July 2015 highlighted that many of the wetlands that endure in the region are degraded. In addition, it confirmed that they continue to be degraded or lost by conversion to agricultural land, changes to their hydrology, construction of adjacent roads, the introduction of invasive weeds and pest animals, and pollution.

The GWRC officer’s section 42A report for the pNRP hearings recommended that Taupō Swamp Complex be elevated from ‘Significant Natural Wetland’ to an ‘Outstanding Natural Wetland’.<sup>7</sup> This was confirmed in the decisions on submissions and is now beyond challenge.

**I submit that all provisions of the C-WPR must be couched so they are consistent with the obligation under Policy P39 of the pNRP to avoid effects on the Taupō Swamp Complex.**

#### 3.3 Key Issues

Parts of Taupō Swamp catchment have been identified as the ‘Northern Growth Area’. These surround Taupō Swamp and if developed without strict conditions to contain sediments and nutrients on-site and to prevent hydrological changes to Taupō Swamp, they will have a detrimental effect on the wetland. They will also provide new weed species which can have an adverse effect on the swamp.

#### 3.4 Expansion of the Residential Zone – The Track, Plimmerton

I note that the owner of the property at No. 10A The Track, Plimmerton, has asked for the C-WPR to provide for a residential zoning over part of their land.<sup>8</sup>

**I oppose this part of the C-WPR and submit that all of that property must be zoned ‘Rural-Residential’.**

In this respect I make the following points:

- (i) There was no specific consultation undertaken about this component of the city-wide plan review. The zoning report claims that the general community engagement undertaken through the Draft District Plan engagement in September 2019 was sufficient. This fails to acknowledge previous

<sup>6</sup> <http://www.gwrc.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Proposed-Plan/Section-32-report-Wetlands.PDF>

<sup>7</sup> <http://pnrp.gw.govt.nz/assets/Uploads/HS5-Officers-S42A-Report-Wetlands-and-Biodiversity.pdf>

<sup>8</sup> [https://porirua.govt.nz/documents/4172/Porirua\\_City\\_Council\\_2020\\_Rezoning\\_Report\\_10A\\_The\\_Track\\_Plimmerton.pdf](https://porirua.govt.nz/documents/4172/Porirua_City_Council_2020_Rezoning_Report_10A_The_Track_Plimmerton.pdf)

case law<sup>9</sup> which has established that, for site specific re-zonings such as this, the council must investigate and decide which persons would be directly affected and what further information should be provided. I consider the council should have concluded that all existing residents of Corlett Road are directly affected by this rezoning and should have engaged with them directly.

- (ii) The rezoning of the land so part of the site is within General Residential is inconsistent with the indicative maps included in the Northern Growth Structure Plan and the Growth Strategy 2048 both of which show the land being zoned 'rural-residential'.
- (iii) The Council assessment (the rezoning report) included with the notified plan change assumes that certain key aspects of the plan change are a fait accompli; for example,
  - a. this text relating to access tracks through SNAs *"However, the ECO chapter provides for vegetation clearance for the maintenance of existing driveways"*; and,
  - b. this text about the activity status of a subdivision of land containing a SNA – *"Subdivision of any lot containing an SNA is a restricted discretionary activity."*
- (iv) Residential subdivision of land which can only be serviced by a wastewater network that has insufficient capacity is not appropriate in this day and age, and is a recipe for further pollution of our waterways when there is a power failure and the wastewater detention tanks reach their capacity.
- (v) Residential subdivision of land which is not able to be provided with standard roading is not appropriate. If this land was within a greenfield development the Council would be requiring Corlett Road to be formed at 'Level 4' which requires a legal width of 21 metres with 15.5 metres of that comprising parking (2.5m), traffic lanes (2x3m), cycle lanes (2x1.5), footpaths (2x1.5m), and an infrastructure berm (1m). Corlett Road has a legal width of only 15m, a carriageway of 7m and a footpath that at best is less than one metre wide. Any subdivision (where it is not infill of existing residential land) should only be provided for where the Council's current standard for roading can be achieved. This is clearly not possible on this site and further residential development using Corlett Road should not be provided for.
- (vi) Part of the site comprises a SNA – 'Taupō Swamp West (south) – SNA047'. This wetland is also part of Taupo Swamp Complex which is recognised in the proposed Natural Resources Plan (pNRP) as 'a waterbody with outstanding biodiversity values'. There are two points in this regard:
  - a. Policy P39 of the pNRP requires all adverse effects on the Taupo Swamp Complex to be avoided. The Council assessment is silent about how adverse effects associated with sediment discharge, hard surfacing and changes to the hydrology of catchment, and pest plants and animals will be avoided if the land is rezoned for residential development.
  - b. National Environmental Standards for Freshwater (NES-FW) came into effect on 3 September 2020. Regulation 54(c) of the NES-FW says that: "the taking, use, damming, diversion, or discharge of water within, or within a 100 m setback from, a natural wetland" is a non-complying activity. Non-complying activity status signals that the activity is not appropriate in that location and that consent is unlikely to be forthcoming. There is no

<sup>9</sup> Refer 'Creswick Valley Residents Assoc. Inc. v Wellington City Council [2012] NZHC 644'.

reticulated stormwater network able to service a new development on the land and therefore all stormwater will have to be disposed of to ground (ie: soak-pit), which is an activity potentially prevented under Reg.54 of the NES-FW. The 100m buffer around the perimeter of the wetland takes in about half of No. 10A The Track and encompasses all of the house sites for Lots 1 – 7 shown the plan provided by the owner (refer Figure 10 below). It is inappropriate from a resource management perspective for the council to consider rezoning land for residential development when each subsequent owner will need consent for a noncomplying activity under a national policy statement and it is probable that that consent won't be granted. Land should only be rezoned when there is certainty that the subsequent use and its effects are appropriate from a resource management perspective. The implications of the NES-FW are that there can be no certainty in this case and therefore the land should not be rezoned.

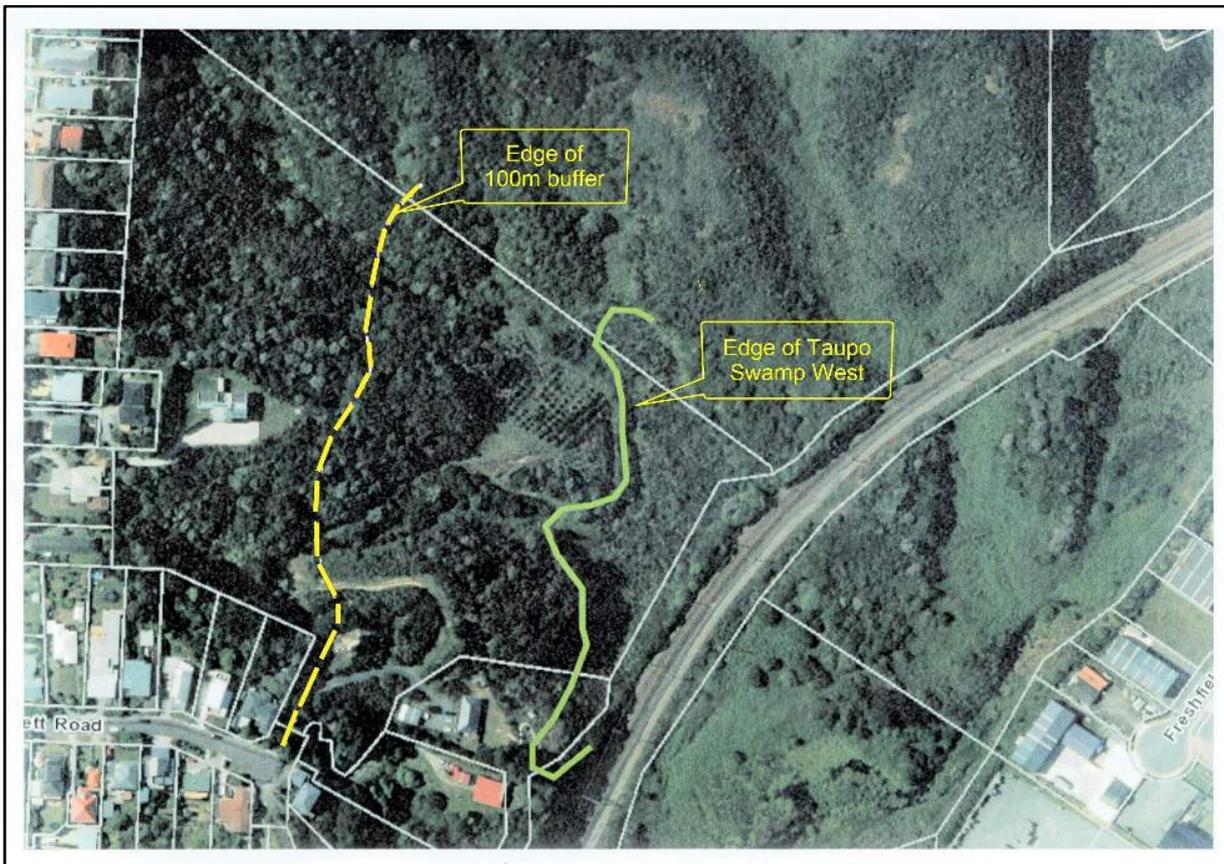


Figure 9: Image Showing Implications of 100m Buffer for Stormwater Discharges in NES-FW on Development Potential for 10A The Track, Plimmerton

### 3.5 Support/Oppose

I support the following provisions of the C-WPR

- Identification of parts of the Taupō Swamp Complex as being SNAs (ie; SNAs 042, 043, 044, 045, 046, and 047) so the C-WPR is consistent with the pNRP.
- Acknowledgement that a large part of the Taupō Swamp Complex is an ONFL.
- Identification of parts of the Taupō Swamp catchment as being SNAs (eg; SNAs 027 and 030).

I note that parts of SNA043 and SNA044 are located within Plimmerton Farm and accordingly cannot be identified as SNAs via the C-WPR process. However, parts are also located in the SH One designation corridor and must be included in the SNA policy overlay. Those parts are identified in Figure 10 below.



Figure 10: Parts of SNA043 and SNA044 to be included in the C-WPR (outlined in yellow)

#### I oppose the following aspects of the C-WPR

- The C-WPR does not include sufficient provisions to ensure adverse effects on Taupō Swamp from land development within the catchment are avoided, and therefore to ensure that the C-WPR is not inconsistent with the pNRP<sup>10</sup>.
- The C-WPR does not include sufficient provisions to ensure all natural wetlands and areas with indigenous vegetation are retained.
- The C-WPR provisions do not prevent natural wetlands being used to filter sediments or nutrients. Buffer areas around wetlands must be established to provide the filters needed.
- The C-WPR provisions will not ensure that all hydrological functionality of wetlands and drainage topography contributing to Taupō Swamp is retained including base, average, total and peak flows.
- The C-WPR does not include policies requiring all landscaping or gardens within the Northern Growth Strategy area to use only eco-sourced locally appropriate indigenous plants.

<sup>10</sup> Refer section 75(4)(b) of the RMA and Policy P39 of the pNRP.

- The C-WPR does not include policies to ensure that all new subdivisions within the Northern Growth Strategy area will be cat free.
- The C-WPR anticipates new development but currently Porirua's infrastructure is unable to accommodate it.

I seek adequate amendments to the provisions of the C-WPR so all these points are addressed.

I am also opposed to any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the extent of the SNA policy overlay as it relates to land within the Taupō Swamp catchment being reduced (except where the reduction is associated with PC18 being excluded from the C-WPR).

I am also opposed to any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in natural wetlands not being defined on the policy overlay maps.

## 4 Statutory Context

The section of the C-WPR relating to 'statutory context' includes this statement:

*"This District Plan applies to land above the line of Mean High Water Springs (MHWS) and the surface of water bodies within the City's territorial boundaries as shown in Figure 2."*

It is incorrect to use the word 'above' in this context because PCC's jurisdiction includes land that is lower than the line of MHWS (ie: land which is below the ground surface). The use of the word 'above' implies PCC is only concerned about the surface of land not land that lies below the surface. The extent of land within PCC's jurisdiction should be defined in the horizontal dimension not the vertical dimension.

**I submit that this text in the C-WPR should be amended to read:**

***"This District Plan applies to land that is landward of the line of Mean High-Water Springs (MHWS) and as well as the surface of water bodies within the City's territorial boundaries as shown in Figure 2."***

## 5 Strategic Objectives

The C-WPR has four 'strategic objectives' relating to the natural environment, and these deal with:

- character, landscapes and features (NE-01);
- open space (NE-02); and,
- Te Awarua of Porirua Harbour (NE-03 and NE-04).

**I submit that these objectives are insufficient as they do not explicitly acknowledge other significant components of the natural environment, such as areas of significant indigenous vegetation and significant habitats of indigenous fauna; as well as wetlands and rivers and their margins.**

**I submit that NE-03 and NE04 are closely related and able to be integrated into one objective.**

**I submit that a new strategic objective needs to be included and that this should read:**

***“All significant natural areas and streams are identified and protected from inappropriate subdivision, use and development, and adverse effects on outstanding natural waterbodies are avoided.”***

## 6 General Provisions

### 6.1 Spatial Layers

The C-WPR as notified indicates an intention to create a 'noise corridor' overlay in relation to the location of State Highway One. The C-WPR maps show the noise corridor encroaching into Plimmerton Farm. However, C-WPR does not apply to the land within Plimmerton Farm.<sup>11</sup>

**I submit that the online version of spatial layers need validation.**

### 6.2 Zoning

The public notice for the C-WPR includes this statement: *"It applies to all properties in the City except for the area known as Plimmerton Farm that is the subject of Plan Change 18 to the Operative Porirua District Plan."*

**I am opposed to any provision of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of C-WPR being applicable to subdivision, use and development of land within the Plimmerton Farm site (being Lot 2 DP 489799).**

### 6.3 National Environmental Standards for Freshwater

I submit that under Policy 23 of the RPS PCC is required to identify wetlands which comprise indigenous ecosystems and habitats with significant biodiversity values. The NPSFM and NESFW do not negate that obligation. The explanation to Policy 23 of the RPS is unequivocal – it states: *"District plans will identify indigenous ecosystems and habitats with significant biodiversity values **for all land** [my emphasis], except the coastal marine area and the beds of lakes and rivers."* Wetlands are not excluded under Policy 23 and nor are they excluded from consideration by territorial authorities in Section 2.2 of GWRC's explanatory guideline.<sup>12</sup> So, as far as SNAs are concerned, the only land excluded from consideration in a district plan is land in the CMA, and the beds of rivers and lakes. Wetlands are therefore included within the scope of SNA identification and scheduling. The NESFW does not affect that situation. Wetlands are not excluded from the Council's obligations under section 75(3)(c) of the Act.

**I oppose any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the known extent of natural wetlands not being identified in the C-WPR or being reduced.**

<sup>11</sup> Refer 'exception' in provisions relating to the Future Urban Zone, and public notice for C-WPR.

<sup>12</sup> <http://www.gwrc.govt.nz/assets/council-publications/Identifying-and-protecting-significant-indigenous-biodiversity-in-the-We...pdf>

## 6.4 Definitions

### 6.4.1 *Natural Wetland*

**I submit that the C-WPR needs to include a definition of ‘natural wetland’ and that that definition should accord with the definition in the NPS-FM.**

**I submit that the C-WPR needs to explicitly confirm that all ‘natural wetlands’ are SNAs as per the pNRP.<sup>13</sup>**

### 6.4.2 *Hydrological Regime*

The definition of ‘Hydraulic Neutrality’ in the C-WPR is: *"managing stormwater runoff from all new lots or development areas through either on-site disposal or storage, so that stormwater is released from the site at a rate that does not exceed the pre-development peak stormwater runoff."*

This definition does not recognise that urban development may not be ‘hydraulically neutral’ as far as base-flows are concerned. To claim that a development is ‘hydraulically neutral’ simply because peak flows can be attenuated (in terms of discharge rates measured as a ‘flux’) fails to acknowledge how catchments, and the natural systems within them, function.

**I submit that the definitions in the C-WPR need amendment to reflect all relevant considerations and reference to the following additional parameters:**

- **minimal increase in average annual runoff volumes (say less than 5%);**
- **no decrease in the time of concentration; and,**
- **base-flows in streams are to be maintained at pre-development levels.**

### 6.4.3 *Coastal Environment*

The C-WPR includes a definition of ‘Coastal Environment’ as being:

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

The RPS uses the term ‘landward’, but not the term ‘inland’.<sup>14</sup> Also, the term ‘area’ is probably not appropriate when the council’s jurisdictional responsibilities under the RMA are three-dimensional.

**I submit that the definition should read:**

***"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"***.

<sup>13</sup> Refer section 4.6.2 ‘Sites with significant indigenous biodiversity value’ of the pNRP.

<sup>14</sup> <http://www.gw.govt.nz/assets/Plans--Publications/Regional-Policy-Statement/RPS-Full-Documentedited.pdf>

#### 6.4.4 *Landward Extent of the Coastal Environment*

The RPS uses the expression ‘landward extent of the coastal environment.’<sup>15</sup> The delineation of this extent is critical in a number of aspects. The C-WPR should include, by way of a definition, an explanation about how it was determined and delineated.

**I submit that a definition of ‘landward extent of the coastal environment’ be included.**

#### 6.4.5 *Mean High Water Springs - General*

The C-WPR does not include a definition for ‘the line of mean high-water springs’ (MHWS) other than a statement confirming that that is what MWHS is an abbreviation for.<sup>16</sup>

The location of the line defining the MHWS is an important RMA method to achieve the purpose of the Act. For example: it defines the extent of the CMA; it demarcates jurisdictional matters; it defines where the restrictions under section 12 of the RMA apply and where they do not; it defines the extent of esplanade reserves; and, it defines the extent of setbacks such as the coastal riparian margin. It appears the Council has not analysed this method in terms of section 32 of the RMA. Rather it has just adopted cadastral boundaries as a proxy for the MHWS.

For this reason, it is important that the C-WPR process achieves a community consensus about the location of the line of the MHWS. However, there is no information in the C-WPR explaining, or confirming, how the location of the MHWS was determined. It appears it has been adopted, but the source (or sources) is (are) not specified. The community can therefore have no confidence in the robustness of any process or provision in the C-WPR associated with determining the line of the MHWS.

#### 6.4.6 *Mean High Water Springs - Whitireia Peninsula*

In this respect, I note that the C-WPR maps suggest that there are substantial parts of the Whitireia Peninsula coastline (and coastal margin) that apparently do not comprise land what is landward of the MHWS. Figure 11, Figure 12 and Figure 13 below are images from the C-WPR maps showing sections of the coastline between Te Onepoto Stream and Kaiua Bay. These show vegetation and dry land not apparently being landward of the MHWS. All land that is landward of the MHWS should be mapped. For all intents and purposes the provisions of the C-WPR do not apply to those parts of the coastline that are not highlighted on these images.

<sup>15</sup> On 13 occasions.

<sup>16</sup> The term ‘mean high water’ is used nine times in the RMA, and the abbreviation MHWS is used 11 times in the C-WPR.



Figure 11: Map of OSZ and ONFL Showing Land Excluded from the C-WPR



Figure 12: Map of OSZ and ONFL Showing Land Excluded from the C-WPR



Figure 13: Map of OSZ and ONFL Showing Land Excluded from the C-WPR

#### 6.4.7 Mean High Water Springs - Titahi Bay

Furthermore, I note that the C-WPR maps suggest that there are substantial parts of the coastline (and coastal margin) between Vella Street and Rocky Bay, Titahi Bay, that also apparently do not comprise land what is landward of the MHWS. Figure 14 and Figure 15 below are images from the C-WPR maps showing the coastline in the northern part of Titahi Bay. All land that is landward of the MHWS should be mapped.

For all intents and purposes the provisions of the C-WPR do not apply to those parts of the coastline that are not highlighted on these images, some of which has permanent terrestrial vegetation and some of which accommodates the northern boatsheds.



Figure 14: Map of OSZ and ONFL Showing Land Excluded from the C-WPR



Figure 15: Map of OSZ Showing Land Excluded from the C-WPR

#### 6.4.8 SNA139 and OSZ - Titahi Bay

The C-WPR zoning maps suggest that the rocky platforms below Terrace Road and Lambley Road are not included within any zone and therefore that they are seaward of the MHWS. Conversely, the relevant maps showing the SNAs in the C-WPR indicates that SNA139 extends further seaward than the seaward limit of the OSZ. This dichotomy is depicted in Figure 16 below.

**I submit that, unless there is an underlying zone, it is not possible to apply a ‘policy overlay’ such as the SNA overlay, and on first principles the exact extent of the CMA (and therefore land that is subject to the C-WPR and the zone provisions) throughout the city needs to be accurately determined.**

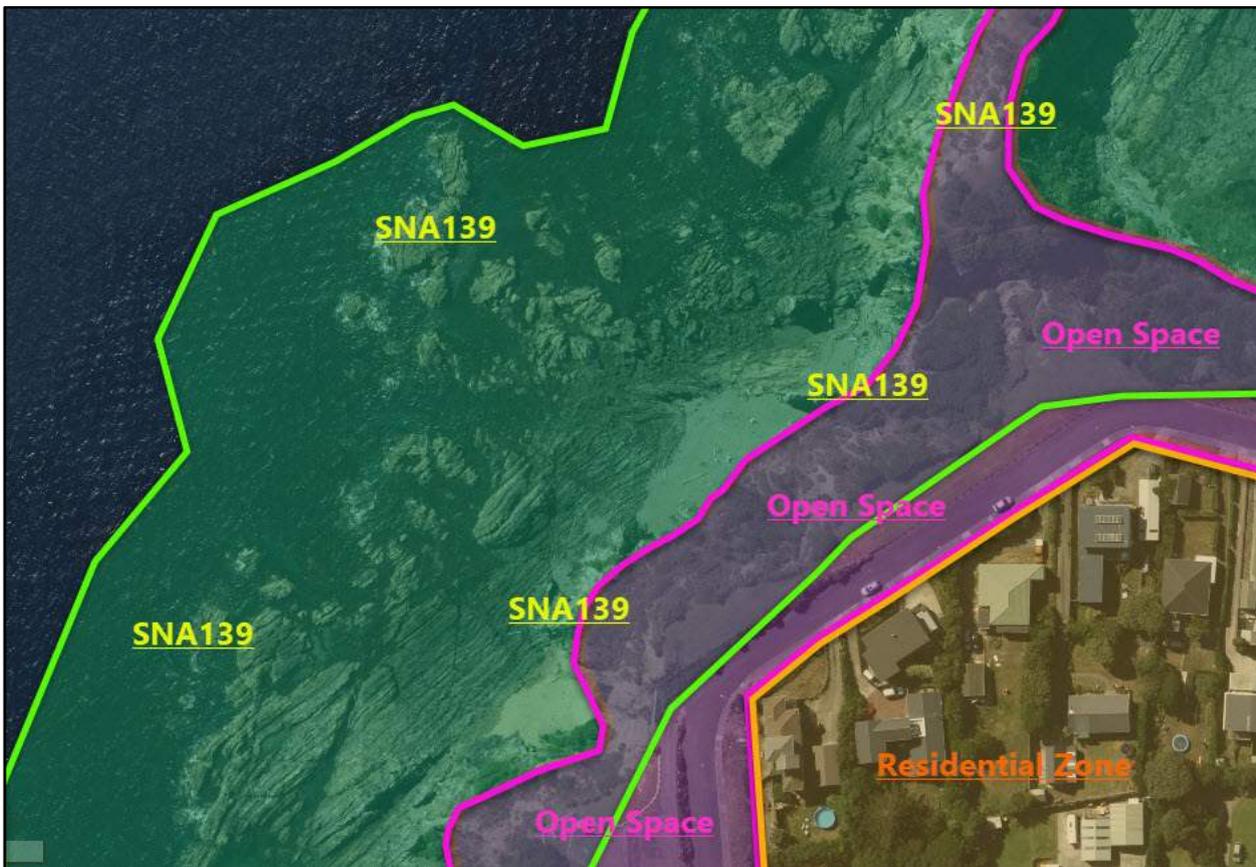


Figure 16: Map Showing Zoning and Extent of SNA139 at Northern Titahi Bay

#### 6.4.9 Mean High Water Springs - Te Onepoto Stream

The C-WPR maps suggest that the lower 250-metre-long reach of Te Onepoto Stream is not within scope of the C-WPR provisions (refer Figure 17 below). In this case, I also submit that upstream the limit of the CMA needs to be defined as it has been with other streams within the city.



Figure 17: Map of OSZ and ONFL Showing Reach of Te Onepoto Stream Excluded from the C-WPR

#### 6.4.10 Mean High Water Springs - Horokiri Stream and Pauatahanui Saltmarsh

The C-WPR maps suggest that the lower 390-metre-long reach of Horokiri Stream seaward of the Grays Road bridge is within scope of the C-WPR provisions (ie: zoned Open Space) (refer Figure 18 below) even though the operative Regional Coastal Plan and the pNRP show the location of the CMA boundary coinciding with the bridge (refer Figure 19). The reach of Horokiri Stream downstream of the bridge can't be seaward of the CMA and also zoned as land in the C-WPR.

A similar discrepancy arises with the land known as Pauatahanui Saltmarsh as shown in Figure 20 below.



Figure 18: Map of Showing Reach of Horokiri Stream Included in the OSZ



Figure 19: Map from pNRP Showing Deemed Location of CMA Boundary



Figure 20: Map Showing Deemed Location of CMA Boundary from pNRP – Pauatahanui Saltmarsh

#### 6.4.11 Mean High Water Springs - Wider Context

Land Information New Zealand (LINZ) has produced a GIS shapefile entitled: 'New Zealand Coastlines'.<sup>17</sup> On the face of it, this GIS layer provides a better and more realistic definition of the MHWS than simple adoption of the cadastral boundaries. For comparison purposes at Attachment A, I have attached copies of the images presented above as Figures 10 - 14, 17 and 19 along with similar images showing the extent of the 'New Zealand Coastlines' layer from LINZ for the same part of the city.

#### 6.4.12 Mean High Water Springs - Summary

I submit that:

- a) the exact scope of the CMA throughout the city needs to be accurately determined and referenced in the C-WPR;
- b) in the alternative and as an interim provision, the C-WPR must, as a minimum, adopt LINZ's 'NZ Coastline' polygon as a proxy delineation of the CMA, except for more contentious sites (for example, Titahi Bay between Vella Street and Stuart Park); and,
- c) for key sites (including Titahi Bay) the delineation of the CMA must be determined using agreed high-resolution methodology.

Further, I submit that in respect of (c) above the Council must commission a robust technical assessment that determines the location of the line of MHWS and the landward extent of the CMA, that reasonably takes into account the relevant variables such as: temporal variation in beach

<sup>17</sup> <https://data.linz.govt.nz/layer/51153-nz-coastlines-and-islands-polygons-topo-150k/>

profiles; temporal changes in the height of tides; and, changes in sea level due to climate change over the expected life of the district plan.

Further, I submit that the methodology for that assessment must be communicated with key stakeholders prior to the assessment being undertaken and feedback sought. In addition, the Council should refrain from concluding the submission period for the C-WPR process until such time as the assessment has been presented to stakeholders and accepted by the Council.

#### 6.4.13 Coastal Margin

The C-WPR introduces concepts of 'coastal margin' to assist with the management of activities near or adjacent to the coast. The C-WPR definition of 'coastal margin' is:

*“means all landward property which is within 20m of the line of MHWS”.*

This definition begs the question: “what is landward property”.

I submit the definition needs to be re-worded so coastal margin means:

***“all land within 20 metres of the line of MHWS but not within the Coastal Marine Area”***

#### 6.4.14 Riparian Margins

The C-WPR introduces concepts of 'riparian margin' to assist with the management of activities near or adjacent to rivers/streams. The C-PPR definition of 'riparian margin' is:

*“means all landward property which is within:*

- a. 20m of a river whose bed has an average width of 3m or more, where the river flows through or adjoins an allotment; or*
- b. 5m of a river whose bed has an average width of less than 3m, where the river flows through or adjoins an allotment.”*

This definition begs the question: “*what is landward property*”. It is also unclear why the definition includes the phrase: “*where the river flows through or adjoins an allotment.*” That phrase seems to be superfluous.

The C-WPR is also silent on why the concept of a riparian margin does not apply to wetlands that are within the riparian margin relative to the stream banks. This over-sight needs to be corrected. Where there are wetlands within the riparian margin relative to the stream banks then there should be an additional margin around the wetland which, for the purposes of this submission, I have referred to as natural riparian wetland.<sup>18</sup>

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<sup>18</sup> Refer sections 7.2.3 and 7.4.8 for corresponding standards

I submit the definition needs to be re-worded so riparian margin means:

*“all land which is within:*

- a. 20m of a river with an average bed width of 3m or more, or*
- b. 5m of a river with an average bed width of less than 3m, or*
- c. 20m of a natural riparian wetland.”*

*Note: for the purposes of this definition, bed width shall be determined from that section of the river where it flows through the subject property and/or where it flows through adjacent land.*

I oppose any amendment to the definition by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the effect of the relevant provisions creating incompatibility with section 6(a) of the RMA.

## 7 District-Wide Matters

### 7.1 Coastal Environment

#### 7.1.1 *Scope*

In the C-WPR 'Coastal Environment' means the area identified on the planning maps as being located within the inland extent of the coastal environment. Above, I have suggested a different definition.

**I submit that all references to “inland extent of the coastal environment” in the C-WPR be amended to read: “landward extent of the coastal environment.”**

**I further submit that the District Plan should include a statement detailing how the landward limit of the coastal environment was determined.**

#### 7.1.2 *Earthworks*

Under rule CE-R1 and standard CE-S1 earthworks for walking or cycle tracks in a Coastal High Natural Character Area (CHNC) is a permitted activity:

- within limits relating to width, cut/fill height, if the work is undertaken by PCC; or
- within limits of surface area where another party undertakes the work.

Where those limits cannot be achieved the earthworks default to discretionary (restricted) activity status under Rules CE-R1(2) and (3).

**I oppose these provisions, especially as they relate to the CHNC within Whitireia Park and Titahi Bay. There are four CHNC in Whitireia Park (CHNCs 008, 009, 010 and 011) and three in Titahi Bay (CHNCs 012, 013 and 014). I see no reason why additional tracks are required in those areas and in the unlikely event they are then they should be subject to a consent process.**

**PCC – Parks and Recreation has shown that is able to agree to, and authorise, substantial environment degradation within natural areas<sup>19</sup> to enable formation of walking or cycle tracks, and accordingly activities such as those envisaged by rule CE-R1 and standard CE-S1 must be subject to constraints and assessment of effects.**

**I submit that all earthworks regardless of scale or purposes within CHNCs 008 to 014 must be categorised as a non-complying activity, with an explicit exemption for planting associated with ecological restoration. I seek the required amendments to the provisions of the C-WPR including the policies, rules and standards.**

#### 7.1.3 *Vegetation Removal*

<sup>19</sup> For example, track work associated with the 'Porirua Adventure Park', and also work related to tracks within Porirua Scenic Reserve created by Mana Cycle Group.

Under rule CE-R2 removal of vegetation for construction of a new public walking or cycling track up to 2.5m in width within a CHNC is a permitted activity.

**I oppose these provisions, especially as they relate to the CHNC within Whitireia Park and Titahi Bay. There are four CHNC in Whitireia Park (CHNCs 008, 009, 010 and 011) and three in Titahi Bay (CHNCs 012, 013 and 014). I see no reason why additional tracks are required in those areas and in the unlikely event they are then they should be subject to a consent process.**

**PCC – Parks and Recreation has shown that is able to agree to substantial environment degradation within natural areas<sup>20</sup> to enable walking or cycle tracks, and accordingly activities such as those envisaged by Rule CE-R2 must be subject to constraints and assessment of effects.**

**I submit that all clearance of indigenous and endemic vegetation regardless of scale or purposes within CHNCs 008 to 014 must be categorised as a non-complying activity. I seek the required amendments to the provisions of the C-WPR including the policies, rules and standards.**

#### *7.1.4 New Buildings*

Under rule CE-R8 new buildings and structures within a CHNC is a discretionary (restricted) activity subject to a 50m<sup>2</sup> area limit and a 5m height limit on any individual building.

**I oppose these provisions, especially as they relate to CHNCA within Whitireia Park and Titahi Bay. There are four CHNC in Whitireia Park (refer nos. CHNC 008, 009, 010 and 011) and three in Titahi Bay (CHNC 012, 013 and 014). I see no reason why additional buildings are required in those areas and if they are required then they should be subject to a robust consent process.**

**I submit that buildings regardless of scale or purposes within CHNCs 008 to 014 must be categorised as a non-complying activity. I seek the required amendments to the provisions of the C-WPR including the policies, rules and standards.**

#### *7.2 Natural Character*

##### *7.2.1 Buildings in Coastal Margins*

Under rule NATC-R1 only buildings associated with specified uses are permitted in coastal margins.

**I support the concept of limiting the degree to which buildings in the coastal margin can be erected as a permitted activity.**

**I submit that the non-complying should be the default activity status where there is non-compliance with rules NATC-R1-1.a, NATC-R1-1.b, or NATC-R1-1.c.**

<sup>20</sup> For example, track work associated with the 'Porirua Adventure Park', and also work related to tracks within Porirua Scenic Reserve created by Mana Cycle Group.



**I submit that the rules of the District Plan regarding activities on the beach need to accord and be consistent with the rules of the regional plan.**

Section 75(4)(b) of the RMA states that:

*“A district plan must not be inconsistent with ... a regional plan for any matter specified in section 30(1).”*

The C-WPR provisions propose that residential use in Open Space land will be a permitted activity. Residential use of the boatsheds and the adjoining land is contrary to sections 6(a), (d) and (f) of the RMA, and does not achieve the consistency required by section 75(4)(b) of the RMA.

**I submit that residential use of the boatsheds and the immediately adjacent land should be explicitly prohibited. Further, all cabinetry and facilities (including plumbing) inside the buildings that would normally be expected in a kitchen or bathroom should also be prohibited. The C-WPR should also make it clear that there are no existing use rights for residential occupation.**

#### 7.4 Ecosystems and Indigenous Biodiversity

##### 7.4.1 *Policy Relating to Identification of SNAs*

Policy ECO-P1 is:

*“Identify and list within SCHED7 - Significant Natural Areas with significant indigenous biodiversity values in accordance with the criteria in Policy 23 of the Regional Policy Statement”.*

**I support this policy and oppose any amendment to it by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the effect of the relevant provisions creating incompatibility with sections 6(a) and (c) of the RMA, and/or would result in natural wetlands within the city not being suitably identified.**

##### 7.4.2 *Significant Natural Area Policy Overlay – Scope*

The section 32 evaluation report associated with the C-WPR that deals with ‘Ecosystems and Indigenous Biodiversity’ refers to engagement with landowners with mapped environmental overlays on their properties. By all accounts this engagement resulted in a reduction in the aggregated area of mapped SNAs included in the C-WPR. There is also evidence in the public domain that by mid-2018 PCC was not considering increasing the area of SNAs unless the relevant landowner agreed.<sup>21</sup>

The section 32 report refers to some landowners seeking complete removal of any SNA overlay with respect to their property. The section 32 report does not provide any meaningful information about the reduced scope of the SNA overlay, or the extent to which land that should have been included but wasn’t because the landowner didn’t agree. It is not possible to determine the resource management implications of having those areas removed from, or not included in, the overlay.

<sup>21</sup> Note, in her evidence at the hearing the Plimmerton Farm plan change (PC18) Dr Astrid van Meeuwen-Dijkgraaf said: *“By this stage (mid-2018) PCC was generally only considering changes to SNA boundaries, resulting in an increased extent, with the agreement of the landowner. Hence the additional areas of wetland, and inconsistencies of some of the SNA boundaries were not incorporated into the draft SNA, although PCC was made aware of some of these.”*

**I submit that the section 32 documentation with the C-WPR should include the following information:**

- a. a list of those properties where the extent of the SNA applying to that property has reduced since the Wildland's assessment;**
- b. whether the reduction was sought by the landowner;**
- c. the reason for the reduction; and,**
- d. a list of those properties where the extent of the SNA applying to that property should have been enlarged but wasn't because the landowner didn't agree.**

In essence, without this information we must assume that there are some properties with significant indigenous vegetation and/or habitats (meeting the Policy 23 RPS criteria) but which are not subject to the SNA overlay. Accordingly, the Council will be maintaining the status quo as far as those properties are concerned, and choosing to omit known sites from the overlay.

**I submit that, if this information is not available, it is not possible to undertake an adequate section 32 evaluation, and by doing so the Council will be electing not to give effect to Policy 23 of the RPS by omitting known sites;<sup>22</sup> will be failing to adequately perform its function under section 31(1)(b)(iii) of the Act; and will not be achieving the protection required by section 6(c) of the RMA.**

#### *7.4.3 SNAs Not Included Due to Landowners' Opposition*

The section 32 evaluation report relating to 'Ecosystems and Indigenous Biodiversity' refers to engagement with landowners with mapped environmental overlays on their properties. By all accounts this resulted in a reduction in the aggregated area of mapped SNAs included in the C-WPR. The section 32 report refers to some landowners seeking complete removal of any SNA overlay with respect to their property. The section 32 report does not indicate the reason for the reduction in the total area of mapped SNAs, but it's possible that some SNAs have not been included because the relevant landowner expressed their opposition to the Council.

**I oppose all provisions of the C-WPR relating to SNAs if the mapped SNA overlay does not include land that meets the criteria in Policy 23 of the RPS but which has not been included because the relevant landowner indicated their objection to it.**

#### *7.4.4 SNAs Included but Out of Scope*

The public notice for the C-WPR includes this statement: *"It applies to all properties in the City except for the area known as Plimmerton Farm that is the subject of Plan Change 18 to the Operative Porirua District Plan."*

On the other hand, the on-line maps depicting the location of SNAs and the corresponding schedule (SCHED7) in the C-WPR refer to several SNAs located within the Plimmerton Farm site. The Council has chosen to proceed with the Plimmerton Farm plan change ahead of the C-WPR, and accordingly PC18 is following a different RMA pathway.

<sup>22</sup> Note that the explanation to Policy 23 in the RPS says: *"Policy 23 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way"* [my emphasis].

**I submit that it is not possible for the SNA policy overlay presented with the C-WPR to apply to the Plimmerton Farm site and all corresponding amendments to the provisions of the C-WPR need to be made.**

#### 7.4.5 Policies Relating to SNAs

Policy ECO-P2 relates to the protection of SNAs and, in part, reads:

*“Protect the biodiversity values of Significant Natural Areas identified within SCHED7 - Significant Natural Areas, by requiring subdivision, use and development to:*

1. *Avoid adverse effects on identified indigenous biodiversity values where possible;*”

**I oppose the use of the clarifier ‘where possible’, in respect of potential adverse effects on waterbodies that are identified as ‘outstanding’ in the pNRP; namely Taupō Swamp Complex and Te Awarua o Porirua Harbour.**

Policy P39 of the pNRP is:

*“The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided.”*

**I submit that Policy ECO-P2 be amended to delete the phrase ‘where possible’.**

Policy ECO-P3 relates to ‘enable’ vegetation removal within SNA, and Policy ECO-P4 relates to ‘allowing’ subdivision, use and development in SNAs.

These policies effectively reverse the presumption in section 6(c) of the RMA which is that areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected.

These policies also do not acknowledge the fact that Taupō Swamp Complex and Te Awarua o Porirua Harbour are ‘outstanding’ in the pNRP, they are also SNAs, and under Policy P39 of the pNRP adverse effects on those waterbodies must be avoided.

**I submit that policies ECO-P2 must be amended to, at the very least, provide for the avoidance required by Policy P39 of the pNRP as far as it relates to Taupō Swamp Complex and Te Awarua o Porirua Harbour, and in the case of all other SNAs provide the protection required by section 6(c) of the RMA.**

#### 7.4.6 Policies Relating to Wetlands

ECO-P5 relates to avoiding degradation of wetlands and ECO-P11(3) relates to avoiding earthworks in wetlands.

**I support these provisions in the C-WPR, and I would be opposed to any amendment to the definition by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the effect of the relevant provisions creating incompatibility with sections 6(a) and (c) of the RMA.**

#### 7.4.7 Rules Relating to Wetlands – General Scope

Under section 75(3)(a) of the RMA any, and all, provisions of C-WPR relating to subdivision, use or development in SNAs “must give effect to a regional policy statement” and under section 75(4)(b) of the RMA, a district plan “must not be inconsistent with a regional plan.”

**I oppose any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the known extent of natural wetlands being reduced.**

#### 7.4.8 Rules Relating to Wetlands – Earthworks

Under rule ECO-R4(1) certain earthworks within a SNA are permitted providing they do not occur “within any wetland.” Where the earthworks are to occur in a wetland they default to be considered as a non-complying activity under rule ECO-R4(3).

**I support these provisions in the C-WPR as they are required to give effect to policies ECO-P5 and ECO-P11(3). I would be opposed to any amendment by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the effect of the relevant provisions creating incompatibility with sections 6(a) and (c) of the RMA.**

I note the fact that Reg. 54 of the NESFW specifically addresses earthworks within 10m of a natural wetland.

**In accordance with section 44A of the RMA, and its reference to plan provisions being more stringent, I submit that rule ECO-R4-1(b) must be amended so it reads as follows:**

**ECO-R4**                      **Earthworks within a significant natural area**  
**All Zones**                **1. Activity status: Permitted**

*Where:*

- a. *The earthworks:*
  - i. *Do not involve the removal of any indigenous vegetation; or*
  - ii. *Are for the maintenance of existing public walking or cycling access tracks, as carried out by Porirua City Council, Greater Wellington Regional Council or their nominated contractor or agent; and*
- b. *The earthworks do not occur within **20m of the perimeter of any natural** wetland*

#### 7.4.9 Vegetation Removal with SNAs – Indigenous Weeds

Under rule ECO-R1 removal of indigenous vegetation in all zones is permitted if it is for one of the listed purposes. This does not take into that non-local (endemic) indigenous vegetation can be as invasive as exotic vegetation and can need control. Examples of this include species such as karaka (*Corynocarpus laevigatus*) and karo (*Pittosporum crassifolium*) which is dominating many reserves in Porirua, causing these reserves to lose their natural character and diversity.

**I submit that ECO-R1 must be amended to include the removal of indigenous, but non-endemic, vegetation for any reason.**

#### *7.4.10 Vegetation Removal with SNAs – Purposes*

Under rule ECO-R1 removal of indigenous vegetation in all zones is permitted if it is for the purposes of maintaining, upgrading or creating new public walking or cycling tracks up to 2.5m in width (which could in effect require 3.5m wide clearance), where it is undertaken by PCC, and where vegetation greater than 15cm in diameter (measured 1.4m above ground) is not removed. The actual width of the permitted clearance is greater with permitted margins on both sides.

This does not take into account the fact that indigenous vegetation with a trunk less than 15cm in diameter can be significant. For instance, many wetland, dune and grey scrub species have stems much less than this dimension and these species and ecosystems are threatened.

The rule also does not recognise that PCC – Parks and Recreation has shown that is able to agree to, and authorise, substantial environment degradation within natural areas<sup>23</sup> to enable formation of walking or cycle tracks, and accordingly activities such as those envisaged by rule ECO-R1 must be subject to constraints and assessment of effects.

**I submit that clearance of indigenous and endemic vegetation within SNAs categorised as a permitted activity should be limited to that required for the maintenance of an existing lawful activity or required to protect people’s health and safety. I submit that all other clearance of indigenous and endemic vegetation within SNAs, and regardless of scale or purposes, must be categorised as a non-complying activity.**

**I seek the required amendments to the provisions of the C-WPR including the policies, rules and standards.**

#### *7.4.11 Vegetation Removal with SNAs – ECO-R7 – Activity Status*

Rule ECO-R7 allows for the removal of indigenous vegetation within a SNA as a discretionary (restricted) activity. This activity status sends a message that the Council considers that removal is acceptable and that it should be anticipated by the C-WPR provisions. This is inconsistent with the purpose of the RMA and contrary to section 6(c) of the RMA,

**I oppose rule ECO-R7, and submit that it should have a non-complying activity status.**

#### *7.4.12 Vegetation Removal with SNAs – ECO-R7 - Scope*

Rule ECO-R7 allows for the removal of indigenous vegetation within a SNA as a discretionary (restricted) activity. As noted, I consider removal of non-endemic indigenous vegetation should be provided for as a permitted activity. For this reason, the scope of rule ECO-R7 needs refining.

<sup>23</sup> For example, track work associated with the ‘Porirua Adventure Park’, and also work related to tracks within Porirua Scenic Reserve created by Mana Cycle Group.

I submit that the title of rule ECO-R7 read: “*Removal of indigenous and endemic vegetation within SNAs*”.

#### 7.4.13 *Default category – ECO-R9*

Under rule ECO-R9 any activity within a SNA not covered by another rule defaults to be categorised as a non-complying activity.

**I support this provision of the C-WPR and would oppose any lesser activity status by way of submissions by others, or by council officer evidence and/or recommendations.**

#### 7.5 *Earthworks*

##### 7.5.1 *Effects on SNA/ONFL*

The plan needs provisions to adequately manage activities that are able to adversely affect significant natural features/areas even though those activities are being undertaken on land that is not within the SNA/ONF but may be directly related because it is connected by a physical or natural process (eg: it is in the same catchment).

**I submit that development controls applicable to land adjacent to a SNA/ONFL, or land in the same catchment as a SNA/ONFL, need to be included and acknowledge that development on other land (eg: changes to landforms as that may relate to drainage patterns) is able to significantly affect the values of those areas.**

##### 7.5.2 *Jurisdiction for Managing Earthworks*

In its submission on DPC18 GWRC suggested that it alone should process consents for bulk earthworks. There are some fundamental reasons why PCC needs to retain consenting functions for bulk earthworks. One relates to the frequent limitations on development resulting from earth-working for green-field subdivisions (eg: areas of unsuitable ground, instability or needing specific engineering design), which need to be recognised and accounted for in perpetuity and that can only be addressed by way of consent notice on a subdivision consent which only PCC can grant.

An approach by which PCC only has responsibility for small-scale earthworks would result in the vital connection between bulk earthworks and subsequent building on the vacant lots being lost.

**I oppose any amendment to the provisions of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in PCC not having responsibility for managing adverse effects from erosion and sediment discharge, or would result in PCC only having responsibility for small scale earthworks.**

### 7.5.3 Objective EW-O1

As far as receiving environments are concerned objective EW-O1 is that:

*“Earthworks are undertaken in a manner that:*

3. *Minimises erosion and sediment effects beyond the site and assists to protect receiving environments, including Te Awarua-o-Porirua Harbour”*

Policy P39 of the pNRP reads: *“The adverse effects of use and development on outstanding water bodies and their significant values identified in Schedule A (outstanding water bodies) shall be avoided.”*

**I submit that objective EW-O1 is insufficient as it does not explicitly acknowledge the requirement to avoid adverse effects on Taupō Swamp Complex as well as Te Awarua-o-Porirua Harbour, and it would make the C-WPR inconsistent with the pNRP thereby creating issues as far as section 75(4)(b) of the RMA is concerned.**

### 7.5.4 Policies EW-P1, P2, P3 and P4.

These policy provisions of pDPC18 are couched in terms of providing for, or enabling, earthworks and minimising effects. If effects are minimised this will not achieve the avoidance required by Policy P39 of the pNRP.

I submit that policy EW-P1 must be amended so it includes additional text as outlined below:

**“Enable earthworks associated with subdivision, use and development, *subject to erosion and sediment effects on receiving environments including Taupō Swamp Complex, Taupō Stream and its tributaries, and Te Awarua-o-Porirua Harbour being avoided, where:*”**

### 7.5.5 Standard EW-S5

Standard EW-S5(1) requires: *“All silt and sediment must be retained on the site.”*

I support the outcome sought by this permitted activity standard. However, I submit that it is a hollow sentiment as far as bulk earthworks are concerned.

Realistically, bulk earthworks will require consent probably because the permitted surface area under EW-S1 will be exceeded. So, if we assume consent is required the question then becomes “what effect does standard EW-S5(1) then have?” The answer to this is none.

Standard EW-S5(1) is not a standard applicable to any of the other rules, so as the C-WPR is currently written EW-S5(1) is really of no consequence.

**For the above reasons, and in recognition of the avoidance required by Policy P39 of the pNRP, I submit that the C-WPR needs to include a new rule – Rule EW-R1(3), and that this rule should read:**

All Zones	<p><b>3. Activity status: Non-complying</b>  <b>Where:</b>  a. <b>Compliance is not achieved with:</b>  i. <b>EW-S5.</b></p>
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7.6 Natural Features and Landscapes

7.6.1 *Buildings*

The permitted activity provisions of the C-WPR relating to buildings and structures within an ONFL (refer NFL-S3) allow only one building per site and set a maximum floor area of 50m<sup>2</sup>. However, as the C-WPR current reads, NFL-S3 is a permitted activity standard that only applies to buildings or structures located within a Special Amenity Landscape (SAL) [see Rule NFL-R4(1)].

Buildings or structures located within an ONFL is a discretionary (unrestricted) activity under Rule NFL-R4(3).

**I support the general approach of these provisions in the C-WPR, and I would be opposed any amendment by way of submissions by others, or by council officer evidence and/or recommendations, that would result in the effect of the relevant provisions creating incompatibility with sections 6(a) and (c) of the RMA.**

**However, I submit the rules and standards need to be amended so compliance with NFL-S3 is inserted in rule NFL-R4(3), and so non-compliance with NFL-S3 results in non-complying activity status.**

7.6.2 *Vegetation Removal*

Under rule NFL-R2 removal of vegetation for any purpose within ONFL or SAL is a permitted activity, providing standard NFL-S2 is met. NFL-S2 specifies area limits of 50m<sup>2</sup> (for ONFL) and 100m<sup>2</sup> (for SAL) in any five year period.

**I oppose these provisions, especially as they relate to ONFL003 (Whitireia Peninsula). I see no reason why removal of endemic indigenous vegetation should be needed in the area covered by ONFL003, and in the unlikely event clearance is required then it should be subject to a consent process.**

**I submit that all clearance of indigenous and endemic vegetation regardless of scale or purposes within ONFL003 must be categorised as a non-complying activity. I seek the required amendments to the provisions of the C-WPR including the policies, rules and standards.**

7.6.3 *Default Category – NFL-R12*

Under rule ECO-R9 any activity within a SNA not covered by another rule defaults to be categorised as a non-complying activity.

**I support this provision of the C-WPR and would opposed to any lesser activity status by way of submissions by others, or by council officer evidence and/or recommendations.**

## 7.7 Three Waters

### 7.7.1 *Buildings and Structures - Existing Use Rights*

Under rule THWT-R1 new buildings are permitted so long as compliance is achieved with standard THWT-S1 which relates to the provision of a rainwater tank.

Under rule THWT-R1 and standard THWT-S1 no 'credit' is given for those existing residential developments where it is not possible to comply with THWT-S1 so it's conceivable that a resource consent would be required if only minor additions and alterations were proposed.

Under rule THWT-R1 and standard THWT-S1 'credit' is also not given for those existing situations where stormwater is satisfactorily disposed of to ground (ie; by raingarden or soakage pit).

**I submit that the provisions of C-WPR need to be revised so credit for existing situations is specified.**

### 7.7.2 *New Impervious Surfaces*

Under the provisions of the C-WPR 'hydraulic neutrality' is only required for development in the Commercial and Mixed-Use Zone, General Industrial Zone, and the Hospital Zone. There is no obligation on persons undertaking new development in the residential zones to address the effects of reduced response times and increased volume of stormwater runoff from the development, let alone address effects on the broader hydrological regime.

In this respect I note that rule THWT-R1 is only a rule saying: "if you have rainwater tank this is how big it needs to be". There is no provision in the C-WPR requiring onsite attenuation.

The Council is entitled to include provisions in a district plan relating to land use activities [otherwise regulated by section 9(3) of the Act] where the purpose of the regulatory intervention is primarily (but not necessarily solely) for managing the effects of the land use activities in terms of stormwater runoff.

Consideration of changes to catchment hydrology (in terms of peak, average and base flows as well as time of concentration) caused by hard surfacing is a legitimate function of the Council.

The definition of hydraulic neutrality is insufficient as it does not cover other parameters such as annual volumes, base flows, mean flows, and time of concentration. I submit that the C-WPR would benefit from incorporating the concepts of "maintaining catchment hydrology" and "minimise changes to the hydrological regime", the inclusion of which might address the issue which is that hard surfacing can potentially cause potential hydrological changes that impact on downstream wetlands including Taupō Swamp.

I submit that:

- objective THWT-O1 should be amended to read:  
**“Hydraulic and Hydrological Neutrality:**  
*There is no increase in the peak demand on stormwater management systems and increase in flooding from development within Urban Zones, Settlement Zone, and the Māori Purpose Zone (Hongoeka), and all development incorporates measures to ensure no change to the catchment hydrology”.*
- policy THWT-P1 should be amended to read:  
**“Hydraulic and Hydrological Neutrality in Urban Zones, Settlement Zone and the Māori Purpose Zone (Hongoeka):**  
*Enable new development in the Urban Zones, Settlement Zone and the Māori Purpose Zone (Hongoeka) where it achieves hydraulic neutrality, and that incorporates stormwater hydrology mitigation for increases in mean annual exceedance frequency of the 2-year Average Recurrence Interval flow and mean annual volume of stormwater runoff.*
- the standards and rules be amended to be consistent with this policy and achieve this objective.
- that the amended provisions of the C-WPR include specific attention to managing the hydrological regime so changes to base, average, annual flows potentially resulting from development (buildings, road and other hard surfacing) capable of adversely affecting downstream environments (including, but not limited to wetlands) are avoided.
- The C-WPR includes an appropriate definition of ‘maintaining hydrology regime.’

## 7.8 Subdivision

### 7.8.1 SUB-S8 – Esplanade Reserves

The subdivision standard relating to esplanade reserves uses the word ‘adjoins’. Therefore, it could be argued that the standard does not apply to situations where the river flows through, or the line of MHWS crosses through, the land being subdivided. ‘Adjoining’ is not the same as ‘transecting’.

I submit that SUB-S8 should be re-worded as follows:

***“An esplanade reserve at least 20m wide must be set aside in accordance with section 230 of the RMA from land being subdivided where the subdivision would result in one or more allotments less than 4ha in area, and where any part of the land adjoins or encompasses:***

- a. the line of MHWS; or***
- b. the bank of a river the average bed width of which is 3m or more.”***

### 7.8.2 SUB-R12 – Subdivision of Land with a SNA

Under rule SUB-R12 of the notified C-WPR subdivision of land containing a SNA would be categorised as a discretionary (restricted) activity, if each lot can accommodate a complying building platform.

However, the rule makes no reference to vegetation clearance within an SNA that needs to occur to provide access to the building platform.

I submit that rule SUB-R12 should be amended to read:

<p><b>All Zones</b></p>	<p><b>1. Activity status: Restricted discretionary</b>  <b>Where:</b>  <b>a A future building platform to contain a residential unit is identified for each new undeveloped lot that:</b>  <b>i. Complies with the underlying zone provisions; and</b>  <b>ii. Is located outside of the Significant Natural Area.</b>  <b>b <u>All access and utility services can be provided to all building sites on all lots without creating any non-compliance with the provisions of the plan relating to SNAs.</u></b></p>
	<p><b>2. Activity status: <u>Discretionary Non-complying</u></b>  <b>Where:</b>  <b>a Compliance is not achieved with SUB-R12-1.a <u>or SUB-R12-1.b.</u></b></p>

7.8.3 SUB-R12 – Subdivision of Land with a SNA

Under rule SUB-R12 of the notified C-WPR subdivision of land containing a SNA would be categorised as a discretionary (restricted) activity, if each lot can accommodate a complying building platform.

The matters for discretion are restricted to

- the matters in ECO-P2; and
- the matters in ECO-P4.

I submit that the matters for discretion under rule SUB-R12 must include provisions relating to:

- controls over the use and control of pest plants;
- controls over the keeping of pest and predatory exotic animals; and,
- mechanisms relating to monitoring, compliance, enforcement, penalty, prosecution provisions, etc.

## 8 Area Specific Matters

### 8.1 Open Space Zone

#### 8.1.1 *Development Controls*

The Open Space provisions do not limit the number of buildings – any number is possible so long as each is less than 50m<sup>2</sup> in area, and the combined coverage is no more than 5 percent (refer OSZ-S3).

**I submit that the building bulk conditions need amending particularly as objective OSC-02 refers to “a low level of development and built form with few structures to support passive and active community activities.” Standard OSZ-S3 must be amended so it limits the number of buildings on a site to one.**

**I am opposed to any provision of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of C-WPR facilitating the use of land in the OSZ for residential, commercial or accommodation purposes.**

#### 8.1.2 *Titahi Bay Beach and Parks*

The planning maps included with the notified version of C-WPR identify the land within the coastal margin along Titahi Bay Beach as being located within the OSZ. The land known as Arnold Park and Stuart Park is also proposed to be zoned Open Space.

**I support the identification of the Titahi Bay Beach, Stuart Park and Arnold Park as being within the OSZ.**

**I am opposed to any provision of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of C-WPR applicable to land in the OSZ not applying to Titahi Bay Beach, Arnold Park or Stuart Park.**

### 8.2 Residential Zone

#### 8.2.1 *Buildings and Structures - Existing Use Rights*

Under rule GRZ-R1 buildings and structures are permitted so long as compliance is achieved with the standards GRZ-S1 to GRZ-S7. Standard GRZ-S6 relates to outdoor space and sets minimum areas and dimensions etc. Under rule GRZ-R1 and standard GRZ-S6 no ‘credit’ is given for those existing residential developments where it is not possible to comply with GRZ-S6 so it’s conceivable that a resource consent would be required if only minor additions and alterations were proposed.

**I submit that the provisions of C-WPR need to be revised so credit for existing situations is specified, much as it currently is in the operative district plan.**

### 8.2.2 Residential Amenity

The plan needs provisions to manage vegetation in the residential area where it can affect amenity (eg: shading and views).

**I submit that the bulk and location standards (height, and also height in relation to distance from boundary) for buildings should also apply to vegetation.**

### 8.2.3 Fence Height

Permitted activity standards GRZ-S9 and MRZ-S10 specify that the maximum height of a fence shall be 1.2m where the site boundary adjoins a public reserve.

**I support these provisions of the C-WPR because activities on residential land adjoining open space land need to be controlled (eg: so they do not dominate the open space) and affect amenity of the open space (eg: shading and views).**

### 8.2.4 Height in Relation to Boundary

Permitted activity standards GRZ-S2 and MRZ-S2 specify the permitted height of buildings depending on their distance from the boundary. In both cases the restriction is determined from a line commencing 3m above the ground at the boundary.

However, activities on residential land adjoining open space land need to be controlled (eg: so they do not dominate the open space) and affect amenity of the open space (eg: shading and views).

**I therefore submit that these provisions of the C-WPR need to be amended so that the height control line begins 1.2m above the ground at the boundary where it is a common boundary between the residential land and land that is in the OSZ.**

### 8.2.5 Titahi Bay – Extent of MRZ

**I support parts of Titahi Bay being identified as being suitable for medium density development. I would not support the extent of the MRZ being any greater than is currently shown on the C-WPR maps.**

## 8.3 Future Urban Zone

### 8.3.1 Plimmerton Farm

The public notice for the C-WPR includes this statement: *“It applies to all properties in the City except for the area known as Plimmerton Farm that is the subject of Plan Change 18 to the Operative Porirua District Plan.”*

**I am opposed to any provision of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of C-WPR being applicable to subdivision, use and development of land within the Plimmerton Farm site (being Lot 2 DP 489799).**

8.3.2 State Highway One – Extent of FUZ

The C-WPR maps suggest that it is the Council’s intention that the eastern half of SH One north of Plimmerton should be zoned FUZ while the western half should be zoned Open Space (refer Figure 21).

On the face of it this seems incongruous, but I’ve not found any explanation for this split zoning in the C-WPR.

**I submit that the C-PWR should not be approved until the zoning for the SH One corridor north of Plimmerton is clarified and a suitable section 32 analysis determines that it is appropriate from a resource management perspective.**

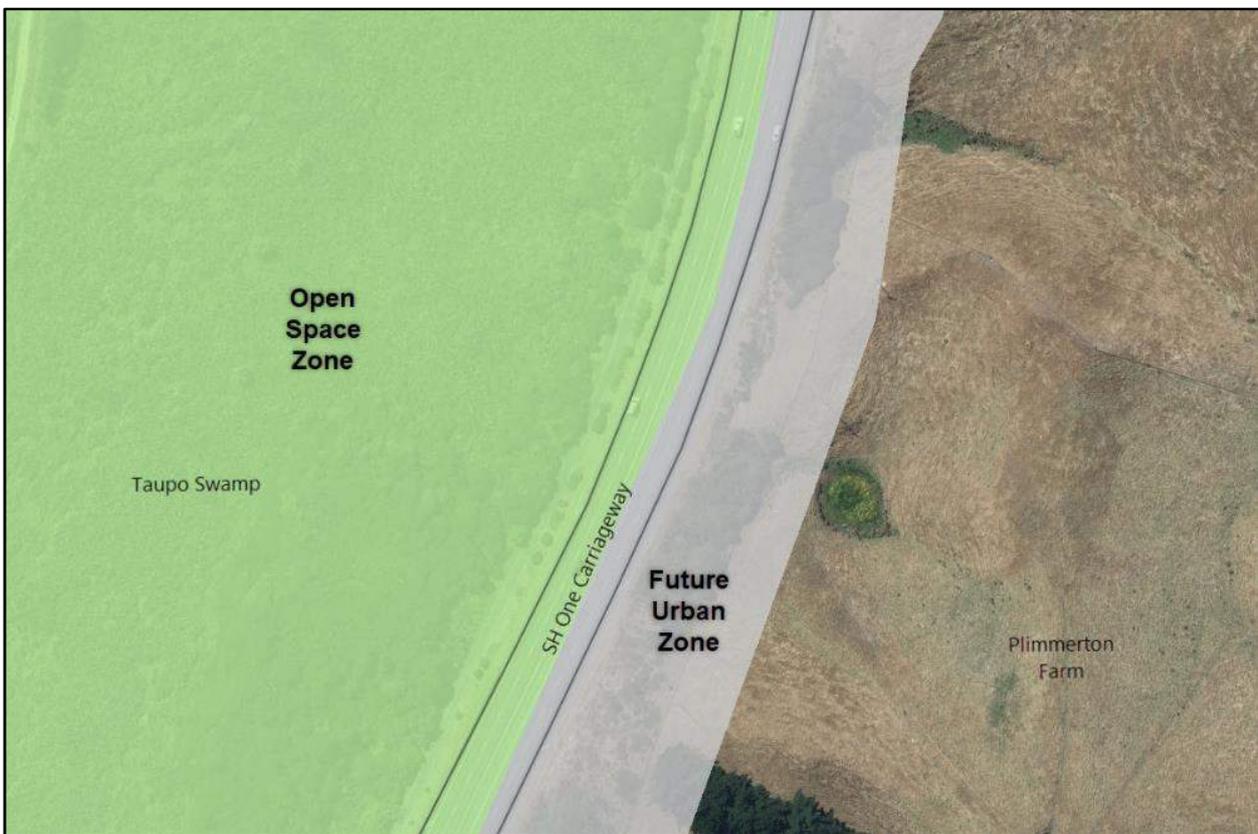


Figure 21: C-WPR Map Showing Zoning on SH One Corridor

## 9 Schedules

### 9.1 SCHE3 - Historic Heritage Items (Group B)

I support the identification of the Titahi Bay Boat Sheds as heritage items (HHB018).

### 9.2 SCHE5 - Notable Trees

I submit that the list of notable trees should not include any exotic species, or tree, that is not endemic to Porirua, unless they have significant historic or cultural value.

### 9.3 SCHE7 - Significant Natural Areas

#### 9.3.1 Titahi Bay Beach - SNA140

The planning maps included with the notified version of C-WPR identify SNA140 as generally comprising the coastal margin along Titahi Bay Beach.

I support the identification of Titahi Bay Beach as a SNA (SNA140).

#### 9.3.2 Stuart Park Wetland - SNA144

SNA 144 – Titahi Bay South Coastal Scarp includes part, but not all, of a wetland. The wetland is dominated by *Carex geminata* however there is also an extensive area of *Juncus caespiticius* (At Risk – declining). This was referred to in my previous submission on the draft C-WPR documents but for one reason or another not adopted by council staff.



Figure 22: Additional area (outlined in yellow) to be included in SNA144

I submit all this wetland must be included in SNA144.

9.3.3 *Whitireia Park Seral Forest – SNA135*

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.



Figure 23: SNA135 - *Whitireia Park Seral Forest*

#### 9.3.4 *Whitireia Beach – SNA137*

The GIS maps in C-WPR do not clearly identify SNA137. As can be seen from Figure 24 below the label for SNA137 seems misplaced. In addition, it appears SNA137 is contiguous with SNA139, Whitireia Peninsula Coastal Margin, so it is not clear where one ends and the other begins.



Figure 24: SNA137 - Whitireia Beach

### 9.4 SCHED9 - Outstanding Natural Features and Landscapes

#### 9.4.1 *Overview*

The C-WPR should make a clear differentiation between parts of the City that are Outstanding Natural Features (ONF) and the parts that are Outstanding Natural Landscapes (ONL). As there is currently one overlay it is not clear whether a site listed in Schedule SCHED9 is identified as an Outstanding Natural Feature, an Outstanding Natural Feature, or both. Indeed, the definition of a ONFL suggests that it is land that has: “*outstanding natural features **and** landscapes identified in SCHED9.*”

I submit that differentiation between an ONF and an ONL would be achieved if there were more meaningful definitions.

#### 9.4.2 *ONFL003*

All of the Whitireia Peninsula should be identified as an ONF and as an ONL.

The attributes described in the ‘Site Summary’ for site ONFL003 also apply to land not included in the boundaries on the online map.

**I submit that all land owned/administered by GWRC and Radio NZ /The Crown should be included within ONFL003.**

**I am opposed to any provision of the C-WPR by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the extent of ONFL003 being reduced.**

#### 9.5 SCHEM10 - Special Amenity Landscapes

##### 9.5.1 *General*

I support the concept of Special Amenity Landscapes (SAL) and also the areas generally as depicted online.

However, the District Plan needs to make it clear that land identified as a SAL cannot also be identified as an ONL, even though this is the implication. To differentiate between a SAL and an ONL a more meaningful definition would be useful.

I consider strict development controls need to apply to land within a SAL.

I consider development controls applicable to land that is adjacent to an area identified as a SAL need to acknowledge that development on other land is able to affect those landscapes values. For example, the district plan should include more onerous bulk and location requirements (ie: yard setbacks, height recession, and maximum height) applicable to land that is adjacent to a SAL.

##### 9.5.2 *SAL003 – Rukutane / Titahi Bay*

There is some land owned/administered by GWRC and Radio NZ /the Crown at Whitireia that has not been identified as either a SAL or an ONL. This is a significant oversight and needs to be corrected. Whitireia Peninsula has special amenity and outstanding landscape values. Whitireia Peninsula is also a significant part of the coastal environment and its protection is a matter of national importance.

#### 9.6 SCHEM11 - Coastal High Natural Character Areas

**I support the identification of the following coastal areas with High Natural Character**

- CHNC008 – Onehunga Duneland
- CHNC009 – Te Onepoto Wetland
- CHNC010 – Whitireia Bush
- CHNC011 – Kaitawa Escarpment
- CHNC012 – Rocky Bay
- CHNC013 – Stuart Park Forest
- CHNC014 – Rukutane Escarpment

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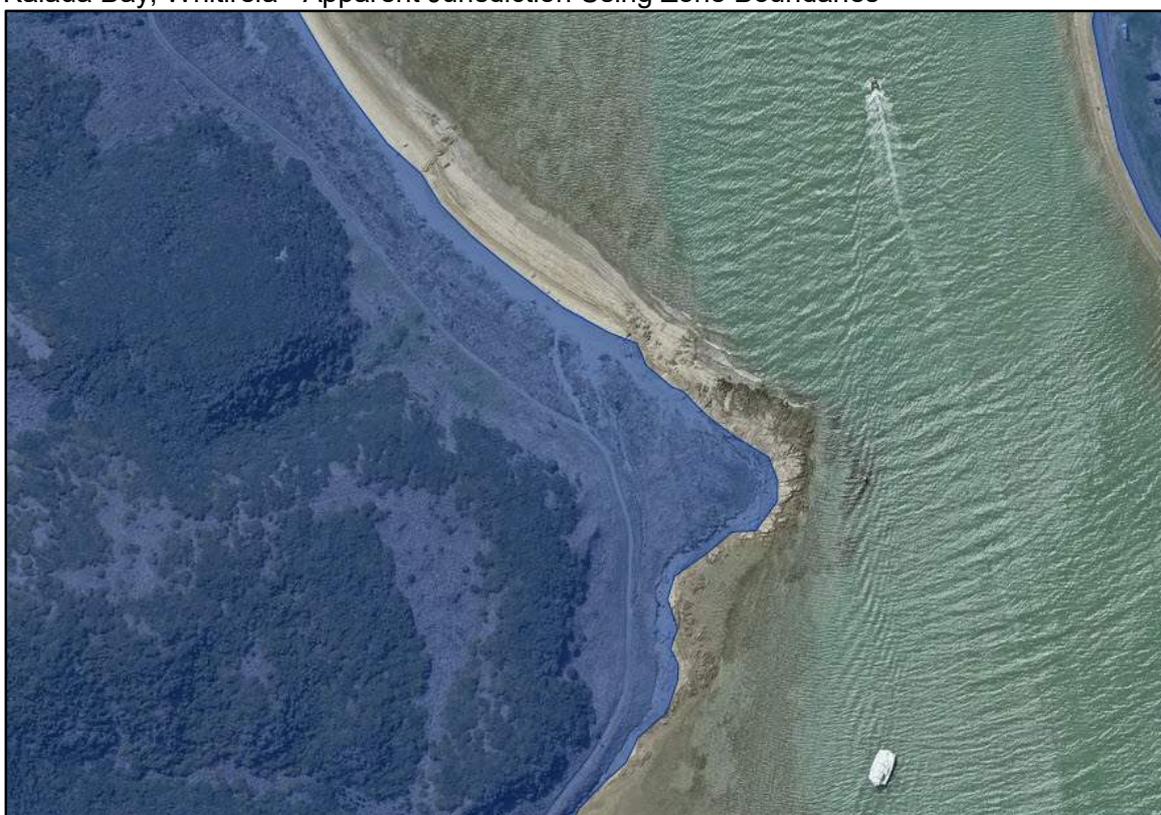
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ATTACHMENT A: Images Relating to MHWS and CMA Boundary



Kaiaua Bay, Whitireia - Apparent Jurisdiction Using Zone Boundaries



Kaiaua Bay, Whitireia – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



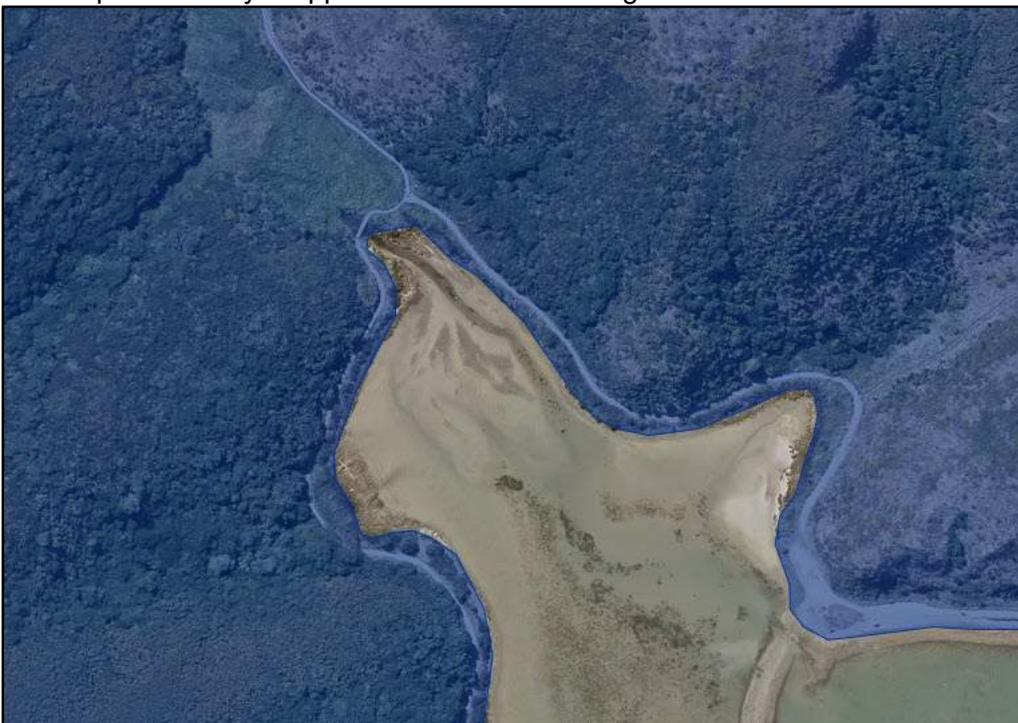
Between Kaiaua Bay and Te Onepoto Stream, Whitireia - Apparent Jurisdiction Using Zone Boundaries



Between Kaiaua Bay and Te Onepoto Stream, Whitireia - Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



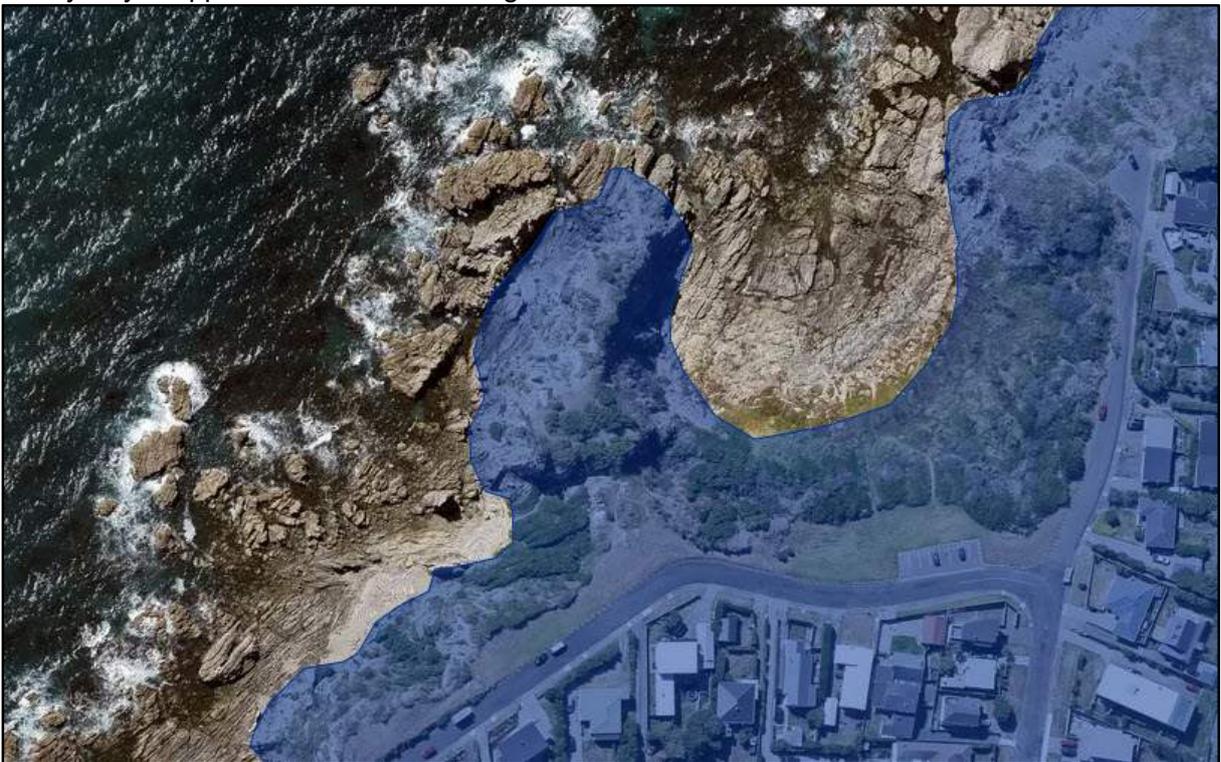
Te Onepoto Estuary – Apparent Jurisdiction Using Zone Boundaries



Te Onepoto Estuary – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



Rocky Bay – Apparent Jurisdiction Using Zone Boundaries



Rocky Bay – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



Northern Boatsheds, Titahi Bay – Apparent Jurisdiction Using Zone Boundaries



Northern Boatsheds, Titahi Bay – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



Horokiri Stream – Apparent Jurisdiction Using Zone Boundaries



Horokiri Stream – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon



Pauatahanui Saltmarsh – Apparent Jurisdiction Using Zone Boundaries



Pauatahanui Saltmarsh – Apparent CMA Boundary Using LINZ 'New Zealand Coastlines' Polygon