

OFFICER'S REPORT FOR: Independent Hearing Commissioners:
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SUBJECT: PLAN CHANGE 18 PLIMMERTON FARM

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1. Purpose of Report

1. This report is prepared to meet the requirements of section 42A of the Resource Management Act (**RMA**). The purpose of this report is to:
 - (a) provide the context and background to Proposed District Plan Change 18 (**PC18**);
 - (b) summarise the notification and submission process that has occurred for the plan change;
 - (c) provide an analysis of issues raised in submissions and further submissions received;
 - (d) provide recommended changes to the plan change in response to submissions.

1.1. Report Structure

2. This report includes the following sections:
 - Section 1 – A summary of the purpose of the report
 - Section 2 – Introductory statements
 - Section 3 – A summary of the background to PC18
 - Section 4 – Discussions on matters raised in submissions, including:
 - Whole plan change;
 - Ecosystems and Indigenous Biodiversity,
 - Stormwater management;
 - Earthworks;
 - Housing supply;
 - Urban design;
 - Landscape and Character;
 - Transport
 - Infrastructure;
 - Compliance and monitoring; and
 - Other matters.
3. Any recommended changes are presented, with associated section 32AA evaluation.
4. Attached as appendices to this report are:
 - Appendix 1 – All statements of expert evidence relied on in preparing the section 42A report.
 - Appendix 2 – Appendices
 - Appendix 3 – A copy of the changes to PC18 and, where relevant, parts of the ODP that will change.
 - Appendix 4 – A summary of decisions requested by submitters with references to the relevant s42A report discussion and recommendations.

5. Although this report is intended as a stand-alone document, a more in-depth understanding of PC18, including the process undertaken, related issues, and the submissions received can be gained from the plan change documents (including the Section 32 Evaluation) as publicly notified on 20 May 2020, the Summary of Decisions Requested in submissions, and the full set of submissions received.
6. The statutory policy framework is presented in the Section 32 evaluation.

2. Introductory Statements

Andrew Cumming

7. My full name is Andrew Brown Cumming.
8. I am self-employed as a planning consultant. I am currently contracted to provide district planning advice to Porirua City Council, including on PC18.
9. I hold the qualifications of Bachelor of Science (Zoology) from Massey University and Master of Science (Environmental Science and Zoology) (First Class Honours) from the University of Auckland.
10. I have worked in resource management and planning in both the public and private sectors for more than 25 years. My experience includes senior management and policy experience at district councils and policy experience at a regional council as well as 10 years of private resource management practice. My most recent role at a council was as District Plan Manager at Hutt City Council from 2015 until 2019.
11. I have been involved in a wide range of projects and tasks including preparing regional and district plans, reviewing district plan changes and policy documents, identifying implications for clients and preparing formal submissions, preparing applications for consent for a variety of subdivision and land use projects, and commissioning and reviewing specialist inputs (e.g. ecologists, surveyors, geotechnical engineers, traffic engineers, noise specialists, landscape architects and archaeologists).
12. I am a full member of the New Zealand Planning Institute.
13. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions.

I have not omitted material facts known to me that might alter or detract from my evidence.

Tom Anderson

14. My full name is Thomas William Anderson. I am currently contracted to provide district planning advice to Porirua City Council on PC18.
15. I am a Principal Planner and a Director at Incite, a resource management consulting firm. I hold a Bachelor of Science and a Master of Planning (with Distinction), both from the University of Otago.
16. I am a full member of the New Zealand Planning Institute and am a former Chair of the Wellington Branch Committee of that institute. I am also a member of the Resource Management Law Association.
17. I have twelve years' professional experience in town planning and resource management. I have been a consultant throughout my career, and through this role I have undertaken a broad range of town planning tasks including writing regional, land use and subdivision resource consent applications, processing such applications on behalf of Territorial Local Authorities (TLAs), assisting TLAs with planning policy matters, undertaking the full spectrum of planning for infrastructure companies, and providing advice to Central Government agencies.
18. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions. I have not omitted material facts known to me that might alter or detract from my evidence.

3. Overview

19. The purpose of PC18 is to provide for greater housing capacity and a wider range of residential development within Porirua City. The plan change seeks to enable additional residential growth in the Northern Growth Corridor that has been earmarked for urban development since at least 2009, and confirmed in both the Porirua Northern Growth Area Structure Plan (2014) and the Porirua Growth Strategy 2048 (2019).
20. PC18 seeks to rezone a 384ha parcel of land known as 'Plimmerton Farm' from its current Rural zoning to enable urban development.

21. Specifically, PC18 as notified amends the Operative Porirua City District Plan to introduce the Plimmerton Farm Zone including the Plimmerton Farm Precinct Plan (the Precinct Plan) that identifies four Precincts (named A to D).
- Precinct A provides for medium density residential development including a retirement village;
 - Precinct B provides for general residential development;
 - Precinct C provides for large lot residential and clusters of more intensive residential in secluded basins; and
 - Precinct D provides for a small commercial area with large and small format retail space with residential above.
22. Overall, PC18 as notified provides for:
- Additional housing capacity of approximately 2000 dwellings of various typologies (including a retirement village);
 - Water sensitive design to protect receiving waters;
 - Protection and restoration of Significant Natural Areas, Biodiversity Offsetting and Restoration Areas and a Special Amenity Landscape;
 - A small commercial area; and
 - Integrated transport and movement networks.
23. The Precinct Plan responds to a detailed assessment of constraints and opportunities as well as feedback received from Ngāti Toa Rangatira, stakeholders and the community. Key constraints and opportunities include a Special Amenity Landscape and Significant Natural Areas and wetlands that form part of the Taupō Swamp complex, which is recognised by the Greater Wellington Regional Council (**GWRC**) as having outstanding indigenous biodiversity values.
24. The PC18 provisions require future subdivision and land use activities to proceed in accordance with the Precinct Plan and give effect to the defined precincts (Precincts A-D), and also recognise identified key features. The Precinct Plan provides the framework for landowners or developers to prepare subdivision and development proposals that integrate development with environmental protection and enhancement.
25. PC18 has been initiated by Porirua City Council (Council). PC18 has been prepared in partnership with the landowner/developer, Plimmerton Developments Limited.
26. On 1 October 2019, Council applied to the Minister for the Environment to use a Streamlined Planning Process (SPP) for PC18. The Minister approved the application in April 2020 and set out his requirements for the process in “The Resource Management

(Direction to Porirua City Council to Enter the Streamlined Planning Process for a Proposed Change to the Porirua District Plan—Proposed Plimmerton Farm Plan Change) Notice 2020”, which was gazetted on 6 May 2020 (gazette.govt.nz/notice1878).

27. The Minister for the Environment’s expectations for PC18 are that it:
- *contributes to providing sufficient opportunities for the development of housing and business land to meet demand, and which will provide choices to meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;*
 - *provides for the protection of significant natural areas, significant natural features, sites of ecological value, and the maintenance of indigenous vegetation and indigenous biodiversity; and*
 - *ensures that future development will be undertaken in a manner that recognises the sensitive receiving and downstream environments, such as the Taupō Swamp, including minimising changes to the hydrological regime.*
28. The Proposed Plan Change introduces the following provisions that would apply to the Plimmerton Farm Zone only:
- Definitions;
 - Strategic Objectives;
 - Stormwater Management;
 - Transport;
 - Natural Hazards;
 - Ecosystems and Indigenous Biodiversity;
 - Earthworks;
 - Noise;
 - Subdivision;
 - Precinct A;
 - Precinct B;
 - Precinct C;
 - Precinct D.
29. The Plimmerton Farm Zone would also be subject to the following City-wide provisions of the Operative District Plan:
- A - Introduction;
 - B - Significant Resource Management Issues;
 - K - Designations;
 - L - Monitoring;

- NU - Network Utilities;
 - Z - Ngāti Toa Rangatira Claim Settlement.
30. PC18 makes consequential changes to several of the above existing chapters of the District Plan. The consequential changes are administrative changes or changes to ensure that appropriate provisions of the District Plan would apply to the Plimmerton Farm Zone.
31. The Housing and Business Assessment undertaken in fulfilment of the National Policy Statement Urban Development Capacity (2016) (subsequently replaced by the National Policy Statement Urban Development (2020)) has shown that Porirua has a shortfall in housing capacity in the medium and long term. PC18 is intended to make a significant contribution to correcting the housing shortfall.
32. The main reasons for this proposed plan change are:
- To provide a framework that enables development that implements the Council's *Urban Growth Strategy*;
 - To give effect to the National Policy Statement Urban Development;
 - To improve housing supply and housing choice;
 - To provide for a retirement village and a commercial area;
 - To protect and restore Significant Natural Areas and Biodiversity Offsetting and Restoration Areas; and
 - To require a comprehensive, integrated approach to development led by water sensitive design to protect sensitive receiving waters, including wetlands that form part of the Taupō Swamp Complex, Taupō Stream, Kakaho Stream and Te Awarua-O-Porirua Harbour.
33. This report recommends that PC18 as notified be confirmed, subject to the amendments recommended in this report and set out in the Section 32AA Evaluation.

3.1. Public Consultation Process

34. PC18 was publicly notified on 20 May 2020 for a period of 30 working days. Submissions closed on 2 July 2020. Public notices were placed in the Dominion Post, the Kapi-Mana News and on the Council's website.
35. Direct notification was carried out by post to the owners and occupiers of properties neighbouring the site (immediately neighbouring or separated by State Highway 1 / St Andrews Road) plus properties with access via Mo Street or James Street.

36. The Summary of Decisions Requested was publicly notified on 14 July 2018 in the Dominion Post and on the Council website. All submitters were directly notified.
37. The following statutory and iwi authorities were consulted during the preparation of PC18, in accordance with Schedule 1 of the RMA:
- Ministry for the Environment;
 - GWRC;
 - Hutt City Council;
 - Upper Hutt City Council;
 - Wellington City Council;
 - Kapiti Coast District Council;
 - Te Rūnanga o Toa Rangatira.
38. In addition to the above pre-notification, Council has an obligation to provide iwi authorities with a copy of PC18 prior to notification and must allow adequate time and opportunity for iwi authorities to consider the draft and provide advice. Council consulted with iwi authorities and had regard to the feedback received.
39. Notification of PC18 was also provided to the following Government agencies:
- Department of Conservation;
 - Waka Kotahi New Zealand Transport Agency;
 - Ministry of Education.
40. Courtesy notification of PC18 was also provided to:
- Queen Elizabeth II National Trust;
 - Friends of the Taupō Swamp;
 - Summerset Ltd;
 - Wellington Water Ltd;
 - Wellington Electricity Lines Ltd
 - Some 200 people who had attended consultation open days and registered their interest in being kept up to date.
41. The Summary of Decisions Requested was publicly notified on 14 July 2020. The further submission period closed 10 working days later on 28 July 2020.
42. A hearing before an independent panel is scheduled to begin on 12 October 2020.

3.2. Late Submissions

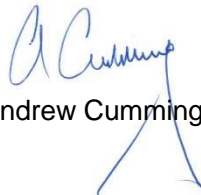
43. Four late submissions were received on PC18:
- Submission 132 Michael Ashby;
 - 133 Paul Botha;
 - 134 Director-General of Conservation; and
 - 135 Douglas Widdowson.
44. Under Section 37 of the RMA, the Hearing Panel has the power to decide whether or not to waive a failure to comply with a set timeframe. The Hearing Panel can decide to waive the failure to comply with a timeframe only after taking into account:
- the interests of any person who, in its opinion, may be directly affected by the waiver;
 - the interests of the community in achieving adequate assessment of the effects of the Plan change; and
 - its duty under Section 21 of the RMA to avoid unreasonable delay.
45. In considering whether to accept or reject the late submissions, the Hearing Panel may wish to take into account the following:
- The late submissions were received within one working day after the close of the submission period.
 - All late submissions were included in the notified Summary of Decisions Requested.
 - The plan change process has not been held up in any way by the late submissions.
46. I recommend that the failures to comply with the timeframe for making a submission can be waived as:
- No person would be directly affected by the waivers;
 - The waivers would not affect the assessment of the Plan change; and
 - The waivers would not result in any delay to the Plan change process.

4. Evaluation of Matters Raised in Submissions

47. The following sections of this report discuss the matters raised in submissions under the headings:
- Whole plan change;
 - Ecosystems and Indigenous Biodiversity,
 - Stormwater management;

- Earthworks;
- Housing supply;
- Urban design;
- Landscape and character;
- Transport
- Infrastructure;
- Compliance and monitoring; and
- Other Matters.

48. In each section, the matters raised are grouped (where possible) as *Matters in Agreement* or *Matters in Disagreement*. Each matter is discussed with reference to submissions and to the statements of evidence provided by Council's experts. Each section concludes with recommended changes to provisions and an evaluation of the changes in accordance with s32AA. Where changes to PC18 provisions are recommended, additional text is shown as underlined while text to be removed is shown as being ~~struck through~~.
49. Appendix 3 of this report presents the Summary of Decisions Requested updated to include further submissions and an additional column stating where the matter raised has been addressed in the s42A report.



Andrew Cumming



Tom Anderson

21st August 2020

Whole Plan Change

50. The following submissions raised matters in respect of the whole plan change.

<ul style="list-style-type: none"> • Geoff Mowday (3) • Carolyn Parris (4) • Joel de Boer (5) • David Weinstein (7) • Liz Slessor (8) • Kiwirail (9) • Dale Shirtliff (10) • Whitby Residents Association (11) • Barney Knox (12) • MarketTowns Ltd (13) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, John Cody F13, Forest and Bird F14) • Paul Callister (16) • Aimee Porteners (17) • Michael Porteners (18) • Tom Georgeson (19) • Deborah Mair (20) • Yvonne Fletcher (21) • Lucy Booth (22) • Maddison Booth (23) • Urban Pirates Limited (24) • Anne Cawthorn (25) • Rebecca Isaac (26) • Julie Adams (27) • Celia McAlpine (28) • Theorem Analytics (29) 	<ul style="list-style-type: none"> • George Sederis (41) • Susie Hubbard (42) • Mary Tremain (43) • Karla Beamsley (44) • John Cody (45) (John Cody F13) • Matthew Xuereb (46) • David Barker (48) • Greater Wellington Regional Council (49) (Robyn Smith F4, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) • Geraldine Dornbusch (50) • Martin Gregory (51) • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1) • Marcia Ashdown (53) • Regional Public Health (54) • Denise Lesslie (55) • Wellington Botanical Society (57) • Catherine Gibb (59) • National Wetland Trust of NZ (60) (Queen Elizabeth the Second National Trust F12) • Gerardo Labbe (62) • Kate Jensen (63) 	<ul style="list-style-type: none"> • St Theresa's Parish Plimmerton (73) • Residents of 2 – 20, James Street Plimmerton (74) • Sandra Werner (75) • Sara McClean (76) • Nigel Smith (77) • Luke Baron (80) • The Gray Family (83) • The Neil Group Ltd (84) • Charlotte Cudby (88) • Bill McAulay (89) • Ministry of Education (91) (Plimmerton School Board of Trustees F6) • Generation Zero (96) • Colin and Margaret Bleasdale (97) • Dr Andrew Lensen (98) • Natasha Smith (100) • Liam Daly (101) • Sharon Vanesse Matich (102) • Isabella Cawthorn (103) • May Bass (106) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird 	<ul style="list-style-type: none"> • Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) • Tiaki and Amanda Pritchard (118) (Helen and Ian Gear F2) • Miriam Freeman-Plume (119) • Glenn Pitcaithly (120) • Mandy Hewett and Richard Leeke (121) • Waka Kotahi NZ Transport Agency (122) • Robyn Moore (123) • Forest and Bird Youth (124) • Martin Cawthorn (126) • Our Climate Declaration (127) • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11,
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<ul style="list-style-type: none"> • Susan Xuereb (30) • Robyn Hall (31) • Suzy Pinguet (32) • Penelope Welsh (33) • Craig Welsh (35) • Julie Williams (36) • Allanah Andrews (37) • Courtney Dodunski (38) • Laura Lesslie (39) • Leona Smith (40) 	<ul style="list-style-type: none"> • Stephen Lord (64) • Amos Mann (65) • Deborah Lynch (67) • Jane Shaw (68) • Fin Georgeson (69) • Guy Marriage (70) • Neil Aitken (71) • The Archdiocese of Wellington and St Theresa's School Plimmerton (72) 	<p>F14)</p> <ul style="list-style-type: none"> • Otari-Wilton's Bush Trust (108) • Pukerua Bay Residents Association (111) • Sue Boyde (112) • Welhom Developments Ltd (113) • Forest and Bird Kapiti Mana Branch (114) • Frances Cawthorn (115) 	<p>John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16)</p> <ul style="list-style-type: none"> • Lynette Shum (129) • Anna Barker (130) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Douglas Widdowson (135) • Tracey Waters (138)
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51. The submissions express a range of views on matters that concern the whole plan change. The matters are:

- (a) Overall support or opposition
- (b) Strategic Objectives
- (c) Alignment with higher order planning documents

52. I discuss the matters under separate headings below, highlighting the views of some submitters.

Overall Support or Opposition

53. This section records two overall positions stated in submissions, i.e. that PC18 is supported (subject to best practice) or should be declined due to adverse ecological effects.

54. The opposition to PC18 centres on effects on ecological values, both on-site and off-site, particularly on the receiving waters including Taupō Swamp and is expressed by a number of submissions including David Weinstein (7), Dale Shirtliff (10), Paul Callister (16), Deborah Mair (20), Yvonne Fletcher (21), Lucy Booth (22), Maddison Booth (23), Anne Cawthorn (25), Susan Xuereb (30), Suzy Pinguet (32), Penelope Welsh (33), Craig Welsh (35), Allanah Andrews (37), Courtney Dodunski (38), Mary Tremain (43), Karla Beamsley (44), David Barker (48), Marcia Ashdown (53), Deborah Lynch (67), Colin and Margaret Bleasdale (97), Sharon Vanesse Matich

(102), May Bass (106), Forest and Bird Kapiti Mana Branch (114), Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12), Mandy Hewett and Richard Leeke (121), Robyn Moore (123), Forest and Bird Youth (124), Lynette Shum (129), and Tracey Waters (138).

55. Supporting statements are made by submitters including Geoff Mowday (3), Kiwirail (9), Whitby Residents Association (11), Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, John Cody F13, Forest and Bird F14), Greater Wellington Regional Council (49), Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1), Regional Public Health (54), Pukerua Bay Residents Association (111), Waka Kotahi NZ Transport Agency (122), Martin Cawthorn (126). These submissions recognise the need for housing and support PC18's enabling of housing development as long as development does not adversely affect ecological values on the site and in receiving waters.

56. In the words of Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11):

[We] understand the need for future housing development within the Porirua region given its rapidly expanding population. However, it is inevitable that large-scale greenfield development, and a substantial population increase will impact on our current environment. Overall, Te Rūnanga considers that any adverse cultural effects resulting from the Plimmerton Farm development can be mitigated through ... best practice, high-quality development. Plimmerton Farm provides an opportunity to set the bar, nationwide.

57. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1) particularly support the purposes set out in the introduction to the zone to:

- Provide for high quality open space in a way that incorporates and protects significant natural features within the site (Purpose 3); and
- Incorporate freshwater management measures that provide for the recommendations included in the Te Awarua-o-Porirua Whaitua Implementation Programme (WIP) where they fall within the jurisdiction of Porirua City Council (Purpose 4).

58. I support the view that PC18 is necessary and should proceed, subject to best practice, as set out in the amendments in this report.

Strategic Objectives

59. Submissions state a range of views on the appropriateness and effectiveness of the strategic objectives. For example, GWRC (49) strongly supports the strategic objectives but questions how they will be implemented. National Wetland Trust of NZ (60) ([Queen Elizabeth the Second National Trust F12](#)) supports the high level objectives of Plan Change 18 and recommends these are bolstered by “wetland-specific policies and objectives. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) ([Welhom Developments Ltd F1](#)) supports Strategic Objective 3 (protection of receiving waters) in particular, but again, questions implementation. Friends of Taupō Swamp and Catchment Inc (79) ‘applaud’ Strategic Objective 3. Charlotte Cudby (88) strongly supports the strategic objectives.
60. Other submissions (Robyn Smith (107), Queen Elizabeth the Second National Trust (128) ([Porirua Harbour and Catchment Community Trust F16](#))) seek specific changes to the strategic objectives that in their view would better align with higher order planning documents or require development to be within environmental constraints. I accept the point about environmental constraints and recommend the specific wording set out below. The alignment of PC18 with higher order planning documents is addressed below.
61. Waka Kotahi NZ Transport Agency (122) seeks that a safe and connected transport network is acknowledged in Strategic Objective 1. I do not consider this necessary, as it is provided for in the transport chapter. Similarly, Wellington Electricity Lines Ltd (110) ([Greater Wellington Regional Council F8](#)) seek that infrastructure is included in Strategic Objective 1. Again I do not consider this necessary as the provision of infrastructure is sufficiently provided for elsewhere in PC18.
62. Turning to implementation, the strategic objectives have influenced the form of all other provisions and need to be considered alongside other provisions in the consideration of resource consents.

Higher Order Documents

63. Greater Wellington Regional Council (49) (Robyn Smith F4, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) supports the Plan Change, noting its consistency with:
- the Regional Policy Statement (RPS).
 - The National Policy Statement for Urban Development Capacity 2016 (NPS-UDC)
 - The National Policy Statement for Freshwater Management 2014 (amended 2017)
 - The Regional Policy Statement for the Wellington region 2010 (RPS)
 - The Proposed Natural Resources Plan (PNRP).
64. Other submitters, including Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) consider that PC18 is not in accordance with Council's functions and obligations under the RMA and is inconsistent with several higher order documents: NPSFM, NZCPS, pNPSIB, Wellington RPS and pNRP. Similar sentiment is raised by Robyn Smith (107) and Queen Elizabeth the Second National Trust (128) (Porirua Harbour and Catchment Community Trust F16)).
65. At the PCC level, Karla Beamsley (44) (Forest and Bird F14), Tiaki and Amanda Pritchard (118) (Helen and Ian Gear F2)), Jane Shaw (68), consider that PC18 diverges from growth documents, including the Northern Growth Structure Plan 2014 and Porirua Growth Strategy 2048.
66. The Section 32 Report sets out the statutory and non-statutory frameworks. I have reconsidered this in response to submissions and am satisfied that PC18 responds appropriately to higher order documents. Where there have been specific changes to the statutory framework since the Section 32 was published (i.e. NPSUD, NPSFM and NESFW), this report considers and responds to the new requirements.

Recommended Changes and Section 32AA Evaluation

Recommended Change

67. Amend strategic objectives as follows:

PFZ-O1	Integrated Development
Development of Plimmerton Farm occurs in a comprehensive, structured and integrated way to increase housing supply, housing diversity and employment opportunities within the environmental constraints of the site , resulting in: <ol style="list-style-type: none"> 1. Implementation of the Plimmerton Farm Precinct Plan; 2. A range of housing densities and typologies; 3. Compatible non-residential activities; and 4. High levels of amenity. 	
PFZ-O2	Landscapes and Ecosystems Indigenous Biodiversity
Landscapes and ecosystems indigenous biodiversity within the site are identified on the Planning Maps and managed through objectives, policies and rules.	
PFZ-O3	Water Quality
Subdivision, use and development in Plimmerton Farm contribute to the maintenance and restoration of high water quality of receiving waters including Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-o-Porirua.	

Reason

68. This is in response to submissions that sought changes to the wording of the strategic objectives. The changes are an appropriate response to the context of PC18 and the important characteristics of the receiving environment.

How this Change Achieves the Purpose of the RMA

69. The amended wording better implements Part 2 of the RMA, the RPS and the intent of PC18's strategic objectives. This is in addition to the strong policy directive through the NPSUD concerning housing capacity while also recognising the NPSFM as it applies to the overall site.

Benefits including Opportunities for Economic Growth and Employment

70. This more explicitly contributes to the desired outcomes, which is to enable urban land use within the environmental constraints of the site. The benefits of the amendments primarily concern providing clarity at Strategic Objective level.

Costs

71. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

72. There are no risks around uncertain or insufficient information in relation to this matter have been identified. The amendments provide clarity and consistency with higher order documents.

Efficiency and Effectiveness

73. The efficiency of the recommended change is high because the benefits outweigh the costs. Clear provision assist plan users.
74. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

75. Another reasonably practicable option is to retain the wording as proposed. This has the disadvantage of being less clear.

Ecosystems and Indigenous Biodiversity

76. The following submissions raise matters I have identified as relevant to ecosystems and indigenous biodiversity.

<ul style="list-style-type: none"> • Forest and Bird Kapiti-Mana Branch (1) (Director-General of Conservation F11) • Geoff Mowday (3) • Joel de Boer (5) (Director-General of Conservation F11) • David Weinstein (7) • Liz Slessor (8) • Dale Shirtliff (10) • Whitby Residents Association (11) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Paul Callister (16) • Aimee Porteners (17) • Michael Porteners (18) • Tom Georgeson (19) • Deborah Mair (20) • Yvonne Fletcher (21) • Lucy Booth (22) • Maddison Booth (23) • Anne Cawthorn (25) • Theorem Analytics (29) (Director-General of Conservation F11) • Susan Xuereb (30) • Suzy Pinguet (32) 	<ul style="list-style-type: none"> • Greater Wellington Regional Council (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Martin Gregory (51) • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1, Director-General of Conservation F11) • Marcia Ashdown (53) • Regional Public Health (54) • Wellington Botanical Society (57) • Paul and Elaina Weinstein (57) • Catherine Gibb (59) • National Wetland Trust of NZ (60) (Robyn Smith F4, Greater Wellington Regional Council F8, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) 	<ul style="list-style-type: none"> • Friends of Taupo Swamp and Catchment Inc (79) (Neil Aitken F3, Queen Elizabeth the Second National Trust F12) • Sally Odams (86) • Heather Evans (87) • Bill McAulay (89) • Pene Burton Bell (90) • Paremata Residents Association (93) • Generation Zero (96) • Colin and Margaret Bleasdale (97) • Dr Andrew Lensen (98) • John McKoy (99) • Liam Daly (101) • Sharon Vanesse Matich (102) • Diane Richardson (104) • Rebekah Burgess (105) • May Bass (106) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Otari-Wilton's Bush Trust (108) 	<ul style="list-style-type: none"> • Tiaki and Amanda Pritchard (118) (Helen and Ian Gear F2) • Mandy Hewett and Richard Leeke (121) • Robyn Moore (123) • Forest and Bird Youth (124) • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) • Lynette Shum (129) • Anna Barker (130) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Michael Ashby (132) • Paul Botha (133) • Director-General of Conservation (134) (Greater Wellington Regional Council F8, Queen Elizabeth the
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<ul style="list-style-type: none"> • Penelope Welsh (33) • Craig Welsh (35) • Julie Williams (36) • Allanah Andrews (37) • Courtney Dodunski (38) • Leona Smith (40) • Mary Tremain (43) • Karla Beamsley (44) • Paul FitzGerald (47) • David Barker (48) 	<ul style="list-style-type: none"> • Plimmerton Residents' Association Inc (61) • Kate Jensen (63) • Stephen Lord (64) • Amos Mann (65) • Moira Lawler and Pat Hanley (66) • Deborah Lynch (67) • Jane Shaw (68) • Guy Marriage (70) • Sandra Werner (75) • Sara McClean (76) 	<ul style="list-style-type: none"> • Nick Vincent (109) • Pukerua Bay Residents Association (111) • Sue Boyde (112) • Forest and Bird Kapiti Mana Branch (114) • Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) 	<ul style="list-style-type: none"> • Second National Trust F12) • Doug Widdowson (135) • Wallace Webber and Helen Webber (136) • Elise Bailey (137) • Tracey Waters (138)
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77. In my opinion the principal matters of agreement and disagreement in respect of ecosystems and indigenous biodiversity for PC18 and submissions are the following.

Matters of Agreement

- (a) Taupō Swamp is an outstanding natural wetland;
- (b) The plan provisions to manage Significant Natural Areas (SNAs) and BORAs need to comprise best practice;
- (c) Ongoing management of protected areas is required;
- (d) Lone tōtara protection is required;
- (e) Plantation forestry.

Matters of Disagreement

- (f) The identification and protection of SNAs and wetlands;
- (g) Providing for development of the area identified as Precinct D;
- (h) Providing for development affecting SNAs and BORAs;
- (i) Other lone tree protection;
- (j) Development of Land Management Plans;
- (k) Biodiversity Offsetting and Restorations Areas (BORA) nomenclature.

78. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on Paul Blaschke's statement of evidence (Ecology) dated 21 August 2020, Nick Goldwater's statement of evidence (SNAs) dated 21 August 2020, and Brett Osborne's statement of evidence (Ecology and Biodiversity provisions) dated 21 August 2020 which I accept in full, except where stated otherwise.
79. I then set out my recommended changes to the plan change together with a s32AA evaluation.

Matters of Agreement

Taupō Swamp is an outstanding natural wetland

80. Many submissions speak of the ecological values of Taupo Swamp and the need to protect them. In the words of Forest and Bird (117) ([Welhom Developments Ltd F1](#), [Robyn Smith F4](#), [Friends of Taupō Swamp and Catchment Inc F9](#), [Queen Elizabeth the Second National Trust F12](#)):

Taupō Swamp Complex is identified as a wetland with outstanding indigenous biodiversity values in the proposed Natural Resources Plan for Wellington. It is considered to be a nationally representative example of a topogenous lowland freshwater mire (peat forming wetland), a wetland type that is uncommon in the Wellington region. Perhaps most critically, Taupō Swamp Complex is one of 73 wetlands identified as being of international importance based on the criteria of Article 2 of the Ramsar Convention. The Taupō Swamp Complex is of such ecological significance that it has been identified as a Key Native Ecosystem (KNE) and is managed as part of Greater Wellington's Biodiversity Strategy to protect and restore areas of high biodiversity value.

81. Dr Blaschke's evidence acknowledges and accepts the ecological importance of Taupō Swamp. Similarly, Dr Blaschke notes the importance of the other receiving waters: Taupō Stream, Kakaho Stream and Te Awarua-O-Porirua Harbour. Dr Blaschke notes his collaboration with the plan change's other experts, including landscape, earthworks and stormwater management, to require provisions to protect receiving waters within and beyond the site, including Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-O-Porirua Harbour. A key part of the approach includes the retirement, protection and ongoing management of BORAs and SNAs, which together mean 33% of the site (128 ha) will be subject to indigenous biodiversity management under the District Plan.

82. I endorse the multi-disciplinary approach taken and fully support that the plan change provisions must protect receiving waters to the extent possible in a district plan.

The plan provisions to manage SNAs and BORAs need to comprise best practice

83. Several submissions (e.g. GWRC (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14), Otari-Wilton's Bush Trust (108), Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12), Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15), Director-General of Conservation (134) (Greater Wellington Regional Council F8, Queen Elizabeth the Second National Trust F12)) pointed out that the plan provisions for SNA and BORA management do not reflect the latest industry thinking on matters such as the wording of the effects-management hierarchy and the precise nature of offsetting and compensation.
84. PCC engaged Brett Osborne of Urban Edge Planning, who has led the development of Ecosystems and Indigenous Biodiversity provisions for the review of the City-wide district plan, to review the PC18 provisions (which were based on earlier iterations of his City-wide work) and relevant submissions and recommend changes to bring PC18 up to date with current best practice. Mr Osborne's statement of evidence discusses his assessment. His recommendations, which I support, include specific wording changes and the inclusion of principles for offsetting and compensation, and are given effect to in the revised set of Ecosystems and Indigenous Biodiversity provisions presented later in this section.
85. The amended provisions also address the submissions (e.g. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15)) that seek that restoration planting uses only ecosourced, local indigenous plants.

Ongoing management of protected areas

86. Many of the submissions (e.g. Friends of Taupo Swamp & Catchment Inc (79)) raise concerns about the ongoing care and responsibility for the site's protected areas.

Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12) suggests all protected areas should be vested as reserve.

87. Submissions also raise concerns about increased numbers of pest animals and plants coming onto the site including as pets and garden escapes. Several submissions list cats in particular but mustelids, goats, rabbits, rodents, possums and hedgehogs are also mentioned (Joel de Boer (5), Theorem Analytics (29), Robyn Moore (123), Sandra Werner (75), Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14)).
88. Several submissions also call for all new planting to be only ecosourced, locally appropriate indigenous plants (Joel de Boer (5), Theorem Analytics (29). Sally Odams (86) and Heather Evans (87) suggest such planting for “Any properties adjacent to areas of remnant vegetation”. Kate Jensen (63) would allow exemptions for one grass playing field and for community gardens.
89. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) would expect to see:
- an integrated pest management plan to be adopted and implemented permanently across the site. This would not only contribute to the protection of the significant ecological values, it would also contribute to New Zealand’s goal to be predator free by 2050. This would need legal arrangements around it to ensure it continued in perpetuity.
90. Another aspect of protected area management raised in submissions is customary harvest (Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11)):
- Customary harvest is important for Ngāti Toa in order to maintain our culture, and the traditional knowledge associated with the use of natural resources for cultural purposes. Access to natural resources, such as the wetlands in Plimmerton Farm, is key to the cultural survival of Ngāti Toa in terms of cultural practices associated with natural resources.
91. While PCC may accept some areas for vesting as reserves, other areas will remain in private ownership. The Land Management Plans required when subdivision affects

an SNA or BORA must (under SUB_{PFZ}-P5) include details of all the matters raised in submissions through the following:

- a. *Vegetation establishment, maintenance and harvesting;*
- b. *The relationship between indigenous and introduced species present;*
- c. *Provision for cultural harvesting;*
- d. *Weed and animal pest control;*
- e. *Animal habitats;*
- f. *The relationship of SNAs and BORAs across Plimmerton Farm including buffering areas and potential ecological corridors;*
- g. *The potential to contribute to sediment control and the maintenance of water quality;*
- h. *Fencing to exclude stock;*
- i. *Sources of plants;*
- j. *Any public access and tracks;*
- k. *Mechanisms for ongoing legal protection and active management.*

92. Dr Blaschke's evidence considers the matter and recommends ongoing pest management is addressed through resource consent processes. Specifically, he notes the Land Management Plans referred to above require pest control. He also notes pest management programmes often attract widespread landowner and community support and improve ecological outcomes.
93. I agree with Dr Blaschke that there would be merit in a Plimmerton Farm-specific land covenant that is attached to the Records of Title of properties containing any part of an SNA or BORA and would bind property owners to implement their Land Management Plan. A pathway for this is identified in SUB_{PFZ}-P5-k.
94. In my view there is a useful opportunity to set up an ongoing programme of protected area restoration, management and monitoring involving property owners, Ngāti Toa and community groups.

Lone Tōtara Protection

95. Forest and Bird Kapiti-Mana Branch (1) ([Director-General of Conservation F11](#)), Pene Burton Bell (90) and Forest and Bird (117) ([Welhom Developments Ltd F1](#), [Robyn Smith F4](#), [Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#)) seek the protection of a lone tōtara. Dr Blaschke notes the tree is ecologically important and recommends its protection. I accept his recommendation and set out recommended amendments below.

Plantation forestry

Forest and Bird (117) (Welhom Developments Ltd F1 – disallow, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) state that plantation forestry should be avoided over the whole site as it increases the risk of pests. I agree. Plantation forestry specifically, or rural activities generally, are non-complying activities in Precincts A, B and C. Therefore, no changes are necessary.

Matters of DisagreementThe identification and protection of SNAs and wetlands

96. Several submissions (e.g. National Wetland Trust of NZ (60) (Robyn Smith F4, Greater Wellington Regional Council F8, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12), Friends of Taupo Swamp and Catchment Inc (79) (Neil Aitken F3, Queen Elizabeth the Second National Trust F12), Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14), Queen Elizabeth the Second National Trust (128)) state that the site contains a number of wetlands, including the part of the site proposed as Precinct D, that should be defined and protected as Significant Natural Areas.
97. There are broadly two themes of concern in the submissions:
- (d) That the identification of SNAs was deficient; and
 - (e) That the proposed Natural Resources Plan (decisions version) that post-dates the identification of SNAs means that all natural wetlands are deemed to be significant under the criteria of Policy 23 of the RPS and therefore all significant natural wetlands must be SNAs. The definition is:

Natural Wetland (pNRP decisions version)

Is a permanently or intermittently wet area, shallow water and land water margin that supports a natural ecosystem of plants and animals that are adapted to wet conditions, including in the beds of lakes and rivers, the coastal marine area (e.g. saltmarsh), and groundwater-fed wetlands (e.g. springs). Natural wetlands do not include:

- (a) damp gully heads, or wetted pasture, or pasture with patches of rushes, or
- (b) areas of wetland habitat *that have established* in or around bodies of water specifically designed, installed and maintained for any of the following purposes:
 - (i) water storage ponds for
 - a) public water supply, or
 - b) hydroelectric power generation, or
 - c) firefighting or

- d) irrigation, or
- e) stock watering or
- (ii) water treatment ponds for
 - a) wastewater, or
 - b) stormwater, or
 - c) nutrient attenuation, or
 - d) sediment control, or
 - e) animal effluent, or
- (iii) beautification, landscaping, amenity, or
- (iv) drainage.

*See also significant natural wetland and outstanding natural wetland
'Wetland' has the same meaning as in the RMA.*

Note that, because of the rarity of wetlands in the Wellington Region, all natural wetlands will meet the representativeness and rarity criteria listed in Policy 23 of the Regional Policy Statement 2013 and therefore meet the definition of significant natural wetland.

98. In respect of the first line of the argument, many submissions wrongly assert that Dr Blaschke determined the extent of the SNAs. Dr Blaschke's evidence sets out the limits of his involvement in SNA identification. Mr Goldwater's evidence discusses that the SNA identification and assessment of Plimmerton Farm was part of a Porirua-wide project undertaken by Wildlands Ltd as an input to the full review of the Porirua District Plan. The identification of SNAs was carried out in accordance with the criteria of Policy 23 of the RPS. I note that Wildlands has, using the same methodology, undertaken SNA identification for several councils in the Wellington Region including Upper Hutt, Hutt City, Wellington and Kapiti. PC18 adopted the SNAs identified for the site through that process, without alteration.
99. In light of the submissions, PCC asked Wildlands to review the identification and extent of the site's SNAs and respond to relevant submissions. Mr Goldwater's evidence sets out that review and his findings in full and includes a map with recommended SNA boundary adjustments. I note and accept his additions to existing terrestrial SNAs as indicated in yellow on Mr Goldwater's map titled "Proposed revisions to the existing SNAs at Plimmerton Farm Porirua".
100. I have considered the submission points that state that all natural wetlands are deemed to be significant under the criteria of Policy 23 of the RPS and therefore all significant natural wetlands must be SNAs. The National Policy Statement Freshwater Management 2020 (NPSFM) and National Environmental Standards Freshwater 2020 (NESFW), which are gazetted to become operative on 3 September 2020, have formed part of this consideration.

101. I accept that the Proposed Natural Resources Plan (pNRP) (decisions version) states that all natural wetlands will be regarded as significant natural wetlands. I note that that particular decision is under appeal¹ and am advised by counsel that it therefore does not currently have legal effect.
102. Regardless of the current legal status of that aspect of the pNRP (decisions version), my view is that the matter is clarified in the Regional Policy Statement and settled in the NPSFM and NESFW.

Responsibility for wetlands and analysis of planning documents

The RPS sets out the roles, functions and jurisdiction of GWRC and city and district councils in the context of the Act.

103. Section 30 of the Act sets out the functions of regional councils, including:

1(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region

*1(c) the control of the use of land for the purpose of—
(iia) the maintenance and enhancement of ecosystems in water bodies and coastal water.*

1(ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity.

104. The water bodies². referred to in s30(1)(c) are defined in section 2 of the Act to include wetlands.

105. Section 31 of the Act sets out the functions of territorial authorities, including:

1(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district

*1(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
(iii) the maintenance of indigenous biological diversity.*

¹ Land Matters, Federated Farmers of NZ and DTS Riddiford <https://pnrp.gw.govt.nz/home/appeals-proposed-natural-resources-plan/appeal-notices/>

² **Water body** means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area

106. Section 62(1)(i)(iii) of the RMA requires a regional policy statement to state the local authority responsible, in the whole or any part of the region, for specifying the objectives, policies and methods for the control of the use of land to maintain indigenous biodiversity.
107. Since regional councils and territorial authorities both have responsibilities in respect of maintaining indigenous biodiversity, the RPS, as part of achieving GWRC's integrated management function, sets out the roles, functions and jurisdiction of GWRC and city and district councils in respect of wetlands.
108. The RPS does this in both Policy 61 and Policy 23. In Policy 61 GWRC states that it:
- shall be responsible for developing objectives, policies and rules in regional plans for the control of the use of land to maintain and enhance ecosystems in water bodies...This includes ... **wetlands**...* (emphasis added).
109. The explanation below Policy 61 states that:
- Wellington Regional Council has the primary responsibility for the control of the use of land to maintain and enhance indigenous ecosystems in water bodies (including **wetlands**...* (emphasis added)
110. Policy 23 sets out criteria for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values for both district and regional plans. The explanation below Policy 23 states that:
- Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the coastal marine area, **wetlands** and the beds of lakes and rivers* (emphasis added).
- District plans will identify indigenous ecosystems and habitats with significant biodiversity values for all land, except the coastal marine area and the beds of lakes and rivers.*
111. The GWRC publication "Identifying and protecting significant indigenous biodiversity in the Wellington region: A guide to interpreting criteria in the Regional Policy Statement" (GWRC 2016 <http://www.gwrc.govt.nz/assets/council-publications/Identifying-and-protecting-significant-indigenous-biodiversity-in-the-We....pdf>) includes the following under the heading "2.2 Who identifies significant biodiversity in the Wellington region?" (p4):

Under the RPS, the identification of significant values is allocated between Wellington Regional Council and the region's nine territorial authorities. Councils are required to identify significant biodiversity through their regional and district plans. Responsibilities are allocated as follows:

*Wellington Regional Council is responsible for identifying ecosystems and habitats with significant values in the coastal marine area, **wetlands**, and the beds of lakes and rivers. At the time of writing, these places are identified in the Proposed Natural Resources Plan for the Wellington Region (emphasis added).*

The Wellington region's territorial authorities are responsible for identifying ecosystems and habitats with significant values for all land under their jurisdiction (excluding the coastal marine area and the beds of lakes and rivers). These are to be identified in each territorial authority's city or district plan

112. The Section 32 Report: Wetlands of the pNRP discusses that the RPS was expressly intending to resolve confusion over responsibilities for the management of wetlands. The Report:Wetlands states that the GWRC Freshwater Plan (that is being superseded by the pNRP) managed only wetlands located in the beds of lakes and rivers and left other wetlands to territorial authorities. The report refers to a 2006 evaluation of the Freshwater Plan that found there was "sometimes uncertainty" over whether a particular wetland was within the control of GWRC or the relevant council. The Report:Wetlands (p25) states:

The RPS directly addressed the issue raised above about whether land use in wetlands is the jurisdiction of the regional or district plan. RPS Policy 61 makes WRC and the regional plan responsible for controlling the use of land to maintain and enhance ecosystems in water bodies and coastal water (specifically including wetlands). It also makes city and district councils and district plans responsible for controlling the use of land for the maintenance of indigenous biological diversity – excluding within the coastal marine area and beds of lakes and rivers, but not explicitly excluding wetlands. Arguably, both regional and district plans have responsibility for controlling the use of land to maintain and enhance wetland ecosystems.

113. Despite its expressed uncertainty over responsibility, the Section 32 Report: *Wetlands of the pNRP* (pages 26, 27) goes on to discuss the objective that "The extent of natural wetlands is maintained or increased, and their condition is restored", then confirms its responsibility as follows (Table 2, p27):

RMA section 30(1)(c) functions and RPS Policy 61 allocation of responsibilities make WRC the authority responsible for developing objectives, policies and methods including rules under the regional plan to control the use of land to maintain and enhance ecosystems in water bodies and coastal water, explicitly including wetlands.

114. The remainder of Section 32 Report:Wetlands of the pNRP assumes GWRC control wetlands, and discusses pNRP objectives, policies and rules for managing wetlands without any suggestion that territorial authorities are also responsible.
115. Central Government's view of responsibilities is now clearly set out in the NPSFM. In Section 3.15, which deals with natural inland wetlands, regional councils are directed to include policy settings in regional policy statements and regional plans, identify and map wetlands, use the wetland delineation protocols, encourage restoration and, when considering resource consent applications, manage adverse effects on natural wetlands by applying the specified effects management hierarchy.
116. District plan requirements are limited to the following (NPSFM p6) as follows:

3.5 Integrated Management

- (3) *In order to give effect to this National Policy Statement, local authorities that share jurisdiction over a catchment must co-operate in the integrated management of the effects of land use and development on freshwater.*
- (4) *Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*

117. The NPSFM has no expectation that district plans will identify and protect natural wetlands. This responsibility falls to regional councils, which are given 10 years to map natural inland wetlands, having regard to the Wetland Delineation Protocols in cases of uncertainty about existence or extent

(https://www.landcareresearch.co.nz/_data/assets/pdf_file/0003/181353/1903-TSDC148-Wetland-delineation-protocols.pdf):

3.23 Mapping and Monitoring Natural Inland Wetlands

- (1) *Every regional council must identify and map every natural inland wetland in its region that is:*
- a. *0.05 hectares or greater in extent; or*
 - b. *of a type that is naturally less than 0.05 hectares in extent (such as an ephemeral wetland) and known to contain threatened species.*

118. Under 3.23(4), regional councils are to map wetlands in order of:
- a. *first, mapping any wetland at risk of loss of extent or values; then*
 - b. *mapping any wetland identified in a farm environment plan, or that may be affected by an application for, or review of, a resource consent; then*
 - c. *mapping all other natural inland wetlands.*

119. The NPSFM therefore anticipates that, until all natural inland wetlands have been mapped, some wetlands will be mapped in the course of resource consent processes. Some submitters (e.g. Director-General of Conservation (134)) have expressed the view that the site contains additional wetlands with indigenous biodiversity values. Natural wetlands will be determined through the investigations required for regional consent processes.
120. Turning to the NESFW, this sets regulations that relate to rules in regional plans:
- (1) *Regional councils may include rules in their plans that set rules that are more stringent than those required by this Standard.*
 - (2) *Any rule in a regional plan that is more stringent than these Standards prevails over these Standards.*
121. The NESFW does not mention district plans.
122. I note that the NESFW sets stringent rules for the drainage of natural wetlands, including that earthworks within 100m of a natural wetland that results or is likely to result in the complete or partial drainage of all or part of a natural wetland is a non-complying activity and earthworks within a natural wetland is a prohibited activity if the activity is not related to one of several tightly defined activities, such as specified infrastructure, and results or is likely to result in the complete or partial drainage of all or part of a natural wetland. Similarly, vegetation clearance within, or within a 10m setback from, a natural wetland is a non-complying activity. Earthworks that do not result in the drainage or likely drainage of the wetland must be set back at least 10m. The NESFW regulations have more stringent activity status than the PC18 rules for activities affecting SNAs. I note that a rule in a plan cannot be more lenient than a rule in a national environmental standard. Rules in a plan that conflict with or duplicate a national environmental standard must be removed (section 44A). Therefore, the PC18 approach to managing SNAs and wetlands needs to be amended.
123. After considering the higher order requirements discussed above, I conclude as follows:
- GWRC must identify, and manage effects on, natural inland wetlands.
 - PCC must identify, and manage effects on, SNAs excluding natural inland wetlands so as not to duplicate or be more lenient than the NESFW or duplicate GWRC's role.

Analysis of PC18 and response to submissions

124. In my view the SNA maps should be amended as far as is reasonably practicable to exclude natural inland wetlands. In other words, areas that are not subject to the SNA provisions should not be shown as SNAs. To assist with this, I asked Mr Goldwater to mark his revised map of SNAs (attached as Annexure A to his statement of evidence) to show terrestrial SNAs and wetland SNAs, which he has done, including the boundary adjustments to wetland SNAs PCC043, PCC048, PCC050 and the additional wetland area marked in orange. I recommend that the planning map is amended to show terrestrial SNAs only. The details of the wetlands that have been identified as having significant indigenous biodiversity (i.e. PCC043, PCC044, part of PCC048 and a new wetland marked in orange) will be provided to GWRC.
125. This split of terrestrial SNAs and wetlands would establish a complementary management framework of indigenous biodiversity comprising PCC management of SNAs and GWRC management of natural inland wetlands that gives effect to the NPSFM and NESFW. It would be the equivalent of the existing regime for SNAs managed by PCC next to streams and rivers managed by GWRC. I accept that some SNAs may contain areas of wetland that will be subject to the rules of the NESFW under the management of GWRC. Such wetlands will need to be excluded from the rules applying to SNAs to avoid conflict. Again, streams provide a useful comparison. A stream running through an SNA would be identified in the SNA. A stream without a significant terrestrial habitat margin would not be identified as an SNA, despite the stream potentially having significant indigenous biodiversity values.
126. I have also considered the NPSFM requirement for integrated management (see paragraph 42 above). The consultation draft of the NPSFM listed the following as “the kinds of methods territorial authorities could use to comply” with 3.5(4) of the NPSFM requirement for integrated management:
- *Regulating impervious surface cover and/or requiring on-site infiltration;*
 - *Requiring treatment of contaminants at source;*
 - *Using zoning/designations to avoid all, or certain types of development in areas where the effects on freshwater could not be adequately managed;*
 - *Provision of green infrastructure (especially for stormwater management);*
 - *Use of best practice Water Sensitive Urban Design or Low Impact Design techniques.*
127. These methods are requirements of PC18. Therefore, I am satisfied PC18 creates an appropriate framework for integrated management.

128. My recommended amendments are set out at the end of this section.

Providing for development of the area identified as Precinct D

129. Several submissions (e.g. Bill McAulay (89), Pene Burton Bell (90), Generation Zero (96), Pukerua Bay Residents Association (111), Forest and Bird Kapiti Mana Branch (114), Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12), Michael Ashby (132), Director-General of Conservation (134), Queen Elizabeth the Second National Trust F12) state that the area identified as Precinct D forms part of the Taupō Swamp Complex:

The proposed development includes a large flat paddock in the southern part of PF- adjacent to SH1 (Precinct D). This was formerly swampland. It is hydrologically connected to Taupo Stream. Underneath the paddock there is 20 m depth of peat. This is part of the Taupo Swamp Complex.

130. Dr Blaschke and Mr Goldwater are both of the opinion that Precinct D is not a wetland. In her submission, in discussing the identification of wetlands, Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) allows that:

Wetlands should also be assessed on their current status, not on what they might have been in the past, or might become in the future.

131. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15) states that:

PC18 should not provide for a level and form of development that will not be consentable under the new NES: Freshwater and new NPS:FM but rather should seek to provide for development within the parameters set by the site's environmental features.

132. The above argument from QEII depends on Precinct D being a natural wetland. I have accepted the advice of Dr Blaschke and Mr Goldwater that it is not.

Providing for development affecting SNAs and BORAs

133. A range of submissions seek review of the PC18 provisions that provide a framework for assessing activities that affect SNAs and BORAs (e.g. GWRC (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14), Forest and Bird PC18/117

(Porirua Harbour and Catchment Community Trust F16)) Queen Elizabeth the Second National Trust PC18/128 (Porirua Harbour and Catchment Community Trust F16)). Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Director-General of Conservation F11), states:

We understand why subdivision boundaries will affect SNAs, but we wonder why use and development are included. These concepts seem contrary to the objectives of SNAs.

Given ECOPFZ-P2(5) states that building platforms and vehicle accessways should be avoided in SNAs, it is inconsistent that public roads should be provided for. We consider that, except in exceptional circumstances, public roads should be prohibited from traversing SNAs and where they do, stringent provisions should be applied to reduce their footprint (such as single lanes, low speeds, and bordering swales or other measures to manage and treat stormwater to ensure any that enters SNAs is contaminant free).

134. The PC18 provisions need to provide a framework for dealing with activities that may affect SNAs or BORAs, should the activities arise. The provisions also deal with fragmentation. As Mr Osborne states in his evidence the amended provisions are consistent with the approach being taken through Porirua City and elsewhere. The effects-management hierarchy provides an appropriate approach, with the emphasis on avoidance of effects as the starting point.
135. The provisions provide a framework for considering the effects on SNAs of the roads shown in the Movement Network of the Precinct Plan. No other roads are provided for in the framework and would be considered as non-complying activities should an application be put forward. The roads of the Movement Network provide a range of positive effects as well as the clear potential for adverse effects on SNAs. PC18 does not approve the effects – it provides a robust framework for their consideration, including the effects-management hierarchy.
136. GWRC (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) and Director-General of Conservation (134) (Greater Wellington Regional Council F8, Queen Elizabeth the Second National Trust F12) request that controlled or restricted discretionary activity status respectively is imposed on PCC's construction of walking and cycling tracks in SNAs. I consider tracks essential for SNA access and maintenance such as pest control. Limiting the enabled party to PCC provides a satisfactory level of quality control. I therefore recommend that the activity remains permitted.

Other lone tree protection

137. Pene Burton Bell (90) seeks the protection of a lone titoki and a lone ti kōuka. Dr Blaschke does not consider either tree to be ecologically significant and therefore require protection. As noted by Dr Blaschke, archaeologist Patrick Harsveldt considers that the ti kōuka potentially has cultural significance. However, Te Rūnanga o Toa Rangatira has not sought protection of the tree. I consider that no changes are necessary.

Development of Land Management Plans

138. GWRC (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) queries whether Land Management Plans could be prepared by someone with 'suitable relevant experience' rather than suitably qualified ecologists and landscape architects working together. The intention is that Land Management Plans take an integrated management approach and address both ecology and landscape. In my view, suitably qualified experts are necessary.

BORA nomenclature

139. GWRC (49) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) suggests the term Biodiversity Offsetting and Restoration Area is amended to remove 'offsetting' so it would become Biodiversity Restoration Area. I consider offsetting to be a fundamental element of the BORAs and oppose changing the name.

Recommended Changes and Section 32AA Evaluation

Recommended Change - Chapter 7. Ecology and Indigenous Biodiversity

7. ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

The ecosystems and indigenous biodiversity section relates to Significant Natural Areas ("SNAs") and Biodiversity Offsetting and Restoration Areas ("BORAs").

The method of identifying SNAs is in accordance ~~consistent~~ with the criteria of Policy 23 of the *Regional Policy Statement for the Wellington Region* (2013).

The objectives, policies and rules provide the framework for managing the effects of activities on the biodiversity values of the Plimmerton Farm Zone. The rules recognise some activities that have limited impacts on identified values can occur within SNAs. Such activities are provided for as permitted activities. Other activities could result in a greater level of effect and therefore the rules identify the

need for resource consent in order to enable assessment against the SNA values.

This section also includes provisions that seek to encourage the maintenance, enhancement and ongoing protection of the ecological function and biodiversity values of the site. A framework has been established that provides for biodiversity offsetting opportunities as well as the restoration and assisted natural revegetation of areas identified as Biodiversity Offsetting and Restoration Areas.

Provisions are also included to address site constraints in relation to the provision of a transport network through the Plimmerton Farm Zone. Clearance of vegetation within an SNA is likely to be required to construct the proposed roading network in accordance with the Plimmerton Farm Precinct Plan. Provisions in this section will ensure the ecological effects of such activities will be appropriately addressed.

For subdivision, use and development affecting wetlands, also refer to the *Natural Resources Plan for the Wellington Region*.

Note: The objectives, policies and rules of other parts of the District Plan may apply in addition to the objectives, policies and rules of this section.

OBJECTIVES	
ECO_{PFZ}-O1	Significant Natural Areas
<p><u>The identified values of Significant Natural Areas are protected from inappropriate subdivision, use and development and, where appropriate, restored.</u> Significant Natural Areas are protected from the adverse effects of subdivision, use and development and, where appropriate, are enhanced</p>	
ECO_{PFZ}-O2	Biodiversity Offsetting and Restoration Areas
<p>Biodiversity Offsetting and Restoration Areas are identified to provide opportunities for biodiversity offsetting and for protection and <u>restoration</u> enhancement to provide ecological, hydrological and amenity value.</p>	
ECO_{PFZ}-O3	Ecological Function
<p>The ecological function and protective buffering of hydrological and ecological systems are maintained and <u>restored</u> enhanced.</p>	

POLICIES	
ECO_{PFZ}-P1	<u>Identification of Significant Natural Areas</u>
<p><u>Identify and list within ECO_{PFZ}-Appendix-1: Schedule of Significant Natural Areas areas with significant indigenous biodiversity values in accordance with the criteria in Policy 23 of the Regional Policy Statement</u></p>	
ECO_{PFZ}-P2	Effects management hierarchy for <u>Protection of</u> Significant Natural Areas
<p>Protect the biodiversity values of Significant Natural Areas <u>identified</u> in <u>ECO_{PFZ}-Appendix-1: Schedule of Significant Natural Areas</u> ECO_{PFZ}-Appendix-1 that have been identified using the criteria in Policy 23 of the</p>	

~~Regional Policy Statement~~, by requiring subdivision, use and development to:

1. Avoid ~~significant~~ adverse effects on identified indigenous biodiversity values where possible;
2. ~~Remedy~~ Minimise adverse effects on the identified biodiversity values where avoidance is not ~~practicable~~ possible;
3. ~~Mitigate~~ ~~Remedy~~ ~~the~~ adverse effects where they cannot be avoided or minimised ~~remedied~~; and
4. Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied and where the principles of ECOPFZ-Appendix 2 Biodiversity Offsetting are met; ~~have not been mitigated within the site through protection, restoration and enhancement measures~~; and
5. Only consider biodiversity compensation after implementing first considering biodiversity offsetting and where the principles of ECOPFZ-Appendix 3 Biodiversity Compensation are met.

ECOPFZ-P3 Appropriate Use and Development in Significant Natural Areas and Biodiversity Offsetting and Restoration Areas

Enable vegetation removal within Significant Natural Areas identified in ECOPFZ-Appendix-1: Schedule of Significant Natural Areas or Biodiversity Offsetting and Restoration Areas where the vegetation removal is of a scale and nature that maintains the identified biodiversity values, including:

2. Maintenance around existing buildings;
3. Safe operation of roads, tracks and accessways;
4. Restoration and conservation activities; and
5. Opportunities to enable tangata whenua to exercise customary harvesting practices.

ECO_{PFZ}-P4~~2~~ Other Subdivision, Use and Development in Significant Natural Areas

~~Provide for~~ Only allow subdivision, use and development in Significant Natural Areas identified in ECOPFZ-Appendix-1: Schedule of Significant Natural Areas, as follows where the activity:

1. Applies the effects-management hierarchy of ECO_{PFZ}-P2~~4~~;
2. ~~Require~~ Takes into account the findings of an ecological assessment from a suitably qualified ecologist that ~~to~~ determines the significance of the indigenous biodiversity values, the impact of the activity on the identified biodiversity values in order to support the; ~~and the appropriate~~ application of the effects management hierarchy of ECO_{PFZ}-P2~~4~~;
3. ~~Require~~ Provides for the formal protection and ongoing active management of the Significant Natural Area;
4. ~~Limit~~ Minimises the fragmentation of ~~land ownership within the~~ Significant Natural Areas as part of the subdivision, use or development; ~~would constrain ongoing active management~~;
5. Avoids locating building platforms and vehicle accessways in Significant Natural Areas;
6. Minimises trimming or removal of indigenous vegetation to avoid loss, damage or disruption to the ecological processes, functions and integrity of the Significant Natural Area;

	<p>7. Minimises earthworks in Significant Natural Areas; and</p> <p>8. <u>Minimises the potential cumulative adverse effects of activities on the values of the Significant Natural Area</u> Enable tangata whenua to exercise traditional cultural harvesting practices.</p>
<p>ECOPFZ-P3</p>	<p>Biodiversity Offsetting</p>
	<p>Only provide for biodiversity offsetting where:</p> <p>6. The biodiversity offset addresses residual adverse effects that cannot otherwise be avoided, remedied or mitigated within the site in accordance with ECOPFZ-P1;</p> <p>7. The biodiversity offset's restoration, enhancement, and protection actions are additional to any avoidance, remedy or mitigation of the adverse effects of the activity;</p> <p>8. The residual adverse effects are capable of being offset and will be fully offset to ensure no net loss, and preferably a gain, of biodiversity;</p> <p>9. The biodiversity offsets are formally protected;</p> <p>10. The biodiversity offset actions are undertaken close to the location of the activity and are applied so that the biodiversity values being achieved through the offset are the same or similar to the biodiversity values being lost;</p> <p>11. The biodiversity offset re-establishes or protects the same type of ecosystem or habitat that is adversely affected, unless an alternative ecosystem or habitat will provide a net gain for indigenous biodiversity; and</p> <p>12. The biodiversity offset assessment from a suitably qualified ecologist:</p> <p>a. Contains an explicit loss and gain calculation and demonstrates how no net loss, and preferably a net gain, in biodiversity can be achieved in practice; and</p> <p>Addresses any sources of uncertainty or risk in delivering no net loss of biodiversity.</p>
<p>ECO_{PFZ}-P5⁴</p>	<p>Public Roads within Significant Natural Areas</p>
	<p>Provide for public roads in a Significant Natural Area where the roads are consistent with the Plimmerton Farm Precinct Plan and adverse effects are addressed in accordance with ECO_{PFZ}-P²4.</p>
<p>ECO_{PFZ}-P6⁵</p>	<p><u>Other</u> Subdivision, Use and Development in Biodiversity Offsetting and Restoration Areas</p>
	<p>Provide for subdivision, use and development in Biodiversity Offsetting and Restoration Areas that <u>where the activity protects or restores ecological, hydrological and amenity values or provides opportunities for biodiversity offsetting, as follows:</u></p> <ol style="list-style-type: none"> 1. Provide opportunities for biodiversity offsetting; Protect, restore and enhance ecology, hydrology and amenity, as follows: 1. Require planting regimes and ongoing pest and weed management; 2. Encourage water sensitive design; and 3. Prepare or implement Land Management Plans in accordance with SUB_{PFZ}-P5.
<p>ECOPFZ-P7</p>	<p><u>Protection and Restoration</u></p>

[Encourage the protection, enhancement and restoration of indigenous biodiversity by supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of indigenous vegetation.](#)

ECO_{PFZ}-P8 **New Plantation Forestry**

Avoid the establishment of new plantation forestry within Significant Natural Areas and Biodiversity Offsetting and Restoration Areas.

RULES

Note: The rules of other parts of the District Plan may apply in addition to the rules of this section. More than one rule may apply.

[These rules do not apply to natural inland wetlands, which are defined and regulated under the National Policy Statement on Freshwater Management 2020 and the National Environmental Standards for Freshwater 2020 and managed by the Greater Wellington Regional Council.](#)

ECO_{PFZ}-R1	Trimming or Removal of Indigenous Vegetation within a Significant Natural Area or Biodiversity Offsetting and Restoration Area
All Precincts	<p>1. Activity Status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. The trimming or removal of indigenous vegetation is to: <ul style="list-style-type: none"> i. Address an imminent threat to people or property; ii. Undertake natural hazard mitigation activity by a Central Government Agency, Greater Wellington Regional Council, Porirua City Council or their agent; iii. Ensure the safe operation of any formed public road or public walking or cycling track; iv. Maintain lawfully established private accessways where the removal of indigenous vegetation is within 1m of the accessway; v. Maintain lawfully established buildings where the removal of indigenous vegetation is within 3m of the building; vi. Construct a new public walking or cycling track up to 2.5m in width, undertaken by Porirua City Council or its agent (provided the track is not within a wetland); vii. Construct or maintain perimeter fences for stock or pest animal exclusion provided the removal of indigenous vegetation is within 1m of the fence; viii. viii. Comply with section 43 of the Fire & Emergency NZ Act 2017; or

	<p>ix Enable tangata whenua to exercise traditional cultural <u>customary</u> harvesting practices.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where</p> <p>a. Compliance is not achieved with:</p> <p>i. ECO_{PFZ}-R1-1.</p> <p>Matters of discretion are restricted to:</p> <p>M1. <u>For SNAs, the matters in</u></p> <p>a. ECO_{PFZ}-P2, <u>ECOPFZ-P3 and ECOPFZ-P4.</u></p> <p><u>M2. For BORAs, the matters in:</u></p> <p>a. <u>ECOPFZ-P3 and ECOPFZ-P6.</u></p> <p><u>For SNAs, refer to information requirement ECO_{PFZ}-IR-1.</u></p>

<u>ECOPFZ-R2</u>	<u>Removal of Non-Indigenous Vegetation within a Significant Natural Area or Biodiversity Offsetting and Restoration Area</u>
<u>All Precincts</u>	1. <u>Activity Status: Permitted</u>

<u>ECO_{PFZ}-R3</u>	<u>Trimming or Removal of Indigenous Vegetation to Operate, Repair and Maintain Infrastructure or Renewable Electricity Generation Activities within a Significant Natural Area or Biodiversity Offsetting and Restoration Area</u>
<u>All Precincts</u>	<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The trimming or removal of indigenous vegetation is not within a wetland, and</p> <p>a. The trimming or removal of indigenous vegetation is:</p> <p>i. Within 3m of a building;</p> <p>ii. Within 1m of other infrastructure or renewable electricity generation activity; or</p> <p>iii. Within 1m of an associated access track or fence.</p> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. ECO_{PFZ}-R3-1.</p> <p>Matters of Discretion are restricted to:</p> <p>M1. The functional or operational need for the Infrastructure or Renewable Electricity Generation Activity;</p>

<p>M2. <u>For SNAs, the matters in:</u></p> <p>a. <u>ECO_{PFZ}-P2, ECOPFZ-P4 and ECOPFZ-P5.</u></p> <p>M3. <u>For BORAs, the matters in:</u></p> <p>a. <u>ECOPFZ-P4 and ECOPFZ-P7.</u></p> <p><u>For SNAs, refer to information requirement ECO_{PFZ}-IR-1.</u></p>

<p>ECO_{PFZ}-R4</p>	<p>Enhancement and Management Restoration and Maintenance of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas</p>
<p>All Precincts</p>	<p>1. Activity Status: Permitted</p> <p>Where:</p> <p>a. The works are for the purpose of enhancing <u>restoring or maintaining</u> the <u>identified</u> values of the Significant Natural Area or are in a Biodiversity Offsetting and Restoration Area by;</p> <p>i. Planting <u>eco-sourced</u>, local, indigenous vegetation;</p> <p>ii. Carrying out animal pest and exotic pest <u>plant control</u> activities;</p> <p>iii. Carrying out activities in accordance with a Land Management Plan approved by Porirua City Council;</p> <p>iv. Carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; or</p> <p>v. Carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977.</p>
	<p>2. Activity status: <u>Restricted</u> Discretionary</p> <p>Where</p> <p>a. Compliance is not achieved with:</p> <p>i. ECO_{PFZ}-R4-1.</p> <p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>For SNAs, the matters in:</u></p> <p>a. <u>ECO_{PFZ}-P2, ECOPFZ-P4 and ECOPFZ-P5.</u></p> <p>M2. <u>For BORAs, the matters in:</u></p> <p>a. <u>ECOPFZ-P4 and ECOPFZ-P7.</u></p>

ECO _{PFZ} -R 54 <u>5</u>	Trimming or Removal of Indigenous Vegetation within a Significant Natural Area Associated with the Construction of a Public Road Identified on the Plimmerton Farm Precinct Plan
All Precincts	<p>1. Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>M1. The functional or operational need for the road; and</p> <p>M2. The matters in:</p> <p style="margin-left: 40px;">a. ECO_{PFZ}-P64<u>4</u>.</p> <p>Refer to information requirement ECO_{PFZ}-IR-1.</p>

ECO _{PFZ} -R 65 <u>6</u>	New plantation forestry within a Significant Natural Area or a Biodiversity Offsetting and Restoration Area
All Precincts	<p>1. Activity Status: Non-Complying</p>

ECO _{PFZ} -R 76 <u>7</u>	Any activity not otherwise provided for as a permitted, controlled, restricted discretionary, or discretionary activity
All Precincts	<p>1. Activity Status: Non-Complying</p>

INFORMATION REQUIREMENTS

ECO _{PFZ} -IR-1	Activities in Significant Natural Areas
All Precincts	<p>Applications for activities in Significant Natural Areas must include the following:</p> <p>1. An Ecological Assessment provided by a suitably qualified ecologist:</p> <p style="margin-left: 40px;">a. Identifying the biodiversity values and potential impacts effects of from the proposal; <u>and</u></p> <p style="margin-left: 40px;">a- <u>b. Demonstrating that the effects management hierarchy of ECOPFZ-P2 has been applied.</u></p>

APPENDIX

ECO _{PFZ} -Appendix-1: Schedule of Significant Natural Areas		
Site Number	Site Name	Site Summary
SNA043	Taupō Swamp East (North)	A wetland extension of Taupō Swamp comprised of harakeke, toetoe, mānuka (Leptospermum scoparium, At Risk-Declining), Coprosma robusta, bracken, Carex secta, raupō, kānuka (presumably

		Kunzea robusta; Threatened-Nationally Vulnerable), Carex dissita, giant umbrella sedge, Olearia virgata, tauhinu, and Muehlenbeckia australis. Includes indigenous vegetation on Acutely Threatened and Chronically Threatened land environments.
SNA044	Taupō Swamp East (South)	A small flax swamp forming an eastern extension of Taupō Swamp, comprised of grey willow, harakeke, Coprosma robusta, koromiko, māhoe and bracken. May support the At Risk-Declining banded rail (Gallirallus philippensis assimilis). Includes indigenous vegetation on Acutely Threatened land environments.
SNA048	Plimmerton Swamp East	Two areas which contain wetland ecosystems (GWRC wetland ID 325) including an extensive flax-sedge swamp association, <i>Isolepis prolifera</i> and rush marshes in valley bottoms, mānuka (<i>Leptospermum scoparium</i> ; At Risk-Declining) scrub on western edge and a minor kaikomako forest remnant. Flora species within the flax swamp include harakeke, raupō, toetoe, mānuka, <i>Coprosma robusta</i> , and <i>Carex secta</i> ; whilst the mānuka scrub contains mānuka, taupata, <i>Muehlenbeckia australis</i> , <i>Carex secta</i> , and <i>Parablechnum procerum</i> . This site provides an important buffering function to Taupō Stream, contains indigenous vegetation on Acutely Threatened land environments, and may support the At Risk-Declining giant kokopu (<i>Galaxias argenteus</i>), inanga (<i>Galaxias maculatus</i>), longfin eel (<i>Anguilla dieffenbachii</i>), and redfin bully (<i>Gobiomorphus huttoni</i>).
SNA049	Camborne Bush	Coastal broadleaved-forest remnant with kānuka (presumably <i>Kunzea robusta</i> ; Threatened-Nationally Vulnerable) buffer. The coastal broadleaved-forest remnant contains a diverse canopy, comprised predominately of kohekohe, but also with kaikōmako, kahikatea (<i>Dacrycarpus dacrydioides</i> ; of local interest), tawa, tītoki, lancewood, karaka, tōtara (<i>Podocarpus tōtara</i> ; of local interest), mātai (<i>Prumnopitys taxifolia</i> ; of local interest), kōhūhū, and <i>Coprosma areolata</i> . This site includes large pines on western edge and grove of kahikatea and wharangi. Includes indigenous vegetation on Acutely Threatened land environments.
SNA050	Southern Plimmerton Hills Kānuka-Mānuka Forest and wetland	Regenerating kānuka (presumably <i>Kunzea robusta</i> ; Threatened-Nationally Vulnerable) and mānuka (<i>Leptospermum scoparium</i> ; At Risk-Declining) forest in the southern Taupō Stream catchment also

		includes small area of carex wetland and a large cabbage tree. Mostly grazed understorey but includes a range of divaricating species and ongaonga (not that common in Porirua). Includes indigenous vegetation on Acutely Threatened land environments.
SNA195	Plimmerton Hills Central Gully	Regenerating kanuka (presumably <i>Kunzea robusta</i> ; Threatened-Nationally Vulnerable) and mānuka (<i>Leptospermum scoparium</i> ; At Risk-Declining)-dominated forest in central Taupō Stream valley, with some treeferns and māhoe. Buffers a significant tributary of the Taupō Stream and may support the At Risk-Declining giant kōkopu (<i>Galaxias argenteus</i>), inanga (<i>Galaxias maculatus</i>), longfin eel (<i>Anguilla dieffenbachii</i>), and redfin bully (<i>Gobiomorphus huttoni</i>).
SNA196	Plimmerton East Hills Southern Gullies	Small kohekohe remnant amongst seral and regenerating forest in gullies, and rushland wetland communities on the gully floor, located in the eastern Taupō Stream catchment. Areas of mānuka (<i>Leptospermum scoparium</i> ; At Risk-Declining) scrub contain mānuka, māhoe, and mamaku; māhoe-mamaku low forest areas are comprised of māhoe, mamaku, mānuka, and kohekohe; whilst the rushland sedgeland contains <i>Carex geminata</i> , <i>Juncus effusus</i> , <i>Juncus edgariae</i> , and giant umbrella sedge. May support the At Risk-Declining giant kōkopu (<i>Galaxias argenteus</i>), inanga (<i>Galaxias maculatus</i>), longfin eel (<i>Anguilla dieffenbachii</i>), and redfin bully (<i>Gobiomorphus huttoni</i>). Includes indigenous vegetation on Chronically Threatened land environments.
SNA197	Plimmerton Hills North-eastern Gully	Regenerating kānuka (presumably <i>Kunzea robusta</i> ; Threatened-Nationally Vulnerable) and mānuka (<i>Leptospermum scoparium</i> ; At Risk-Declining) shrubland in northern part of Plimmerton Farm.
SNA198	Plimmerton East Hills Northern Gully	Regenerating broadleaved forest in northern part of Plimmerton Farm, comprised of mahoe, mamaku and cabbage tree.

[ECOPFZ-Appendix-2: Biodiversity Offsetting](#)

[The following sets out a framework of principles for the use of biodiversity offsets.](#)

[The principles must be complied with for an action to qualify as a biodiversity offset. The principles will be used when assessing the adequacy of proposals for the design and implementation of offsetting as part of resource consent applications.](#)

Principle 1	<u>Adherence to the mitigation hierarchy</u>
<p><u>The proposed biodiversity offset will be assessed in accordance with the mitigation hierarchy set out in ECO-P2. It should only be contemplated after the mitigation hierarchy steps in ECO-P2 have been demonstrated to have been sequentially exhausted. Any proposal for a biodiversity offset will demonstrate how it addresses the residual adverse effects of the activity.</u></p>	
Principle 2	<u>Limits to offsetting</u>
<p><u>Many biodiversity values cannot be offset and if they are adversely affected then they will be permanently lost. These situations include where:</u></p> <p><u>a. Residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected or there is no appropriate offset site;</u></p> <p><u>b. There are no technically feasible or socially acceptable options by which to secure gains within acceptable timeframes; and</u></p> <p><u>c. Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse. In these situations, an offset would be inappropriate. This principle reflects a standard of acceptability for offsetting and a proposed offset must provide an assessment of these limits that supports its success.</u></p>	
Principle 3	<u>No net loss and preferably a net gain</u>
<p><u>The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity so that the overall result is no net loss and preferably a net gain in biodiversity. No net loss and net gain are measured by type, amount and condition at the impact and offset site and require an explicit loss and gain calculation. Provisions for addressing sources of uncertainty and risk of failure in delivering the biodiversity offset should also be included.</u></p>	
Principle 4	<u>Additionality</u>
<p><u>A biodiversity offset must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, including that gains are additional to any minimisation or remediation undertaken in relation to the adverse effects of the activity. Offset design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations</u></p>	
Principle 5	<u>Like for Like</u>
<p><u>When trading up forms part of an offset, the proposal must demonstrate that the indigenous biodiversity values gained are demonstrably of higher value than those lost, and the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.</u></p>	
Principle 6	<u>Landscape context</u>

Biodiversity offset actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. Applications must consider the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.

Principle 7 **Long-term outcomes**

The biodiversity offset must be managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity, including through the use of adaptive management where necessary.

Principle 8 **Time Lags**

The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the offset site must be minimised so that gains are achieved within the consent period and identified within the biodiversity offset management plan.

Principle 9 **Trading Up**

When trading up forms part of an offset, the proposal must demonstrate that the indigenous biodiversity values gained are demonstrably of higher value than those lost, and the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.

Principle 10 **Offsets in advance**

A biodiversity offset developed in advance of an application for resource consent must provide a clear link between the offset and the future effect. That is, the offset can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.

The BORAs are areas of land set aside in anticipation of adverse effects and thus provide for offsets in advance.

Principle 11 **Proposing a biodiversity offset**

A proposed biodiversity offset must include a specific biodiversity offset management plan, that:

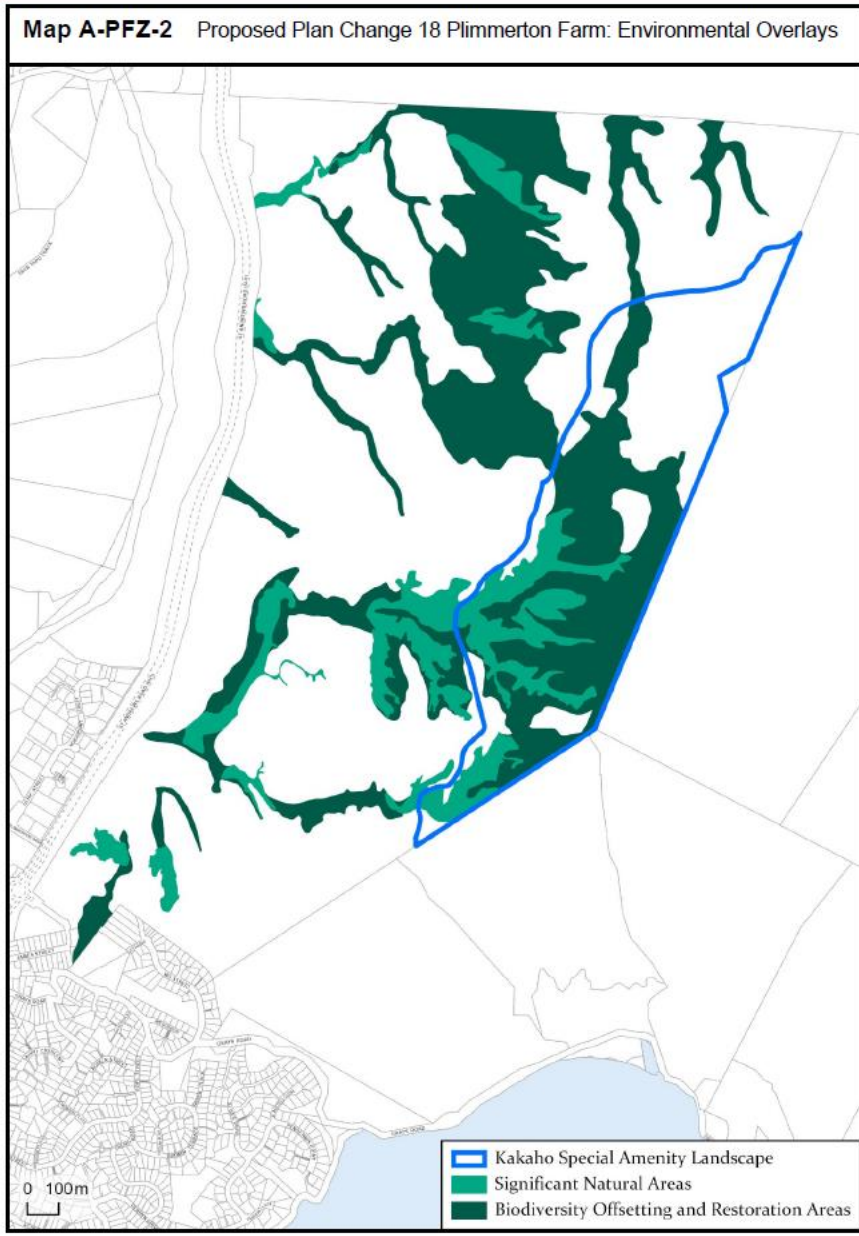
- a. Sets out baseline information on the indigenous biodiversity that is potentially impacted by the proposed activity at both the donor and recipient sites;
- b. Demonstrates how the requirements set out in this schedule will be carried out; and
- c. Identifies the monitoring approach that will be used to demonstrate how the principles set out in this schedule will be fulfilled over an appropriate timeframe.

[ECOPFZ-Appendix-3: Biodiversity Compensation](#)

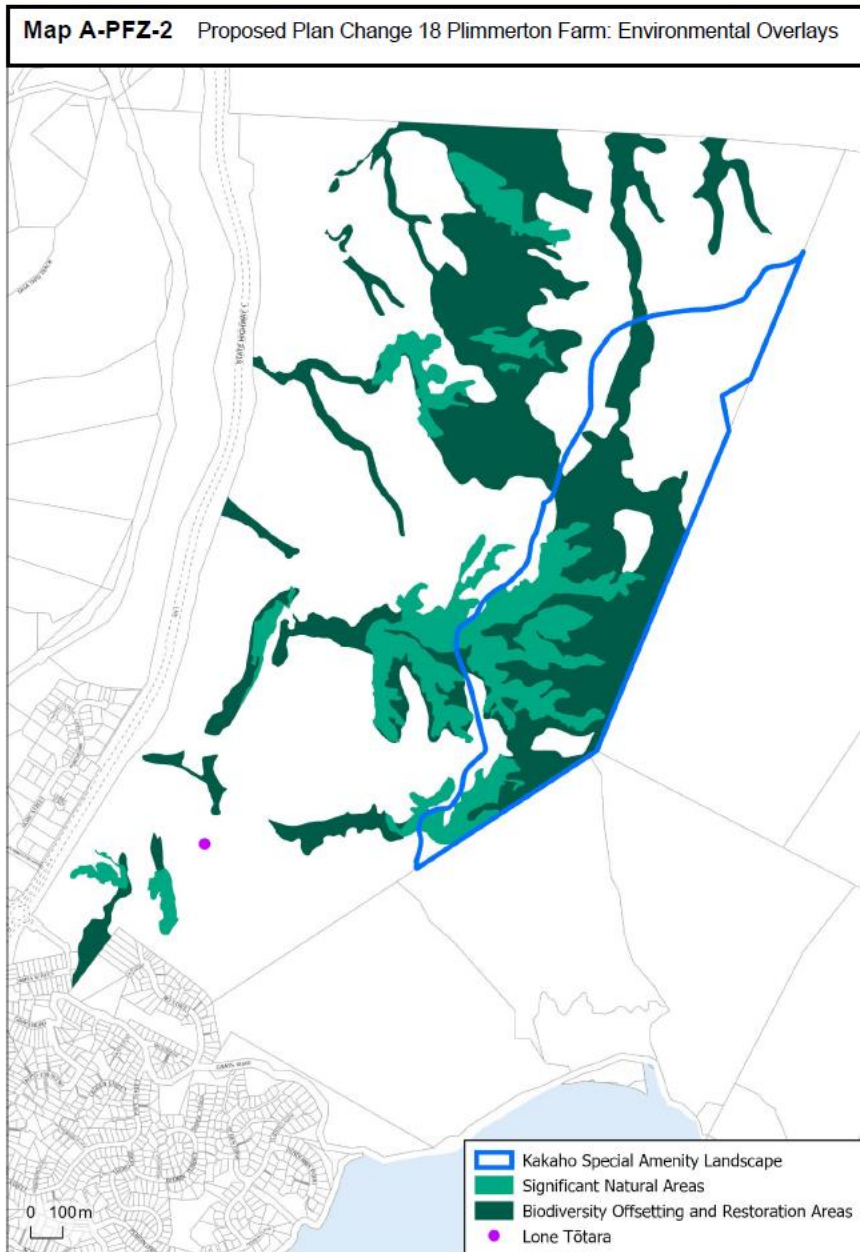
[The following sets out a framework of principles for the use of biodiversity compensation.](#)

[The principles must be complied with for an action to qualify as biodiversity compensation.](#)

Recommended Deletion



Recommended Insertion



Recommended Change

140. Ecosystems and indigenous biodiversity Provisions

Reason

141. This is to bring the Ecosystems and indigenous biodiversity provisions in line with current best practice. This has been informed by numerous points raised in the submissions and from the direction provided by the higher order planning documents including the NPSFM. As stated these amended provisions seek to encourage the main enhancement and ongoing protection of the ecological function and biodiversity values of the site.

How this Change Achieves the Purpose of the RMA

142. The amending wording better implements section 6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Benefits including Opportunities for Economic Growth and Employment

143. Aligning with current best practice will provide familiar wording and approach (e.g. for the effects-based hierarchy) for plan users, especially those who use a range of plans and policies.

Costs

144. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

145. No risks around uncertain or insufficient information in relation to this matter have been identified. There have been numerous submissions on this topic. In consideration of these and as has been outlined in the evidence of Mr Osborne a number of changes have been proposed so that there is certainty as to information in order for these provisions to be robust as well as achieving the biodiversity outcomes sought.

Efficiency and Effectiveness

146. The efficiency of the recommended change is high because the benefits outweigh the costs.
147. The effectiveness of the recommended changes is high because they better enable the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

148. Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being out of line with other expressions of current best practice being published in other plans and policies. This option has been rejected for those reasons.

Recommended Change - Map A-PFZ-2 Proposed Plan Change 18 Plimmerton Farm:
Environmental Overlays

149. Amend Planning Map A-PFZ-2 showing SNAs and BORAs to increase the extent of terrestrial SNAs, remove wetlands (SNA043, SNA044, wetland parts of SNA048 and SNA049) and make consequential changes to the boundaries of BORAs.

Reason

150. The Wildlands Ltd review of SNA boundaries recommended several extensions to SNA boundaries. The NPSFM has clarified that wetland identification and management is the responsibility of GWRC.

How this Change Achieves the Purpose of the RMA

151. The amendments give effect to the NPSFM as required by the RMA. They therefore take into account s6(c) matters being the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

Benefits including Opportunities for Economic Growth and Employment

152. The increase in the extent of terrestrial SNAs increases the protection of indigenous biodiversity in those areas. This is a benefit. The removal of wetlands from SNAs has no impact on their protection because they receive greater protection from the provisions of the NPSFM and NESFW. Areas that are not subject to the SNA provisions should not be shown as SNAs.
153. The change more clearly shows the areas that are subject to SNA provisions.

Costs

154. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

155. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

156. The removal of wetlands from SNAs removes conflict between the plan change and the NPSFM and NESFW. Efficiency is increased because the plan change does not duplicate more stringent regional consent processes for no purpose.
157. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

158. No other reasonably practicable option has been identified.

<u>Principle 1</u>	<u>Adherence to the mitigation hierarchy</u>
<u>Biodiversity compensation is a commitment to redress residual adverse effects. It must only be contemplated after the mitigation hierarchy steps in ECO-P2 have been demonstrated to have been sequentially exhausted and thus applies only to residual adverse effects on indigenous biodiversity.</u>	
<u>Principle 2</u>	<u>Limits to biodiversity compensation</u>
<u>In deciding whether biodiversity compensation is appropriate, a decision-maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because:</u>	
<u>a. The indigenous biodiversity affected is irreplaceable or vulnerable;</u>	
<u>b. There are no technically feasible or socially acceptable options by which to secure proposed gains within acceptable timeframes; and</u>	
<u>c. Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse.</u>	
<u>Principle 3</u>	<u>Scale of biodiversity compensation</u>
<u>The values to be lost through the activity to which the biodiversity compensation applies must be addressed by positive effects to indigenous biodiversity that are proportionate to the adverse effects on indigenous biodiversity.</u>	
<u>Principle 4</u>	<u>Additionality</u>
<u>Biodiversity compensation must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, including that gains are additional to any remediation undertaken in relation to the adverse effects of the activity. Compensation design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations.</u>	
<u>Principle 5</u>	<u>Landscape context</u>
<u>Biodiversity compensation actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. The actions must consider the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.</u>	
<u>Principle 6</u>	<u>Long-term outcomes</u>
<u>The biodiversity compensation must be managed to secure outcomes of the activity that last as long as the effects, and preferably in perpetuity.</u>	
<u>Principle 7</u>	<u>Time Lags</u>
<u>The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the compensation site must be minimised.</u>	
<u>Principle 8</u>	<u>Trading Up</u>
<u>When trading up forms part of biodiversity compensation, the proposal must demonstrate the indigenous biodiversity values gained are demonstrably of higher indigenous biodiversity value than those lost. The proposal must also show the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.</u>	

<u>Principle 9</u>	Biodiversity compensation in advance
<u>Biodiversity compensation developed in advance of an application for resource consent must provide a clear link between the compensation and the future effect. That is, the compensation can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.</u>	

Reason

159. This is in response to the submissions that requested amended Ecosystems and indigenous biodiversity provisions.

How this Change Achieves the Purpose of the RMA

160. The amended wording updates the provisions to reflect current best practice.

Benefits including Opportunities for Economic Growth and Employment

161. There is no change to opportunities for economic growth and employment associated with this amendment.

Costs

162. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

163. No risks around uncertain or insufficient information in relation to this matter have been identified. The principles assist in providing more certainty.

Efficiency and Effectiveness

164. The efficiency of the recommended change is high because the benefits outweigh the costs. The clarity of an industry-accepted process aids efficiency for plan users.
165. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

166. No other reasonably practicable option has been identified.

<u>ECOPFZ-R7</u>	<u>Trimming or Removal of Significant Tōtara Tree identified on Map A-PFZ-2</u>
<u>Precinct A</u>	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The works:</u></p> <p>i. <u>Are essential works due to a serious imminent threat to the safety of people or property;</u></p> <p>ii. <u>Are for removal of the tree if it is confirmed to be dead or in terminal decline by a suitably qualified arborist;</u></p> <p>iii. <u>are advised to Porirua City Council as soon as reasonably practicable prior to work commencing;</u></p> <p>iv. <u>Are undertaken or supervised by a suitably qualified arborist; and</u></p> <p>v. <u>Are reported to Porirua City Council (no later than 10 working days after the works have been completed) in writing by a suitably qualified arborist who confirms the works were necessary and undertaken in accordance with good arboricultural practice.</u></p> <p>2. <u>Activity Status: Discretionary</u></p> <p><u>Where</u></p> <p>a. <u>Compliance is not achieved with ECOPFZ-R7-1.</u></p>

Reason

167. This is in response to the submissions that requested protection of the tōtara and Dr Blaschke’s subsequent advice.

How this Change Achieves the Purpose of the RMA

168. The new provision gives effect to s6(c).

Benefits including Opportunities for Economic Growth and Employment

169. There is a minor benefit to ecological values. There is no change to opportunities for economic growth and employment associated with this amendment.

Costs

170. There are no significant costs associated with this change.
171. Risk of Acting or Not Acting if Information is Uncertain or Insufficient
No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

172. The efficiency of the recommended change is high because the benefits outweigh the costs.
173. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

174. No other reasonably practicable option has been identified.

Stormwater Management

175. The following submissions raise matters I have identified as relevant to stormwater management.

<ul style="list-style-type: none"> • Geoff Mowday (3) • Joel de Boer (5) (Director-General of Conservation F11) • David Weinstein (7) • Liz Slessor (8) • Kiwirail (9) • Whitby Residents Association (11) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Aimee Porteners (17) • Michael Porteners (18) • Deborah Mair (20) • Theorem Analytics (29) (Director-General of Conservation F11) • Julie Williams (36) • Karla Beamsley (44) (Forest and Bird F14) • Paul FitzGerald (47) • Greater Wellington Regional Council (49) (Robyn Smith F4, Kiwirail F5, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, 	<ul style="list-style-type: none"> • Regional Public Health (54) • Wellington Botanical Society (57) • National Wetland Trust of NZ (60) (Robyn Smith F4, Greater Wellington Regional Council F8, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) • Plimmerton Residents' Association Inc (61) • Stephen Lord (64) • Moira Lawler and Pat Hanley (66) • Deborah Lynch (67) • Jane Shaw (68) • Neil Aitken (71) • The Archdiocese of Wellington and St Theresa's School Plimmerton (72) • St Theresa's Parish Plimmerton (73) • Residents of 2 – 20, James Street Plimmerton (74) • Sandra Werner (75) • Sara McClean (76) • Friends of Taupo Swamp & Catchment Inc (79) (Neil Aitken 	<ul style="list-style-type: none"> • Heather Evans (87) • Charlotte Cudby (88) • Bill McAulay (89) (Greater Wellington Regional Council F8) • Pene Burton Bell (90) • Paremata Residents Association (93) • Colin and Margaret Bleasdale (97) • Dr Andrew Lensen (98) • John McKoy (99) • Liam Daly (101) • Sharon Vanesse Matich (102) • Isabella Cawthorn (103) • Diane Richardson (104) • Rebekah Burgess (105) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Otari-Wilton's Bush Trust (108) • Nick Vincent (109) • Pukerua Bay Residents Association (111) 	<ul style="list-style-type: none"> • Miriam Freeman-Plume (119) • Glenn Pitcaithly (120) • Waka Kotahi NZ Transport Agency (122) • Robyn Moore (123) • Forest and Bird Youth (124) • Martin Cawthorn (126) • Our Climate Declaration (127) • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Michael Ashby (132) • Paul Botha (133) • Director-General of Conservation (134)
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<p>Queen Elizabeth the Second National Trust F12, Forest and Bird F14)</p> <ul style="list-style-type: none"> • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1, Director-General of Conservation F11) 	<p>F3, Queen Elizabeth the Second National Trust F12)</p> <ul style="list-style-type: none"> • Luke Baron (80) • Predator Free Pukerua Bay (81) • Charlotte Boys (85) • Sally Odams (86) 	<ul style="list-style-type: none"> • Welhom Developments (113) • Forest and Bird Kapiti Mana Branch (114) • Frances Cawthorn (115) • Forest and Bird (117) (Porirua Harbour and Catchment Community Trust F16) 	<p>(Queen Elizabeth the Second National Trust F12)</p> <ul style="list-style-type: none"> • Wallace Webber and Helen Webber (136) • Tracey Waters (138)
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176. In my opinion the principal matters of agreement and disagreement in respect of stormwater management for PC18 and submissions are the following.

Matters of Agreement

- (a) stormwater management goals;
- (b) Freshwater Principles;
- (c) hydraulic positivity – rainwater tanks, reduction of downstream flood hazard;
- (d) stormwater treatment of road runoff;
- (e) specifying contaminants and the level of treatment;
- (f) compliance and monitoring; long term performance and ongoing operation and maintenance of stormwater management infrastructure; and
- (g) “hydraulic neutrality”.

Matters of Disagreement

- (h) Use of gullies and wetlands as detention areas;
- (i) Overland flow paths; and
- (j) Other Stormwater Management Matters.

177. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on the Statement of Evidence of David Wilson (Stormwater) dated 21 August 2020, which I accept in full except where I have indicated otherwise.

178. I then set out my recommended changes to the plan change together with a section 32AA evaluation.

Matters of Agreement

Stormwater management goals

179. As noted by Mr Wilson, there is a strong theme in the submissions on stormwater management that receiving waters must be protected from the adverse effects of development. There is also support for the stormwater management objectives of PC18 to achieve that protection, but concern that the provisions will fail to achieve the desired outcomes.

180. GWRC (49) (*Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14*) states its strong supports for the water quality strategic objective and adds:

The Plan Change's specific provisions for stormwater management are supported. In particular, we strongly support the objectives for water sensitive design and hydraulic neutrality, which are consistent with Policy 42 of the RPS. In addition, we support linking the subdivision rules to the policies in this section. ... GWRC's priority is ensuring that adverse effects on the [Taupō Swamp] complex from the development are avoided (Forest and Bird F14), including both water quantity and water quality effects. We want to ensure that the development does not cause any changes in water levels or volumes, and that water quality is maintained or improved.

181. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (*Welhom Developments Ltd F1*), National Wetland Trust of NZ (60) (*Queen Elizabeth the Second National Trust F12*), Friends of Taupo Swamp & Catchment Inc (79) (*Neil Aitken F3, Queen Elizabeth the Second National Trust F12*)):

We support strategic objective PFZ-O3, which states that subdivision, use and development in Plimmerton Farm will contribute to high water quality of receiving waters including Taupo Swamp, Taupo Stream, Kakaho Stream and Te Awarua-O-Porirua but are concerned that rules will not achieve this.

182. Mr Wilson sets out the basis of his assessment of the site and concludes that the plan provisions requiring water sensitive design and hydraulic neutrality, strengthened according to the recommendations in his evidence, will avoid, remedy or mitigate adverse effects associated with the discharge of stormwater.

183. Forest and Bird (117) (Porirua Harbour and Catchment Community Trust F16) raise concern that there are no rules to implement the objectives and policies, but have not appreciated that the Precinct Level rules and standards directly implement the stormwater management objectives and policies.

Freshwater Principles

184. Mr Wilson notes the collaborative process undertaken with GWRC and Ngāti Toa to develop the plan change's Freshwater Principles. Te Rūnanga o Toa Rangatira (131) highlights the importance to mana whenua of the Freshwater Principles:

to ensure that the cultural values of Ngāti Toa are upheld and therefore look to mitigate the potential effects of the Plimmerton Farm development to Ngāti Toa. "

185. Several submissions (e.g. Forest and Bird (117) (Porirua Harbour and Catchment Community Trust F16)) suggest that the Freshwater Principles need to be better integrated into the PC18 provisions to ensure they are given effect to through resource consent processes. Mr Wilson supports this as a general approach and highlights several of what he sees as key principles, including SWP 27, which concerns stream flow resulting from urban development being managed so that it is the same as existing. Mr Wilson suggests SWP 27 could be included as an additional clause in SW_{PFZ}-P1. I accept that maintaining the hydrological regime is an important matter for water sensitive design. However my view is that the management of in-stream flows is clearly a regional council function under the Act, and therefore would be inappropriate to attempt to manage it through a district plan policy.
186. I accept the need to strengthen and integrate the Freshwater Principles and set out below recommended amendments, both to the principles themselves and to the way they are given effect to through the plan provisions.

Hydraulic positivity - rainwater tanks, reduction of downstream flood hazard

187. A number of submissions (e.g. Queen Elizabeth the Second National Trust PC18/128, (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15) suggest that the concept of hydraulic neutrality should be replaced by that of hydraulic positivity, either in the context of requiring all development to use rainwater tanks, rain gardens and similar processes to slow down stormwater leaving

the site (e.g. Bill McAulay (89)) or in improving the existing downstream flood hazard (e.g. The Archdiocese of Wellington and St Theresa's School Plimmerton (72), St Theresa's Parish Plimmerton (73) Residents of 2 – 20, James Street Plimmerton (74)).

188. Mr Wilson's view is that the use of rainwater tanks should not be mandatory because there are other options for achieving the desired outcomes. However, he also considers that there should not be any planning barriers to installing tanks with a volume of 5,000 litres. I accept this recommendation and address it in the amended provisions below.
189. Mr Wilson suggests bringing the flood reduction goal of Freshwater Principle SWP 30 into SW_{PFZ}-P2. I agree with the concept, but have suggested incorporating flood hazard reduction into the part of the policy that deals with hydraulic neutrality at the catchment and sub-catchment level. My recommended amendment is set out below.

Stormwater treatment of road runoff

190. Mr Wilson addresses a misunderstanding of a number of submissions (e.g. Isabella Cawthorn (103)) that stormwater runoff from roads and Precinct D is not treated. In fact, SW_{PFZ}-P1-7 requires all stormwater runoff from roads and Precinct D to be treated to remove contaminants prior to discharge.

Specifying contaminants and the level of treatment

191. Several submissions (e.g. Wellington Botanical Society (57), National Wetland Trust of NZ (60) (Robyn Smith F4, Greater Wellington Regional Council F8, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) raise concerns about the type of contaminants being treated and the level of treatment.
192. Mr Wilson explains the basis for PC18's approach to contaminants and treatments. He suggests several amendments to provisions to better reflect the wording in Whaitua Implementation Programme (**WIP**) Recommendation 28 and to strengthen and integrate Freshwater Principle 24.
193. I accept these recommendations and address them in the amended provisions below.

Long term performance and ongoing operation and maintenance of stormwater management infrastructure

194. Friends of Taupo Swamp and Catchment (79) query the long term ownership and management of stormwater management structures. Mr Wilson sets out how the plan change addresses the matter.
195. Mr Wilson discusses concerns about compliance and monitoring of resource consent processes, noting some key requirements of the pNRP. Compliance and monitoring is also discussed in the relevant section of this report.
196. Ngāti Toa are supportive of the requirement of SW_{PFZ}-P1 clause 2 that stormwater is naturally treated in accordance with mātauranga Māori to maintain and enhance its mauri and have stated their wish to be involved the policy's implementation and monitoring:

Ngāti Toa must be involved in this as mana whenua and are best able to assess whether stormwater is treated in accordance with mātauranga Māori.

197. A potential example of this arises in the submission of Welhom Developments Ltd (113), which seeks an amendment to SW_{PFZ}-P1 to enable the use of proprietary stormwater treatment devices. Mr Wilson explains that both the Wellington Water Ltd *Water Sensitive Design for Stormwater: Treatment Device Design Guideline* and Auckland Council *Code of Practice* prefer not to adopt proprietary devices. In addition, he is unsure whether such devices would meet the requirement to treat stormwater “in accordance with mātauranga Maori”.
198. Mr Wilson recommends against the Welhom Developments Ltd request. He recommends that the plan provisions ensure that, as mana whenua, Ngāti Toa are considered the appropriate party to assess if stormwater treatment is in accordance with mātauranga Māori.
199. I accept these recommendations and set out the recommended amended provisions below.

Hydraulic neutrality

200. Several submissions (e.g. The Archdiocese of Wellington and St Theresa's School Plimmerton (72), St Theresa's Parish Plimmerton (73) Residents of 2 – 20, James

Street Plimmerton (74)), Paremata Residents Association (93) Pukerua Bay Residents Association (111)) question whether climate change has been suitably considered in the stormwater management provisions.

201. Mr Wilson points to Freshwater Principle SWP 29, which notes the predicted impacts of climate change for a 1 in 100 year event (20% increase in rainfall). Again, the integration of the Freshwater Principles is set out in the recommendations below.
202. Mr Wilson also recommends a wording change to SW_{PFZ}-P2 to refer to the Wellington Water Limited *Regional Standard for Water Services* (2019), which requires taking account of the impacts of climate change. Mr Wilson also recommends a minor wording change to the definition of hydraulic neutrality.
203. I accept the recommendations and set out proposed amendments below.

Matters of Disagreement

Use of gullies and wetlands as detention areas

204. A number of submissions (e.g. Karla Beamsley (44), Forest and Bird (117)) oppose the use of natural systems for stormwater management on the basis of adverse ecological effects.
205. Mr Wilson confirms that all stormwater runoff will be treated as per the requirements of SW_{PFZ}-P1 and no existing wetlands will be used for stormwater treatment. In respect of stormwater quantity, Mr Wilson notes that any stormwater detention facility would be subject to the requirements of the Freshwater NES and GWRC's proposed Natural Resources Plan and would require specific geotechnical and ecological assessment at the detailed design stage. Paul Blaschke's Statement of Evidence (Ecology) dated 21 August 2020 notes that periodic, temporary inundation of waterbodies such as wetlands is a natural occurrence.

Overland flow paths

206. Waka Kotahi NZ Transport Agency (122) supports water sensitive design that protects and maintains overland flow paths.

207. National Wetland Trust of NZ (60) (Greater Wellington Regional Council F8, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) suggests that all development plans should be required to identify all wetlands, streams (permanent, intermittent and ephemeral) and overland flow paths. Existing overland flow paths are identified on Planning Map. Policy SW_{PFZ}-P1 requires the provision, protection and maintenance of overland flow paths. The identification of wetlands and streams is a regional council function.
208. Several submissions (The Archdiocese of Wellington and St Theresa's School Plimmerton (72), St Theresa's Parish Plimmerton (73) Residents of 2 – 20, James Street Plimmerton (74)) suggest amending SW_{PFZ}-P1 to protect overland flow paths downstream of the site. As noted by Mr Wilson, that is beyond the scope of the plan change. Submitters may wish to engage on the matter in the forthcoming consultation on the PCC Proposed District Plan.

Other stormwater management matters

209. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1, Director-General of Conservation F11) seeks that SW_{PFZ}-O1 states the desired outcome of 'improving' the quality of receiving waters, as opposed to 'maintaining and improving'. The wording 'maintaining and improving' aligns with the approach of Objective 23 of the pNRP and I recommend it does not change.
210. Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) and Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) seek that the Freshwater Principles should be included through the subdivision chapter. I agree with the outcome being sought. It is already achieved because all subdivision (except boundary adjustments) is required by SUB_{PFZ}-P4 to have infrastructure that achieves the management of stormwater quality and quantity set out in SW_{PFZ}-P1 and SW_{PFZ}-P2. The freshwater principles are embedded in SW_{PFZ}-P1.
211. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) seek that an additional planning map that shows hydrological

subcatchment boundaries in relation to Precinct boundaries and the locations of catchment-scale stormwater management devices. In my view, hydrological subcatchment boundaries are not necessary at district plan level. They are appropriately considered as part of resource consent processes. The locations of catchment-scale stormwater management devices are determined through resource consent processes and cannot be mapped earlier because they are not known.

Recommended Change – Hydraulic Positivity: Rain Tanks

PA_{PFZ}-S3	Building Coverage
<p>The maximum building coverage is 45%.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> 1. Pergola structures that are not covered by a roof; 2. Uncovered decks; 3. Uncovered outdoor swimming pools; or 4. Buildings and structures that are with a footprint of no more than 2.6m² in area and a height of no more than 1.82.2m in height above ground level. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> M1. Dominance effects on the street and adjoining properties; and M2. Whether topographical or other site constraints make compliance with the standard impracticable.

PB_{PFZ}-S3	Building Coverage
<p>The maximum building coverage is:</p> <ol style="list-style-type: none"> 1. 40%; or 2. 45% for multi-unit housing <p>This standard does not apply to:</p> <ol style="list-style-type: none"> 3. Pergola structures that are not covered by a roof; 4. Uncovered decks; 5. Uncovered outdoor swimming pools; 6. Buildings and structures that are with a footprint of no more than 2.6m² in area and a height of no more than 1.82.2m in height above ground level. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> M1. Dominance effects on the street and adjoining properties; and M2. Whether topographical or other site constraints make compliance with the standard impracticable.

PC_{PFZ}-S5	Building Coverage Kakaho Basin
<p>The maximum building coverage is:</p> <ol style="list-style-type: none"> 1. 35%; or 2. 40% for multi-unit housing <p>This standard does not apply to:</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> M1. Dominance effects on the street and adjoining properties; and

<p>3. Pergola structures that are not covered by a roof;</p> <p>4. Uncovered decks;</p> <p>5. Uncovered outdoor swimming pools;</p> <p>6. Building and structures with a footprint of no more than 2.6m² and a height of no more than 2.2m above ground level.</p>	<p>M2. Whether topographical or other site constraints make compliance with the standard impracticable.</p>
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Reason

212. This is in response to the recommendation to limit planning barriers for the installation of rain tanks up to a certain size.

How this Change Achieves the Purpose of the RMA

213. The amendments enable the use of rectangular 5,000L rain tanks, which is the size recommended for residential properties to contribute to water sensitive design. This will assist with on-site storage for general use or in an emergency and therefore provides for the wellbeing of people and their health and safety.

Benefits including Opportunities for Economic Growth and Employment

214. This removes cost and administrative barriers to implementing water sensitive design.

Costs

215. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

216. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

217. The efficiency of the recommended change is high because the benefits outweigh the costs.

218. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

219. The other reasonably practicable option is to leave rainwater tanks (or other small structures) subject to bulk and location provisions.

Recommended Change – Hydraulic Positivity: Flood Hazard Reduction

SW _{PFZ} -P2	Hydraulic Neutrality
<p>Require all scales of subdivision, use and development to achieve hydraulic neutrality as follows:</p> <ol style="list-style-type: none"> 1. Provide for hydraulic neutrality and flood hazard reduction facilities at catchment and sub-catchment scale that are designed to cater for all subsequent development in the catchment or sub-catchment; 2. Design the hydraulic neutrality facilities to cater for the following proportions of impervious surfaces: <ol style="list-style-type: none"> a. 100% impervious roads in all Precincts and all development in Precinct D; b. 70% impervious individual properties in Precinct A, B and C. 3. Require any increase in impervious surfaces above 70% on individual properties in Precincts A, B and C to address any impact on hydraulic neutrality by demonstrating the existing hydraulic neutrality facilities have capacity or by providing sufficient water storage for hydraulic neutrality on the property; 4. Provide for hydraulic neutrality facilities that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade. 5. Design hydraulic neutrality facilities so that they are sized in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). 	

SWP 30	Flood hazard reduction opportunities should be identified and realised as part of the redevelopment of Plimmerton Farm to address and improve, where practicable, existing flood hazard.	<ul style="list-style-type: none"> • Plimmerton Farm Zone - hydraulic neutrality policy and rules (SWPFZ-P2) • Plimmerton Farm Zone – Natural Hazards section
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Reason

220. This is in response to the recommendation that flood hazard reduction is provided for.

How this Change Achieves the Purpose of the RMA

221. The amendments better achieve section 6(h) of the RMA, through contributing to the management of natural hazard risk. This is implemented by effective Plimmerton Farm Zone - hydraulic neutrality policy and rules and have been modified as a result of submissions and re-evaluation.

Benefits including Opportunities for Economic Growth and Employment

- 222. This reduces the potential for flood hazards through specific attention to project design and stormwater management to avoid, remedy or mitigate effects. This will also enable economic growth and employment in areas that are not prone to flood hazard effects.

Costs

- 223. The cost of requiring flood hazard reduction in addition to hydraulic neutrality is marginal.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

- 224. No risks around uncertain or insufficient information in relation to this matter have been identified. Extensive analysis through the plan change process removes uncertainty and provides a sufficient basis for managing stormwater effects.

Efficiency and Effectiveness

- 225. The efficiency of the recommended change is high because the benefits outweigh the costs.
- 226. The effectiveness of the recommended change is high because it contributes to the flood hazard outcomes sought by having a detailed framework of assessment designed to minimise flood hazard risk.

Other Reasonably Practicable Options for Achieving the Objectives

- 227. The other reasonably practicable option is to rely on hydraulic neutrality provisions alone. Other options for stormwater management provisions have been considered, refined and strengthened through the entire plan change process. The provisions as notified are considered to be enhanced through the assessment of detailed comments made in submissions.

Recommended Change – Contaminants

SWPFZ-P1	Water Sensitive Design
Require all subdivision, use and development to incorporate water sensitive design that:	

1. Is in accordance with the Wellington Water Limited *Regional Standard for Water Services* (2019) and the Wellington Water Limited *Water Sensitive Design for Stormwater: Treatment Device Design Guideline* (2019), including accommodating the volume and rate of stormwater runoff identified in those documents;
2. Retains and uses existing natural systems of stormwater management, without exceeding their existing capacities, so that stormwater is naturally treated in accordance with mātauranga Māori ([as determined by Ngāti Toa](#)) to maintain and enhance its mauri before it is released into the receiving waters of Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-o-Porirua Harbour;
3. Avoids mixing waters of different catchments;
4. Provides for, protects and maintains overland flow paths;
5. Provides for access to and along waterbodies for maintenance;
6. Provides for stormwater treatment devices that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade;
7. Requires stormwater runoff from impervious surfaces in Precinct D and from all roads in Plimmerton Farm Zone to be treated to ~~remove contaminants~~ [reduce concentrations of copper, zinc and sediment](#) prior to discharge; and
8. Where feasible, may be used for other purposes (such as recreational facilities).

SW_{PFZ-P3}	Building Materials
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Require buildings and structures with copper or zinc building, cladding and roofing materials (including guttering and spouting) to achieve one of the following:

1. The building material must be finished in a manner that prevents water runoff from containing copper or zinc; or
2. The water runoff from the building materials must be treated to ~~remove~~ [reduce concentrations of](#) copper or zinc.

SWP 24	Capture and treat 90% of rainfall to remove reduce concentrations of zinc and copper.	28	<ul style="list-style-type: none"> • Plimmerton Farm Zone – Stormwater section (SW_{PFZ-P3})
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Reason

228. This is in response to the recommendations that contaminants be specified and clarification that the appropriate term is *reduce* rather than *remove*.

How this Change Achieves the Purpose of the RMA

229. The amendments detail what the indicator contaminants in stormwater runoff are, thereby clarifying what effects are required to be addressed.

Benefits including Opportunities for Economic Growth and Employment

230. This clarifies the contaminants which must be reduced to achieve the water sensitive design outcomes.

Costs

231. By treating indicator contaminants there are benefits through capturing other contaminants. There will be no additional costs as treatment of contaminants was part of the Plan Change as notified. The changes proposed are to provide further clarification of treatment parameters.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

232. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

233. The efficiency of the recommended change is high because the benefits outweigh the costs.
234. The effectiveness of the recommended change is high because it contributes to the outcomes sought being to manage the adverse effects of contaminants related to stormwater.

Other Reasonably Practicable Options for Achieving the Objectives

235. The other reasonably practicable option is to rely on hydraulic neutrality provisions alone. Options for stormwater provisions have been considered, refined and strengthened through the entire plan change process. The provisions as notified are considered to be enhanced through the assessment of detailed comments made in submissions.

Recommended Change – mātauranga Māori

SW_{PFZ}-P1	Water Sensitive Design
<p>Require all subdivision, use and development to incorporate water sensitive design that:</p> <ol style="list-style-type: none"> 1. Is in accordance with the Wellington Water Limited <i>Regional Standard for Water Services</i> (2019) and the Wellington Water Limited <i>Water Sensitive Design for Stormwater: Treatment Device Design Guideline</i> (2019), including accommodating the volume and rate of stormwater runoff identified in those documents; 2. Retains and uses existing natural systems of stormwater management, without exceeding their existing capacities, so that stormwater is naturally treated in accordance with mātauranga Māori (as 	

determined by Ngāti Toa) to maintain and enhance its mauri before it is released into the receiving waters of Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-o-Porirua Harbour;

3. Avoids mixing waters of different catchments;
4. Provides for, protects and maintains overland flow paths;
5. Provides for access to and along waterbodies for maintenance;
6. Provides for stormwater treatment devices that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade;
7. Requires stormwater runoff from impervious surfaces in Precinct D and from all roads in Plimmerton Farm Zone to be treated to ~~remove contaminants~~ reduce concentrations of copper, zinc and sediment prior to discharge; and
8. Where feasible, may be used for other purposes (such as recreational facilities).

Reason

236. This is in response to the recommendations that Ngāti Toa are the appropriate determinant of mātauranga Māori.

How this Change Achieves the Purpose of the RMA

237. The change addresses Section 8 of the RMA and is consistent with section 6(e).

Benefits including Opportunities for Economic Growth and Employment

238. This ensures that water sensitive design solutions will meet expectations of providing for mātauranga Māori.

Costs

239. There will be additional costs to the applicant and Council in involving Ngāti Toa but these will not be significant considering the wider expectations of co-operation with Ngāti Toa during development of the Plimmerton Farm Zone.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

240. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

- 241. The efficiency of the recommended change is high because the benefits outweigh the costs. This is with particular regard to the input of mana whenua to the development of the Plimmerton Farm Zone.
- 242. The effectiveness of the recommended change is high because it contributes to the outcomes sought of providing for development while managing stormwater through recognition of the principles of mātauranga Māori.

Other Reasonably Practicable Options for Achieving the Objectives

- 243. The other reasonably practicable option is to rely on hydraulic neutrality provisions alone. Options for provisions relating to stormwater management have been considered, refined and strengthened through the entire plan change process. The provisions as notified are considered to be enhanced through the assessment of detailed comments made in submissions.

Recommended Change – Hydraulic Neutrality

HYDRAULIC NEUTRALITY	means post-development peak runoff <u>flow</u> does not exceed pre-development peak flow rate in all flood events up to and including the 1 in 100-year event.
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SW _{PFZ-P2}	Hydraulic Neutrality
	<p>Require all scales of subdivision, use and development to achieve hydraulic neutrality as follows:</p> <ol style="list-style-type: none"> 1. Provide for hydraulic neutrality <u>and flood hazard reduction</u> facilities at catchment and sub-catchment scale that are designed to cater for all subsequent development in the catchment or sub-catchment; 2. Design the hydraulic neutrality facilities to cater for the following proportions of impervious surfaces: <ol style="list-style-type: none"> a. 100% impervious roads in all Precincts and all development in Precinct D; b. 70% impervious individual properties in Precinct A, B and C. 3. Require any increase in impervious surfaces above 70% on individual properties in Precincts A, B and C to address any impact on hydraulic neutrality by demonstrating the existing hydraulic neutrality facilities have capacity or by providing sufficient water storage for hydraulic neutrality on the property; 4. Provide for hydraulic neutrality facilities that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade. 5. <u>Design hydraulic neutrality facilities so that they are sized in accordance with the Wellington Water Limited Regional Standard for Water Services (2019).</u>

Reason

244. This is in response to the recommendation that hydraulic neutrality is appropriately defined and facilities are appropriately sized.

How this Change Achieves the Purpose of the RMA

245. The amendments better achieve water sensitive design desired outcomes by reference to Regional Standards in terms of the design of hydraulic neutrality facilities.

Benefits including Opportunities for Economic Growth and Employment

246. The change provides clarity. The principle of wider benefits of hydraulic neutrality in PC18 as notified remain robust.

Costs

247. There is no additional cost, the changes better reflect the intention of the hydraulic neutrality provisions.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

248. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

249. The efficiency of the recommended change is high because the benefits outweigh the costs.
250. The effectiveness of the recommended change is high because it contributes to the outcomes sought in respect of hydraulic neutrality and the minimisation of the risk of natural hazards.

Other Reasonably Practicable Options for Achieving the Objectives

251. No other reasonably practicable options have been identified other than those that were considered through the development of PC18.

Earthworks

252. The following submissions raise matters I have identified as relevant to earthworks.

<ul style="list-style-type: none"> • Geoff Mowday (3) • Joel de Boer (5) (Director-General of Conservation F11) • Dale Shirtliff (10) • Whitby Residents Association (11) • Aimee Porteners (17) • Michael Porteners (18) • Deborah Mair (20) • Yvonne Fletcher (21) • Lucy Booth (22) • Maddison Booth (23) • Anne Cawthorn (25) • Theorem Analytics (29) (Director-General of Conservation F11) • Susan Xuereb (30) • Suzy Pinguet (32) • Penelope Welsh (33) • Craig Welsh (35) • Julie Williams (36) • Courtney Dodunski (38) • Laura Lesslie (39) • Leona Smith (40) • Karla Beamsley (44) (Forest and Bird F14) • David Barker (48) • Greater Wellington Regional Council (49) (Robyn Smith F4, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) 	<ul style="list-style-type: none"> • Martin Gregory (51) • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1) • Marcia Ashdown (53) • Catherine Gibbs (59) • National Wetland Trust of NZ (60) (Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) • Plimmerton Residents' Association Inc (61) • Stephen Lord (64) • Deborah Lynch (67) • Guy Marriage (70) • Friends of Taupo Swamp & Catchment Inc (79) (Neil Aitken F3, Queen Elizabeth the Second National Trust F12) • Predator Free Pukerua Bay (81) • Andy Brown (82) • Charlotte Boys (85) • Sally Odams (86) • Heather Evans (87) • Bill McAulay (89) (Director-General of Conservation F11) 	<ul style="list-style-type: none"> • Powerco (95) (Wellington Electricity Lines Ltd F10) • John McKoy (99) • Isabella Cawthorn (103) • Diane Richardson (104) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Nick Vincent (109) • Pukerua Bay Residents Association (111) • Sue Boyde (112) • Frances Cawthorn (115) • Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) 	<ul style="list-style-type: none"> • Glenn Pitcaithly (120) • Robyn Moore (123) • Alan Reader (125) • Martin Cawthorn (126) • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15) • Lynette Shum (129) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Doug Widdowson (135) • Wallace Webber and Helen Webber (136) • Elise Bailey (137) • Tracey Waters (138)
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253. In my opinion the principal matters of agreement and disagreement in respect of Earthworks for PC18 and submissions are the following.

Matters of Agreement

- (a) Setback from waterbodies.

Matters of Disagreement

- (b) Erosion and sediment control;
(c) Stability;
(d) Visual effects from earthworks;
(e) Construction effects.

254. I discuss the above matters under separate headings below, highlighting the views of some of the submitters who express commonly held views as well as submitters who raise specific issues and drawing on the evidence of Alan Blyde (Earthworks, erosion and sediment control management) dated 21 August 2020, which I accept in full, except where otherwise stated.

255. I then set out my recommended changes to the plan change together with a s32AA evaluation.

Matters of Agreement

Setbacks from Waterbodies

256. GWRC (49) (Robyn Smith F4, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) seeks that EW_{PFZ}-S3, which permits minor earthworks within 20m of a wetland or stream, is amended so that it only allows such earthworks between 5m and 20m of a wetland or stream. This provides alignment with the pNRP, and is supported by Mr Blyde. I accept the need for this change, but consider it should only apply to streams, because earthworks setbacks from wetlands is managed under the National Environmental Standards for Freshwater (NESFW).

257. My recommended changes are below.

258. GWRC (49) (Robyn Smith F4, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12) requests that EW_{PFZ}-P3 is amended to be consistent with changes requested to the provisions in the Ecosystems and Indigenous Biodiversity Chapter. I accept the need for consistency but have addressed the matter by providing a cross reference from EW_{PFZ}-P3 to ECO_{PFZ}-P2 so that the effects-management hierarchy applies as sought. The recommended change is set out below.

Earthworks Season

259. Bill McAulay (89) requests time constraints for open earthworks and suggests an 'earthworks season'. Mr Blyde acknowledges this issue and states:

I support restrictions on earthworks during the wetter winter period, outside of what is commonly viewed as the 'earthworks season' and in my experience that GWRC imposes constraints on earthworks period within conditions of consent for bulk earthworks.

260. I agree with Mr Blyde that this is a consenting matter and do not recommend any changes to PC18.

Matters of Disagreement

Erosion and Sediment Control

261. Many submitters, including Joel de Boer (5) (Director-General of Conservation F11), Whitby Residents Association (11), Deborah Mair (20), Yvonne Fletcher (21), Lucy Booth (22), Maddison Booth (23), Anne Cawthorn (25), Theorem Analytics (29) (Director-General of Conservation F11), Susan Xuereb (30), Suzy Pinguet (32), Penelope Welsh (33), Craig Welsh (35), Leona Smith (40), Karla Beamsley (44) (Forest and Bird F14), Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1), Marcia Ashdown (53), Catherine Gibbs (59), National Wetland Trust of NZ (60) (Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12), Stephen Lord (64), Guy Marriage (70), Charlotte Boys (85), John McKoy (99), Isabella Cawthorn (103), Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14), Nick Vincent (109), Pukerua Bay Residents Association (111), Sue Boyde (112), Frances Cawthorn (115P), Forest and Bird (117) (Welhom Developments Ltd

F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16), Glenn Pitcaithly (120), Robyn Moore (123), Alan Reader (125), Martin Cawthorn (126), Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15), Lynette Shum (129), Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11), Doug Widdowson (135). Wallace Webber and Helen Webber (136) and Elise Bailey (137) identify various degrees of concern with the framework proposed to consider erosion and sediment control.

262. I agree that erosion and sediment control is a key matter, with its importance highlighted in Strategic Objective 3 of the plan change, which is that the *Subdivision, use and development in Plimmerton Farm contribute to high water quality of receiving waters including Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-o-Porirua*. This objective is supported by the submission made by National Wetland Trust of New Zealand (60).
263. The erosion and sediment control measures, which are included in EW_{PFZ}-P1 and the Erosion and Sediment Control Principles of the Precinct Plan are based on the GWRC *Erosion and Sediment Control Guidelines for the Wellington Region (2006)*. A number of submitters consider that this document is outdated and does not reflect current best practice. However, Mr Blyde is of the opinion that the general principles of erosion and sediment control have not changed since this document was published and cites the 2016 Auckland Council document, *Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland region*, as containing similar principles.
264. In Mr Blyde's view, suitably designed and maintained sediment retention ponds, along with decanting earth bunds are the most successful method for erosion and sediment control. EW_{PFZ}-P1 and the Erosion and Sediment Control Principles of the Precinct Plan require that such devices within the plan change be larger than what is specified in the GWRC *Erosion and Sediment Control Guidelines for the Wellington Region (2006)*.
265. Mr Blyde does however state that a testing and monitoring regime is integral to the effectiveness of sediment retention ponds and decanting earth bunds. Consequently,

he proposes an addition to EW_{PFZ}-P1 and the Erosion and Sediment Control Principles regarding the requirement for a detailed Operation and Maintenance Plan which is to outline monitoring requirements for all devices. I have included this as a recommended change below.

266. Mr Blyde generally agrees with the points raised in the submissions of Karla Beamsley (44), The National Wetland Trust of New Zealand (60), Guy Marriage (70) and Bill McAuley (89) that flocculation improves the efficacy of sediment retention ponds. I accept the advice that flocculation should be enabled, but note that this is associated with discharge rather than land use, and is managed directly by GWRC.
267. Mr Blyde is confident that EW_{PFZ}-P1 and the Erosion and Sediment Control Principles require excellent erosion and sediment control measures. Based on site visits, Mr Blyde observes that there are a number of waterways that appear to have an existing high sediment load as result of the current land use. Mr Blyde holds the opinion that the implementation of EW_{PFZ}-P1 and the Erosion and Sediment Control Principles has the potential to reduce the existing sediment load.
268. Mr Blyde acknowledges that some submitters (e.g. Robyn Smith (107)) have queried specific elements of the proposed erosion and sediment control measures, such as identifying that the term 'volume' has been used instead of 'area' at specific instances. Such changes are corrected in the recommended changes below.
- 269.** GWRC raises concerns about the potential conflict between local and regional council functions in relation to earthworks. The RPS identifies the potential for overlap between regional and local council functions, and promotes the development of a protocol to manage duplication of functions. I understand that PCC and GWRC are currently discussing such a protocol.

Visual Effects

270. Visual effects of earthworks are raised in the submissions of Martin Gregory (51), Stephen Lord (64) and Neil Aitken (71). Other submitters, including Robin Chesterfield (6) and Karla Beamsley (44) raise particular concerns about the visual effects of batter slopes.
271. The plan change provisions, while providing for earthworks, also impose limits on land disturbance, such as restricting the area of exposed soil at any one time and requiring rapid stabilisation. The earthworks are a necessary step to achieve the

housing outcomes sought. I acknowledge that earthworks will be visible but, like other construction effects, are temporary.

272. Both Mr Blyde and Ms Williams (Landscape) note that the permitted batter slopes can be treated to address visual effects, and this is provided for within the provisions. Further, Mr Blyde advises that the steepness of the permitted batter slopes helps to limit the footprint and height of earthworks.

Stability

273. Karla Beamsley (44) is also concerned at the stability of the permitted batter slopes. Stability effects are also raised in other submissions (Whitby Residents Association (11), Aimee Porteners (17), Michael Porteners (18), Julie Williams (36), Courtney Dodunski (38), Marcia Ashdown (53), Sally Odams (86), Lynette Shum (129), Anna Barker (130)).
274. Geotechnical advice received from Engeo Ltd has informed Mr Blyde's views about the steepness of slopes that can be achieved within the site. Part of the geotechnical assessment, undertaken prior to the Precinct Plan being developed, identified areas of the site which were unsuitable for development due to their steepness. Such areas are typically located within the Biodiversity Offsetting and Restoration Areas.
275. With regard to batter slopes, Mr Blyde advises that 27 degrees is recommended, but with the implementation of specific techniques such as geogrid and pinned geotechnical products, slopes up to 35 degrees are appropriate. Given slopes greater than 27 degrees require specific design, it is appropriate that they are subject to resource consent. Recommended changes are below.
276. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15) seeks that ESP7 is amended to allow for lesser compaction to improve post-construction infiltration rates to protect downstream receiving environments. Mr Blyde considers this is inappropriate because the limits set are required to meet geotechnical standards and provide bearing capability. He also notes the intent is to limit stormwater infiltration in such areas, as opposed to other areas where stormwater infiltration is encouraged. I accept Mr Blyde's advice.

Earthworks in more sensitive areas

277. Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) is concerned that the provisions encourage filling of gullies, wetlands and streams. I note there is specific discouragement of such action in EW_{PFZ}-P1 and the Erosion and Sediment Control Principles. The provisions of the NPSFM and NESFW also apply.
278. Ms Smith and Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) consider that earthworks in SNAs are inappropriate and must be avoided. In my view there are likely to be circumstances when resource consent is sought for such activity and therefore a framework for the assessment of such activity is prudent. I note that ECO_{PFZ}-P2 sets out an effects management hierarchy that begins with 'avoid'.

Construction effects

279. There are a number of submitters who are concerned about the effects of earthworks during construction (Laura Lesslie (39), Paul and Elaina Weinstein (58), Andy Brown (82)). Effects cited include dust, noise and traffic, amongst others. PC18 provisions require that a Site Management Plan be developed which outlines how the construction effects of earthworks are to be addressed, and I consider this an appropriate measure to mitigate the effects raised by those submitters.

Level of detail

280. Friends of Taupo Swamp & Catchment Inc (79) and Tracey Waters (138) are concerned that the volume of earthworks has not been quantified. PC18 provisions set a framework for the consideration of earthworks resource consent applications, where quantity may be a relevant matter.

Infrastructure

281. Powerco (95) seeks changes to the earthworks rules and standards to better provide for their requirements. In my view, providing greater allowance for earthworks associated with infrastructure does not take into account the sensitive receiving environments for the effects of earthworks, and therefore I consider it appropriate that infrastructure providers are subject to the same controls as others who wish to undertake earthworks.

Rule Framework

282. Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) seeks amendments to the rule and standards framework, including that the activity status when standards cannot be complied with is elevated to non-complying. Earthworks are needed to enable the urban development of the site, and therefore I consider the prudent district plan response to be a robust framework for consideration. In my view, PC18 provides such a framework, including through its use of restricted discretionary activity status which provides clear guidance to applicants and decisions makers.

Recommended Changes and Section 32AA Evaluation

Recommended Change – Setback from waterbodies

EW _{PFZ-S3}	Earthworks within 20m of a stream or wetland	
All Precincts	<p>Earthworks:</p> <ol style="list-style-type: none"> 1. Must be setback at least 5m from the stream; 2. Must not exceed 25m³ per site in any 12 month period; and 3. Must not exceed a cut or fill of 0.5m measured vertically. <p>This standard does not apply to earthworks under NH_{PFZ-R1}.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> M1. Effects on the amenity, ecological, cultural and other values of the water body.

Reason

283. This is in response to the recommendation that there should be alignment with the regional council.

How this Change Achieves the Purpose of the RMA

284. The amendment provides a greater level of protection for receiving waters. It also provides for better integration between the functions of the regional council and earthworks matters controlled under the Plan Change.

Benefits including Opportunities for Economic Growth and Employment

285. This benefits the receiving waters in particular by including extensive provisions for minimising the effects through provision of effective and enforceable erosion and sediment control management provisions. Opportunities for Economic Growth and Employment are limited to the construction and monitoring phases.

Costs

286. There are increased resource consent costs associated with this change for earthworks within 5m of a stream, but these works would require regional consents in any event. Any increased monitoring and compliance costs are likely to be minor considering the extent of site monitoring required through the plan change provisions.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

287. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

288. The efficiency of the recommended change is high because the benefits outweigh the costs.

289. The effectiveness of the recommended change is high because it contributes to the outcomes sought being to avoid, remedy or mitigate any adverse effects of earthworks on the values of waterbodies in a manner that exceeds the current regional guidelines for erosion and sediment control.

Other Reasonably Practicable Options for Achieving the Objectives

290. There are no other reasonably practicable options. The process for development of the earthworks provisions in proximity to waterbodies has been refined through the entire plan change process. The provisions as notified are considered to be enhanced through the assessment of detailed comments made in submissions.

Recommended Change – Erosion and Sediment Control, Stability

EW_{PFZ-P1}	Earthworks in Precincts A, B and D
Provide for earthworks associated with subdivision, use and development in a coordinated and integrated	

manner as follows:

1. Address adverse visual effects associated with any cut or fill faces by restricting heights, and gradients of batter slopes and requiring the treatment and rehabilitation of these slopes with screening, landscaping or planting in accordance with the Plimmerton Farm Precinct Plan;
2. Address erosion and sediment control for earthworks areas not exceeding 3,000m² following the guidance of the Greater Wellington Regional Council publication *Small Earthworks - Erosion and Sediment Control for Small Sites* (2006).
3. Address erosion and sediment control for earthworks areas exceeding 3,000m² through an Erosion and Sediment Control Plan as follows:
 - a. Stage the earthworks to minimise the total area of exposed soils at any point in time;
 - b. Minimise disturbance of existing vegetation;
 - c. Avoid long, continuous, exposed slopes;
 - d. Use erosion control to prevent sediment generation rather than attempting to catch unnecessarily generated sediments downstream;
 - e. Ensure that control measures are installed before commencement of each stage of earthworks;
 - f. All topsoil must be stripped from the earthwork areas with the stripped area being kept to the practical minimum at any one time. Topsoil must be stockpiled and used in the rehabilitation of the site;
 - g. All fill areas must be re-worked and compacted in accordance with a design that is appropriate to soil conditions and geology;
 - h. All fills must be compacted to reduce erosion and sedimentation;
 - i. Stabilise exposed areas as soon as practicable;
 - j. Use vegetated ground cover to stabilise where appropriate;
 - k. Install diversion drains, silt fences and decanting earth bunds to divert clean water runoff away from worked areas and keep separate from sediment prone water;
 - l. Sediment retention ponds are to be sized to hold at least one third more capacity for the same ~~volume~~ area of disturbance than the requirements set out in the Greater Wellington Regional Council *Erosion and Sediment Control Guidelines for the Wellington Region* (2006). All other design requirements for sediment retention ponds must remain compliant with the guidelines;
 - m. Sediment retention ponds must be used for multiple catchments where possible;
 - n. Sediment retention ponds for catchments larger than 1.5ha must have baffles installed to improve settling conditions and prevent wind induced movement of sediment;
 - o. Earthworks must be staged to ensure that only runoff from the open area of earthworks is diverted to the sediment retention pond; and that the open area does not exceed the design capacity of the sediment retention pond. Only once an area/stage of works is complete, the surface stabilised and the subsequent clean water from the completed area is diverted so that it no longer flows into the sediment retention pond; can the area of the completed area/stage be removed from the total area of contributing catchment going to an sediment retention pond;
 - p. Decanting earth bunds are to be built at least one third larger than the requirements set out in the Greater Wellington Regional Council *Erosion and Sediment Control Guidelines for the Wellington Region* (2006);
 - q. Secondary protection including double silt fences must be installed to manage earthworks in relation to high risk areas, being Significant Natural Areas or wetlands;

- r. Each stage of earthworks (and the overall site) must be designed to achieve a cut/fill balance but gullies, wetlands and stream corridors must not be used solely to dispose of fill;
 - s. Each area of earthworks must be stabilised as early as possible upon completion and not just at the end of the stage to minimise the area exposed at any one time;
 - t. Batter faces must be stabilised at intervals during the construction (likely maximum 5m height) to avoid the full face of the batter being exposed until the top of the batter construction is reached;
4. Address the effects of earthworks in Flood Hazard Areas in accordance with NH_{PFZ-P7} and NH_{PFZ-P8};
 5. Do not compromise the safety and stability of land, infrastructure or buildings;
 6. Avoid, remedy or mitigate any adverse dust or vibration beyond the site; and
 7. Recognise and provide for Tangata Whenua cultural values and practices.

EW_{PFZ-P3} Earthworks in Precinct C (except to construct roads)

Provide for earthworks associated with subdivision, use and development as follows:

1. Avoid significant adverse effects and avoid, remedy or mitigate adverse effects on any identified characteristics and landscape values including those of the Kakaho Special Amenity Landscape and the prominent ridgeline identified on the Plimmerton Farm Precinct Plan; and
2. Demonstrate that:
 - a. The effects on any landscape values are appropriately avoided, mitigated or remedied through restoration or rehabilitation;
 - b. The alignment and location of the earthworks minimise changes to the landform and, where relevant, maintain the identified values of the Kakaho Special Amenity Landscape;
 - c. Erosion is minimised and sediment or soil loss are avoided, in accordance with the applicable area of earthworks addressed in EW_{PFZ-P1-2} or EW_{PFZ-P1-3};
 - d. The earthworks avoid, remedy or mitigate adverse effects on indigenous vegetation and any earthworks within an SNA are undertaken in accordance with ECOPFZ-P2;
 - e. The earthworks provide for water sensitive design;
 - f. Effects on the stability of land are avoided, remedied or mitigated;
 - g. Avoid, remedy or mitigate any dust or vibration effects beyond the site; and
3. Address the effects of earthworks in Flood Hazard Areas in accordance with NH_{PFZ-P7} and NH_{PFZ-P8}.

EW_{PFZ-R7} Earthworks associated with the construction of a road illustrated on the Plimmerton Farm Precinct Plan in Precinct C

- | | |
|------------|---|
| Precinct C | <ol style="list-style-type: none"> 1. Activity status: Restricted Discretionary
Where: <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. EW_{PFZ-S8}. Matters of discretion are restricted to: <ul style="list-style-type: none"> M1. The matters in: <ul style="list-style-type: none"> a. EW_{PFZ-P4}; and |
|------------|---|

	<p>b. EW_{PFZ}-P5.</p> <p>Refer information requirements in EW_{PFZ}-IR-2.</p>
	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. EW_{PFZ}-R7-1.a.</p> <p>Refer information requirements in IR-2.</p>
	<p>3. Activity status: Non-Complying</p> <p>Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. EW_{PFZ}-R7-1.b</p> <p>Refer to information requirements in EW_{PFZ}-IR-2.</p>

EW_{PFZ}-S8	Earthworks associated with the construction of a road	
Precinct C	<p>Earthworks:</p> <ol style="list-style-type: none"> Must not result in an upslope cut or batter greater than 4m measured vertically; Batter slopes must not exceed an angle of 27° measured from the horizontal plane; and Planting of the batter slopes must be in accordance with the Batter Slope Typologies of the Plimmerton Farm Precinct Plan. 	
Precincts A, B and D	<p>Earthworks:</p> <ol style="list-style-type: none"> Must not result in an upslope cut or batter greater than 8m measured vertically; Batter slopes must not exceed an angle of 35<u>27</u>° measured from the horizontal plane; and Planting of the batter slopes must be in accordance with the Batter Slope Typologies of the Plimmerton Farm Precinct Plan. 	
EW_{PFZ}-S9	Batter Slopes not associated with the construction of a road	
All Precincts	<ol style="list-style-type: none"> Batter slopes must not exceed an angle of 35<u>27</u>° measured from the horizontal plane. 	

	<p>2. Planting of batter slopes must be in accordance with the Batter Slope Typologies of the Plimmerton Farm Precinct Plan.</p>	
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INFORMATION REQUIREMENTS		
EW_{PFZ}-IR-1	Earthworks of more than 3000m² under EW_{PFZ}-R1	
Precincts A, B and D	<p>An application for earthworks of more than 3000m² under EW_{PFZ}-R1 must include:</p> <ol style="list-style-type: none"> 1. Plans as follows: <ol style="list-style-type: none"> a. Contour or levels of the existing site, existing water courses, drainage features and any water table information; b. Proposed final contour levels and the extent of cut and fill; c. Batter slopes, surface and subsoil drainage and culverting; d. Specifications on compaction methods and degrees of compaction required, also giving moisture / density test results of the soil to be encountered. 2. Details of the staging and timing of the works, the total area of land to be exposed at any one time and the erosion and sediment control measures to be installed per stage. 3. A Site Management Plan ('SMP') that details sediment and erosion control, dust control, vibration and noise, traffic, hours of operation, health and safety and any other measures employed to manage the impact on adjacent properties and other sensitive receivers such as the Taupō Swamp. The SMP must include an assessment how the proposal is in accordance with the Plimmerton Farm Earthworks and Erosion and Sediment Control Principles and, where relevant, the Greater Wellington Regional Council <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> (2006). 4. A Planting Plan prepared by a suitably qualified expert in accordance with the Batter Slope Typologies in the Plimmerton Farm Precinct Plan and retaining wall planting (including plant species, size) on-going management and legal protection of planted batter slopes. 5. <u>An Operations and Maintenance Plan prepared by a suitably qualified expert for all erosion and sediment control measures, which must specify monitoring requirements for all erosion and sediment control devices</u> 	
EW_{PFZ}-IR-2	Applications made under Rules EW_{PFZ}-R5, EW_{PFZ}-R6 or EW_{PFZ}-R7	
Precinct C	<p>An application made under Rules EW_{PFZ}-R5, EW_{PFZ}-R6 or EW_{PFZ}-R7 must include:</p> <ol style="list-style-type: none"> 1. An assessment by a suitably qualified landscape architect to assess the proposal, which includes an assessment against the values and characteristics of the Kakaho Special Amenity Landscape, where relevant. The assessment must include: <ol style="list-style-type: none"> a. Any relationship of the site to Precinct C and the Special Amenity Landscape overlay and its place in the Porirua and Plimmerton Farm landscape context; b. Existing topography by contour lines with an analysis of slope gradients and an indication of the drainage pattern; c. Existing vegetation and significant natural features on the site; 	

	<ul style="list-style-type: none"> d. Existing visibility and views to and from the site; e. Proposed building platforms; f. Associated earthworks for accesses or driveway construction including proposed topography by contour lines, identifying areas of cut and fill areas; g. Proposed landscape development including boundary planting, restoration areas and amenity and restorative planting; and <p>2. Plans as follows:</p> <ul style="list-style-type: none"> a. Contour or levels of the existing site, existing water courses, drainage features and any water table information; b. Proposed final contour levels and the extent of cut and fill; c. Batter slopes, surface and subsoil drainage and culverting; d. Specifications on compaction methods and degrees of compaction required, also giving moisture / density test results of the soil to be encountered. <p>3. Details of the staging and timing of the works, the total area of land to be exposed at any one time and the erosion and sediment control measures to be installed per stage.</p> <p>4. A Site Management Plan ('SMP') that details sediment and erosion control, dust control, vibration and noise, traffic, hours of operation, health and safety and any other measures employed to manage the impact on adjacent properties and other sensitive receivers such as the Taupō Swamp. The SMP must include an assessment how the proposal is in accordance with the Plimmerton Farm Earthworks and Erosion and Sediment Control Principles and, where relevant, the Greater Wellington Regional Council <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> (2006).</p> <p>5. A Planting Plan prepared by a suitably qualified expert in accordance with the Batter Slope Typologies in the Plimmerton Farm Precinct Plan and retaining wall planting (including plant species, size) on-going management and legal protection of planted batter slopes.</p> <p>6. An Operations and Maintenance Plan prepared by a suitably qualified expert for all erosion and sediment control measures, which must specify monitoring requirements for all erosion and sediment control devices</p>
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Design Principles

Sediment Retention Ponds	
ESCP 13	Sediment retention ponds are to be sized to hold <u>at least</u> one third more capacity for the same volume <u>area</u> of disturbance than the requirements set out in the <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> (2006). All other design requirements for sediment retention ponds must remain compliant with the guidelines.
ESCP 14	Sediment retention ponds must be used for multiple catchments where possible.
ESCP 15	Sediment retention ponds for catchments larger than 1.5ha must have baffles installed to improve settling conditions and prevent wind induced movement of sediment.
ESCP 16	Earthworks must be staged to ensure that only runoff from the open area of earthworks is diverted to the sediment retention pond; and that the open area does not exceed the design

	capacity of the sediment retention pond. Only once an area/stage of works is complete, the surface is stabilised and the subsequent clean water from the completed area is diverted so that it no longer flows into the sediment retention pond, can the area of the completed area/stage be removed from the total area of contributing catchment going to an sediment retention pond.
Decanting Earth Bunds	
ESCP 17	Decanting earth bunds are to be built <u>at least</u> one third larger than the requirements set out in the <i>Erosion and Sediment Control Guidelines for the Wellington Region</i> (2006). Sediment control ponds may work better than decanting earth bunds for large scale earthworks.
Secondary Protection	
ESCP 18	Secondary protection must be installed to manage earthworks in relation to high risk areas. For example, where earthworks are situated close to Significant Natural Areas or wetlands, double silt fences (silt fences spaced 1.5m to 2m apart) must be installed.
Staging	
ESCP 19	Each stage of earthworks (and the overall site) must be designed to achieve a cut/fill balance but gullies, wetlands and stream corridors must not be used solely to dispose of fill. Each area of earthworks must be stabilised as early as possible upon completion and not just at the end of the stage to minimise the area exposed at any one time. Batter faces must be stabilised at intervals during the construction (likely maximum 5m height) to avoid the full face of the batter being exposed until the top of the batter construction is reached.

Reason

291. In respect of s32AA of the Act there has been a re-evaluation of the provisions. The changes proposed respond to submissions and technical advice concerning erosion and sediment control and stability.

How this Change Achieves the Purpose of the RMA

292. The changes assist with avoiding, remedying or mitigating adverse effects from earthworks and provide an effective framework for assessment of detailed design and construction of earthworks.

Benefits including Opportunities for Economic Growth and Employment

293. The benefits are largely around provision of effective earthworks provisions that seek to avoid, remedy or mitigate effects on the receiving environment. On its own these changes do not add to the overall opportunities for Economic Growth and Employment.

Costs

294. There are resource consent, implementation and monitoring costs associated with this change but in terms of the scale of the development any additional costs are likely to be minor.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

295. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

296. The effectiveness of the recommended changes is high because it contributes to the outcomes sought being to avoid, remedy or mitigate any adverse effects of earthworks on the values of waterbodies in a manner that exceeds the current regional guidelines for erosion and sediment control.

Other Reasonably Practicable Options for Achieving the Objectives

297. No other reasonably practicable options have been identified. Options for earthworks provisions have been considered, refined and strengthened through the entire plan change process. The provisions as notified are considered to be enhanced through the assessment of detailed comments made in submissions.

Housing Supply

298. The following submissions raise matters I have identified as relevant to housing supply.

<ul style="list-style-type: none"> • Amanda Miller (2) • Barney Knox (12) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, John Cody F13, Forest and Bird F14) • Mary Tremain (43) 	<ul style="list-style-type: none"> • Karla Beamsley (44) (Forest and Bird F14) • John Cody (45) (John Cody F13) • Matthew Xuereb (46) • Greater Wellington Regional Council (49) • Martin Gregory (51) • Regional Public Health (54) 	<ul style="list-style-type: none"> • Catherine Gibbs (59) • Kate Jensen (63) • Jane Shaw (68) • Guy Marriage (70) • Plimmerton Developments Ltd (78) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, John Cody F13) 	<ul style="list-style-type: none"> • Generation Zero (96) • Dr Andrew Lensen (98) (John Cody F13) • Liam Daly (101) • Forest and Bird Youth (124) • Doug Widdowson (135)
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299. In my opinion the principal matters of agreement and disagreement in respect of infrastructure for PC18 and submissions are the following:

Matters of Agreement

- (a) The need for housing.

Matters of Disagreement

- (b) The need for housing;
(c) The need for greenfield development;
(d) Housing affordability.

300. I discuss the above matters under below, highlighting the views of some submitters.

Matters of Agreement

The need for housing

301. The need for housing is both a matter of agreement and disagreement. There are submissions which consider that the proposed plan change is appropriate in that it will provide a framework for the establishment of housing on the site (Plimmerton Developments Limited (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, John Cody F13, Forest and Bird F14), Regional Public Health (54)). Other submissions note that PC18 aligns with PCC's growth plans (Greater Wellington Regional Council (49)). Conversely, there are other submissions that contest the need to provide for housing (Guy Marriage (70), Dr Andrew Lensen (98) (John Cody – F13), Liam Daly (101), Forest and Bird Youth (124), Douglas Widdowson (135), and whether the proposed plan change does or should give effect to the PCC's Growth Plans (Karla Beamsley (44), Jane Shaw (68), Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Forest and Bird - F14)).

302. From a statutory perspective, as was highlighted in the Section 32 Report, the functions of PCC in implementing Section 31 of the RMA set a clear direction in providing for urban growth in a District Plan. In particular, Section 31(1)(aa) is:

the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district

303. This function is reinforced through the previous National Policy Statement on Urban Development Capacity 2016 (NPS-UDC) and its recent replacement the National Policy Statement on Urban Development 2020 (NPS-UD), both of which direct local authorities to provide sufficient development capacity to meet the projected demand for housing and business growth over the short, medium and long term.

304. Under the NPS-UD, district plans and other RMA planning documents need to provide sufficient development capacity to accommodate the projected demand. The objectives and policies in the NPS-UD of most relevance in this respect are as follows:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future

Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

c) the area is in or near a centre zone or other area with many employment

opportunities

- d) *the area is well-serviced by existing or planned public transport*
- e) *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Policy 7: Tier 1 and 2 local authorities set housing bottom lines for the short-medium and the long term in their regional policy statements and district plans.

305. Under the NPS-UD, PCC is a Tier 1 local authority. Housing bottom lines are required to ensure that Tier 1 and 2 local authorities clearly state the amount of development capacity that is sufficient to meet expected housing demand.
306. Under the NPS-UDC, PCC completed a Housing and Business Capacity Assessment (2019). The purpose of this assessment was to detail the current state of demand and capacity for housing and business land.
307. Growth projections undertaken to inform the Porirua Growth Strategy 2048 have identified that there is insufficient supply to meet demand in the medium and long term. While the ability to service new development is one component of this, the lack of residentially zoned land to provide for the anticipated population growth is also a significant contributor. This lack of supply has been amplified by the recent growth in the Porirua property market.
308. As is detailed in the PCC Housing Development Summary attached as Appendix 2, the number of new dwellings required in Porirua City by 2048 is currently modelled as being approximately 10,500 (a figure which has been used to inform the Council's Long Term Plan work). Nearly 2,000 of those houses are required by the end of 2023.
309. When considering land availability, approximately 5,000 of the required dwellings over the period to 2048 are forecast to become located in existing urban areas (through infill development or comprehensive brownfield development), with the balance being needed in greenfield sites.
310. Plimmerton Farm is the only greenfield site currently with a rezoning plan change, and as such is the only greenfield site in Porirua with the potential to deliver the

greenfield aspect of the development capacity in the short (to 2023) and medium (to 2030) term.

311. Given this statutory requirement, I am of the view that there is a clear need for PCC to ensure that there is sufficient land available to satisfy housing and business demand, and the proposed plan change can assist in addressing this.

Matters of Disagreement

The need for greenfield development

312. There is opposition to the need for greenfield development (Martin Gregory (51), (John Cody – F13), Generation Zero (96), Forest and Bird Youth (124)). However, as I have stated above, Porirua needs greenfield land zoned appropriately to provide sufficient development capacity.

Housing affordability

313. There are a number of submitters which assert that a portion of the dwellings proposed should be affordable (Amanda Miller (2), Regional Public Health (54), Kate Jensen (63)). Regional Public Health (54) submit that housing affordability can be addressed through 'inclusionary zoning', and Amanda Miller (2) considers that a proportion of houses should be set aside for houses for Ngāti Toa.
314. In considering housing affordability, I have reviewed the Decision of the Independent Hearing Panel on the Auckland Unitary Plan, where it was determined that planning measures to address affordability were not appropriate as:

they would likely reduce the efficient of the housing market due to effectively being a tax on the supply of dwellings and be redistributive in their effect. The Panel is of the view that the imposition of land use controls under the Resource Management Act 1991 is not an appropriate method for such redistributive assessments and policies... The most appropriate way for the Plan to address housing affordability in the region is by enabling a significant increase in residential development capacity and a greater range of housing sizes and types.³

³ Paragraphs 58-59 of the *Report to Auckland Council – Overview of recommendations on the proposed Auckland Unitary Plan*, Auckland Unitary Plan Independent Hearings Panel, 22 July 2016.

315. I agree with the decisions reached by the Independent Hearing Panel, and in my view their reasoning is transferrable to PC18. PC18 provides for an increase in development capacity, and provides for a range of housing types within that capacity.

Recommended Changes and Section 32AA Evaluation

316. In my opinion, none of the matters raised in submissions result in a need to change the PC18 provisions as notified. Consequently there is also no need for a Section 32AA evaluation of these matters.

Urban Design

317. The following submissions raise matters I have identified as relevant to urban design.

<ul style="list-style-type: none"> • Amanda Miller (2) • Geoff Mowday (3) • Liz Slessor (8) • Whitby Residents Association (11) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Aimee Porteners (17) • Michael Porteners (18) • Urban Pirates Limited (24) • Anne Cawthorn (25) • Rebecca Isaac (26) • Julie Adams (27) • Celia McAlpine (28) • Robyn Hall (31) • Suzy Pinguet (32) • Allanah Andrews (37) • Leona Smith (40) • George Sederis (41) • Susie Hubbard (42) • Mary Tremain (43) • Karla Beamsley (44) • David Barker (48) 	<ul style="list-style-type: none"> • Geraldine Dornbusch (50) • Martin Gregory (51) • Susie Hubbard (42) • Karla Beamsley (44) • Regional Public Health (54) • Plimmerton School Board of Trustees (56) • Paul and Elaina Weinstein (57) • Catherine Gibb (59) • Gerardo Labbe (62) • Kate Jensen (63) • Amos Mann (65) • Deborah Lynch (67) • Jane Shaw (68) • Fin Georgeson (69) • Guy Marriage (70) • Neil Aitken (71) • Nigel Smith (77) • Plimmerton Developments Ltd (78) (John Cody F13) • Luke Baron (80) • Andy Brown (82) • Sally Odams (86) 	<ul style="list-style-type: none"> • Heather Evans (87) • Charlotte Cudby (88) • Bill McAulay (89) • Pene Burton Bell (90) • Ministry of Education (91) (Plimmerton School Board of Trustees F6) • Russell Morrison (92) • Generation Zero (96) • Dr Andrew Lensen (98) (John Cody F13) • Natasha Smith (100) • Liam Daly (101) • Isabella Cawthorn (103) • Diane Richardson (104) • Rebekah Burgess (105) • Otari-Wilton's Bush Trust (108) • Pukerua Bay Residents Association (111) 	<ul style="list-style-type: none"> • Welhom Developments Ltd (113) • Frances Cawthorn (115) • Peter Cockrem (116) • Miriam Freeman-Plume (119) • Glenn Pitcaithly (120) • Waka Kotahi NZ Transport Agency (122) • Forest and Bird Youth (124) • Alan Reader (125) • Martin Cawthorn (126) • Our Climate Declaration (127) • Anna Barker (130) • Michael Ashby (132) • Doug Widdowson (135) • Wallace Webber and Helen Webber (136)
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318. In my opinion the principal matters of agreement and disagreement in respect of Urban Design for PC18 and submissions are the following.

Matters of Agreement

- (f) Residential Density;
- (g) Providing for a neighbourhood centre in Precinct B;
- (h) Provision for Vehicles versus Other Transport Modes;
- (i) Connection to Plimmerton Station.

Matters of Disagreement

- (j) Road connections between Precincts and the Wider Area;
- (k) Location of Precinct D;
- (l) Large Format Retail in Precinct D;
- (m) Private Outdoor Space provision.

319. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on the statement of evidence of Lauren White (Urban Design) dated 21 August 2020, and Tim Heath (Economics) dated 21 August 2020, which I accept in full except where I have indicated otherwise.

320. I then set out my recommended changes to the plan change together with a s32AA evaluation.

Matters of Agreement

Residential Density

321. A number of submissions express the desire to increase the proposed housing density (Anne Cawthorn (25), Rebecca Isaac (26), Julie Adams (27), Celia McAlpine (28), Robyn Hall (31), Suzy Pinguet (32), Allanah Andrews (37), Leona Smith (40), George Sederis (41), David Barker (48), Geraldine Dornbusch (50), Catherine Gibb (59), Amos Mann (65), Fin Georgeson (69), Nigel Smith (77), Luke Baron (80), Heather Evans (87), Charlotte Cudby (88), Generation Zero (96), Dr Andrew Lensen (98), Natasha Smith (100), Liam Daly (101), Isabella Cawthorn (103), Frances Cawthorn (115), Miriam Freeman-Plume (119), Glenn Pitcaithly (120), Alan Reader (125), Martin Cawthorn (126), Our Climate Declaration (127), Anna Barker (130), Wallace Webber and Helen Webber (136):

...intensify properly, with lots of medium density (add a higher density zone - maximum 5 storeys of nicely laid-out density done well – up to 60% site coverage) in the area that's within a 5-minute walk of Plimmerton Village. The more people can live and work with access to all its many amenities, and its rail station (10 min to Porirua, 30 min to Wellington), the better.

322. In contrast to the calls for additional density, several submitters believe the plan change proposes housing that is too dense, at least in places (Liz Slessor (8), Aimee Porteners (17), Michael Porteners (18), Andy Brown (82)).
323. The submissions seeking an increase in density often relate density to walkability and liveability, suggesting that density be increased in Precinct A due to its relationship with Precinct D and areas beyond the site, and in Precinct B, if associated with a neighbourhood centre.
324. I agree with Ms White that the density in Precincts A and B should be increased. I note that increased density would align with the NPS-UD, which seeks an increase in density, particularly near high frequency public transport nodes such as Plimmerton Station.
325. Ms White has suggested changes to the plan change provisions to allow some increased density through increased building height, subject to consideration through a resource consent process. I agree with the suggested approach to increased density because in my view, greater densities require good design to ensure high quality, liveable outcomes for occupants as well as high quality, character streetscapes for communities, with careful thought about how larger buildings fit into the landscape. Essentially, I support 'density done well'.
326. The plan change provisions as notified allow for such consideration of density. Ms White's recommendations to increase density are related to height, and are intended to ensure that taller buildings providing for higher density living, when proposed, are appropriate to the character and landscape anticipated in Precincts A and B.
327. Ms White also recommends that additional height be considered in the context of potential effects related to earthworks. In my view these matters are addressed satisfactorily in the earthworks provisions.
328. The recommended changes to provisions are presented later in this section.

Providing for a neighbourhood centre in Precinct B

329. In terms of walkability/liveability, many submitters (including Catherine Gibb (59) Sally Odams (86), Heather Evans (87), Generation Zero (96), Isabella Cawthorn (103), Alan Reader (125), Wallace Webber and Helen Webber (136),) seek an identified neighbourhood centre, and in some instances a school, within Precinct B. I agree that both of these, and other community facilities would be desirable in Precinct B. Ms White notes in her evidence that such facilities would form a 'heart' to Precinct B (equivalent to the 'heart' of Precinct A provided by the commercial centre of Precinct D).
330. Ms White notes that the value of identifying a specified area or areas for non-residential land uses in Precinct B would be limited, because there is no certainty where or even if, non-residential activities would establish. Such land uses would require a critical mass of residents. Consequently, rather than specifying an area on the Precinct Plan that may sit vacant for some considerable time, I note the provisions of Precinct B enable non-residential uses. This is achieved through directive policy (PB_{PFZ}-P2) and subsequent restricted discretionary rules that require the scale of such activities to be compatible with the character anticipated by the precinct. I recommend an additional rule for the consideration of local shops and services.
331. While Ms White states that showing an 'indicative' location on the Precinct Plan would be appropriate, I consider that this would have little benefit, as it would provide a focal point on the Precinct Plan that would not be supported by the provisions. In my view it is better to allow the market to locate non-residential activities, subject to mitigation of effects on residential uses.
332. The recommended changes to provisions are presented later in this section.
333. In respect of a school, I note Ministry of Education (91) ([Plimmerton School Board of Trustees F6](#)) indicates a school is 'likely' and:
- looks forward to continuing to work with PCC and Plimmerton Developments Ltd to discuss the potential location and design of a new school within the proposed plan change area.*

334. I agree that continued discussions are the appropriate course of action. I acknowledge the Ministry of Education's preference to use its powers as a requiring authority.

Provision for Vehicles versus Other Transport Modes

335. The Transport section of this s42A report discusses the submissions that raise concerns about the road typologies. In regard to providing for private motor vehicles versus other transport modes, I note the PC18 provisions seek to provide for all modes of transport through a range of road typologies and an off-road pedestrian and cycle network. Collector Road Typologies 1 and 2 both require shared paths, Collector Road Typology 3 does not.
336. Mr Whittaker has considered the submissions and does not recommend any changes to the road typologies.
337. However, Ms White has also reconsidered the road typologies from an urban design perspective. Ms White recommends that Road Typology 3 is renamed as a General Purpose Road. This would mean that all Collector Roads would have shared paths but retains the option of using Road Typology 3 in suitable circumstances.
338. In considering the advice of Mr Whittaker and Ms White, and the filtering of the transport advice through urban design considerations, I support all collector roads having shared paths.
339. The recommended changes to provisions are set out below.

Connection to Plimmerton Station

340. I have recognised the importance of the non-vehicular connection between the plan change site and Plimmerton Station in the discussion in the Transport section of this report. I agree that there are strong urban design reasons to provide for the connection, but reiterate that the matter is best addressed as part of the Integrated Transport Assessments required for larger scale resource consent processes.

Matters of Disagreement

Road connections between Precincts and the Wider Area

341. A number of submitters are opposed to the proposed road layout, saying there should not be vehicle connections between the different precincts to enable a more defined neighbourhood scale and encourage alternative transport modes to the private vehicle. As stated earlier, the plan change needs to provide for all modes of transport. I agree with Ms White that removing road links between the precincts would affect the efficient movement of people residing in the areas, access for emergency services, refuse collection and potential public transport links. It would also affect resilience.

Location of Precinct D

342. While also an ecological issue, a number of submitters are concerned with the location of Precinct D. Ms White addresses the urban design perspectives of this location and its benefits to residents and passers-by. As a concept, Precinct D provides the community 'heart' that a number of submitters seek (e.g. Martin Cawthorn (126)). It also allows future residents of the zone to meet some of their daily needs without travelling out of the site and generating additional demand on existing centres. Further, Ms White notes that there is little potential elsewhere on the site to establish a centre of this size.
343. I agree that there are urban design reasons to locate Precinct D as proposed.

Large Format Retail in Precinct D

344. A number of submitters (e.g. Isabella Cawthorn (103), Peter Cockrem (116)) contest the need for Large Format Retail (or 'Big Box Retail') in Precinct D. Ms White notes that such a description applies to supermarkets. There are a number of submitters who want groceries to be available within the site.
345. In Ms White's view, supermarkets are an appropriate Large Format Retail use, to act as an anchor store and help attract and support other retail activity. They also act to buffer the lower parts of Precinct A from St Andrews Road. Large Format Retail does however have urban design challenges, in terms of providing for active frontages and addressing potential negative visual effects. This has been recognised in the PC18 provisions, with specific controls and restricted discretionary activity status for development of such stores within Precinct D. Overall, there are urban design reasons to retain Large Format Retail in Precinct D.

346. I have also sought advice from Tim Heath of Property Economics regarding the appropriateness of Large Format Retail in Precinct D. Mr Heath advises that PC18's wide definition of Large Format Retail could enable a large range of different retailers, which would have the potential to undermine the role and function of the Porirua City Centre.
347. Mr Heath considers that the only Large Format Retail activities that would be appropriate in Precinct D are Trade Supplier Activity and Supermarket.
348. I accept Mr Heath's advice and have amended the PC18 provisions to limit the activity types that can occur on the two identified sites within Precinct D to Trade Supplier and Supermarket Activities. This is achieved through removing the definition of Large Format Retail, relying on the existing definition of Supermarket and introducing a new definition of Trade Supplier
349. The recommended changes to provisions are set out below.

Private Outdoor Space provision

350. Karla Beamsley (44) and Plimmerton Developments Ltd (78) (John Cody F13) submit on outdoor living space from different perspectives, suggesting that the outdoor space requirements in the notified provisions are inappropriate. Ms White advises that the quality and functionality of the outdoor space is more important than its size. Ms White has suggested an amendment to the provisions to improve functionality, and notes that the neighbourhood park and open space networks will also provide residents with opportunities for passive and active recreation.
351. I accept Ms White's advice. The recommended changes to provisions are set out below.
352. Welhom Developments Ltd (113) submits that outdoor living space standard PA_{PFZ}-S8 should not apply to Retirement Villages on the basis that this kind of activity often delivers outdoor living space at a communal level. Both Ms White and I agree with this sentiment. I note that PA_{PFZ}-R9 provides for retirement villages as a restricted discretionary activity. Discretion is restricted to matters specified in PA_{PFZ}-P6 and does not require compliance with PA_{PFZ}-S8. Therefore, in my view no changes are required.

Recommended Changes and Section 32AA Evaluation

Recommended Change - Residential Density

PA_{PFZ}-P4	Buildings and Structures
<p><u>Provide for buildings and structures that are of a form, scale and design that achieve the character and amenity anticipated for Precinct A.</u></p> <p><u>When considering height of buildings to enable greater residential density, consideration must be given to:</u></p> <ol style="list-style-type: none"> 1. <u>The distance (for all transport modes) from Precinct D and Plimmerton Railway Station.</u> 2. <u>Elevation and gradient of the site, and the effects that this will have on visibility of the building from within and outside of the zone;</u> 3. <u>Measures proposed to mitigate adverse effects on the characters and value of Precinct A through:</u> <ol style="list-style-type: none"> a. <u>The location, design and scale of the building or structure;</u> b. <u>The visibility, reflectively and colour of the building or structure;</u> c. <u>Visibility and similarity with surrounding colours, textures, pattern and forms; and</u> d. <u>How proposed landscaping contributes to amenity and balancing the building or structures scale and form.</u> 	

PA_{PFZ}-R2	Building Activity
<ol style="list-style-type: none"> 1. Activity Status: Permitted Where: <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. PA_{PFZ}-S1; ii. PA_{PFZ}-S2; iii. PA_{PFZ}-S3; iv. PA_{PFZ}-S4; v. PA_{PFZ}-S5; vi. PA_{PFZ}-S6; vii. PA_{PFZ}-S7; viii. PA_{PFZ}-S8; ix. PA_{PFZ}-S9; and x. PA_{PFZ}-S10. 	
<ol style="list-style-type: none"> 2. Activity status: Restricted Discretionary Where: <ol style="list-style-type: none"> a. Compliance is not achieved with: <ol style="list-style-type: none"> i. PA_{PFZ}-R2-1; <u>and</u> <u>b. The height of the building does not exceed 16m.</u> 	

Matters of discretion are restricted to:

- M1. The matters of discretion of any infringed standard.
- M2. The matters in:
 - a. PA_{PFZ}-P3;
 - b. PA_{PFZ}-P4;
 - c. PA_{PFZ}-P5; and
 - d. SW_{PFZ}-P3.

3. Activity status: Discretionary

Where:

- b. Compliance is not achieved with:
 - i. PAPFZ-R2-b.

PB_{PFZ}-P4	Buildings and Structures
<p>Provide for buildings and structures that are of a form, scale and design that achieve the character and amenity anticipated for Precinct B.</p> <p><u>When considering height of buildings to enable greater residential density, consideration must be given to:</u></p> <ol style="list-style-type: none"> 1. <u>Elevation and gradient of the site, and the effects that this will have on visibility of the building from within and outside of the zone;</u> 2. <u>Measures proposed to mitigate adverse effects on the characters and value of Precinct A through:</u> <ol style="list-style-type: none"> a. <u>The location, design and scale of the building or structure;</u> b. <u>The visibility, reflectively and colour of the building or structure;</u> c. <u>Visibility and similarity with surrounding colours, textures, pattern and forms;</u> d. <u>How proposed landscaping contributes to amenity and balancing the building or structures scale and form.</u> 	

PB_{PFZ}-R2	Building Activity
<p>1. Activity Status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. PB_{PFZ}-S1; ii. PB_{PFZ}-S2; iii. PB_{PFZ}-S3; iv. PB_{PFZ}-S4; v. PB_{PFZ}-S5; vi. PB_{PFZ}-S6; 	

- vii. PB_{PFZ}-S7;
- viii. PB_{PFZ}-S8;
- ix. PB_{PFZ}-S9;
- x. PB_{PFZ}-S10; and
- xi. PB_{PFZ}-S11.

2. Activity status: Restricted Discretionary

Where:

- a. Compliance is not achieved with:
 - i. PB_{PFZ}-R2-1; [and](#)
 - b. [The height of the building does not exceed 11m.](#)

Matters of discretion are restricted to:

M1. The matters of discretion of any infringed standard.

M2. The matters in:

- a. PB_{PFZ}-P3;
- b. PB_{PFZ}-P4;
- c. PB_{PFZ}-P5; and
- d. SW_{PFZ}-P3.

3. [Activity status: Discretionary](#)

[Where:](#)

- a. [Compliance is not achieved with:](#)
 - i. [PB_{PFZ}-R2-b.](#)

Reason

353. This is in response to the number of submissions which seek an increase in residential density.

How this Change Achieves the Purpose of the RMA

354. The amended wording provides for efficient use and development of the land resource as in Precincts A and B of the PFZ, and a greater level of intensification is proposed over and above what is permitted under a general residential zoning. This takes into account the proximity of Precinct A, B and D to Plimmerton Station and the desire to provide for a variety of housing types. In addition, the changes proposed to the density provisions are also in alignment with PCC's responsibilities to implement the NPSUD in an area that has long been identified as a primary site for greenfield residential development.

Benefits including Opportunities for Economic Growth and Employment

355. This provides for outcomes including higher densities close to public transport and community amenities. There are increased opportunities for economic growth and employment by increasing density.

Costs

356. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

357. No risks around uncertain or insufficient information in relation to this matter have been identified. A specific revaluation of the changes proposed above have been well thought through and endorsed by PCC's urban design advisers.

Efficiency and Effectiveness

358. The efficiency of the recommended change is high because the benefits outweigh the costs. There are many benefits from increasing densities in appropriate locations especially those that are located in proximity to a transport hub and community amenities. This is considered to be an efficient use of the land.
359. The effectiveness of the recommended change is high because it contributes to the outcomes sought which is to provide for appropriate levels of density while considering the ecological and landscape values of the overall site.

Other Reasonably Practicable Options for Achieving the Objectives

360. Another reasonably practicable option is to retain the wording as proposed or to not allow higher densities in appropriate locations. This would have the disadvantage of being less clear and would be much less supportive of the intent of the NPSUD and PCC's planning role of providing for increased housing stock.

Recommended Changes and Section 32AA Evaluation

Recommended Change - Providing for a neighbourhood centre in Precinct B

<u>PBPFZ-R12</u>	<u>Retail Activity and Commercial Services Activity</u>
<p>1. <u>Activity Status: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The matters in</u></p> <p>a. <u>PBPFZ-P2.</u></p>	

Reason

361. This is in response to the submissions which sought provision of a neighbourhood centre in Precinct B, and were concerned at a perceived lack of walkability within the plan change area.

How this Change Achieves the Purpose of the RMA

362. The amended wording better provides for social and economic wellbeing.

Benefits including Opportunities for Economic Growth and Employment

363. Small scale employment and community amenities are generally appropriate in Precinct B and could provide additional benefits to future residents through the provision of some appropriately located employment and community amenities.

Costs

364. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

365. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

366. The efficiency of the recommended change is high because the benefits of providing for retail and commercial services in Precinct B, where appropriate and subject to resource consent, outweigh the costs. It will also mean that there is potential for community amenities to establish where appropriate to service the needs of the growing community. Zoning of an area for this purpose is not considered necessary

as the necessity, precise location or the amount of land to be safeguarded for this use is not known.

The effectiveness of the recommended change is high because it contributes to the outcomes sought which is to provide for a mix of activities that contribute to the community overall and reduce non-essential travel.

Other Reasonably Practicable Options for Achieving the Objectives

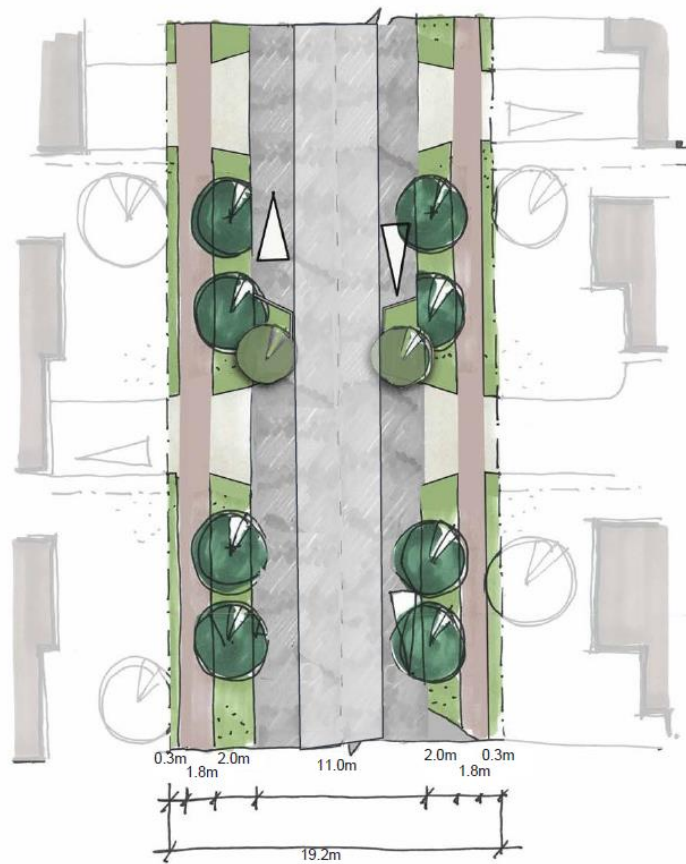
Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being less clear and would not specifically provide for appropriate retail and commercial services activities in Precinct B.

Recommended Change - Provision for Vehicles versus Other Transport Modes

TR _{PFZ} -S1		Roads and Private Ways			
All roads and private ways must be designed in accordance with NZS 4404:2010 Land Development and Subdivision Infrastructure, except where modified to be consistent with the road types and Movement Plan in the Plimmerton Farm Precinct Plan and set out in Table TR _{PFZ} -S1 below.					
Table TR_{PFZ}-S1: Minimum Road Construction Standards for New Roads					
Road Type	Description	Total Road Width	Minimum Carriageway Width	Footpath 1 Width and Formation	Footpath 2 Width and Formation
Road Type 1 One Network Road Classification (ONRC) Primary Collector	<ul style="list-style-type: none"> • Bus route • Entry from external access points • Visitor parking bays 	19.0m	8.4m	<ul style="list-style-type: none"> • Back berm: 0.3m • Footpath / cycleway: 3.0m • Street parking and landscaping: 2.5m 	<ul style="list-style-type: none"> • Back berm landscaping: 1.0m • Footpath: 1.8m • Front berm landscaping: 2.0m
Road Type 2 ONRC Secondary Collector Boulevard "A" option	<ul style="list-style-type: none"> • Primary access road • Predominantly large frontage lots to allow for large street trees • Wide berm on one side to enable landscaping • Shared path on one site • On street parking 	18.6m	6.7m	<ul style="list-style-type: none"> • Back berm: 0.3m • Footpath / cycleway: 3.0m; • Landscaping 1.6m; • Street parking and landscaping: 2.1m 	<ul style="list-style-type: none"> • Back berm landscaping 1.0m • Footpath: 1.8m • Front berm landscaping: 2.1m

<p>Road Type 3 Secondary Collector <u>General Purpose Road (ONRC Access Road)</u> Boulevard "B" alternative</p>	<ul style="list-style-type: none"> Landscaping and street parking on both sides 	18.6m	9m	<ul style="list-style-type: none"> Back berm: 1.0m Footpath: 1.8m Landscaping: 2.0m 	<ul style="list-style-type: none"> Back berm landscaping: 1.0m Footpath: 1.8m Street parking and landscaping: 2.0m
<p>Road Type 4 General purpose local road (<u>ONRC Access Road</u>)</p>	<ul style="list-style-type: none"> Street parking and landscaping on both sides where practical 	16.0m	6.0m	<ul style="list-style-type: none"> Back berm: 1.2m Footpath: 1.6m Street parking and landscaping: 2.2m 	<ul style="list-style-type: none"> Back berm landscaping: 1.2m Footpath: 1.6m Street parking and landscaping: 2.2m
<p>Road Type 5 Local Road with shared pedestrian / cycle route (<u>ONRC Access Road</u>)</p>	<ul style="list-style-type: none"> Shared path on one side Landscaping and parking on one side 	16.0m	6.0m	<ul style="list-style-type: none"> Back berm: 0.3m Footpath/cycleway: 2.5m Front berm landscaping: 2.0m Street parking: 2.2m 	<ul style="list-style-type: none"> Back berm landscaping: 0.3m Footpath: 1.6m Front berm planting: 1.4m
<p>Road Type 6 Minor local road (Precinct C) (<u>ONRC Access Road</u>)</p>	<ul style="list-style-type: none"> Serving large lots Tree planting one site Footpath one side to serve low pedestrian volume 	11.3m	6.0m	<ul style="list-style-type: none"> Landscaping: 2.5m 	<ul style="list-style-type: none"> Back berm planting: 1.2m Footpath: 1.6m
<p>Road Type 7A Minor Local Road for Precincts B and C (<u>ONRC Access Road</u>) Option A</p>	<ul style="list-style-type: none"> Short local road with cul-de-sac Tree planting both sides 	12.6m	6.0m	<ul style="list-style-type: none"> Back berm: 0.6m Footpath: 1.6m Landscaping: 2.2m 	<ul style="list-style-type: none"> Back berm landscaping: 0.6m Footpath: 1.6m
<p>Road Type 7B Minor Local Road for Precincts B and C (<u>ONRC Access Road</u>) Option B</p>	<ul style="list-style-type: none"> Footpath one side Landscaping opportunities on both sides 	12.6m	6.0m	<ul style="list-style-type: none"> Back berm: 0.6m Footpath: 1.6m Street parking and landscaping: 2.2m 	<ul style="list-style-type: none"> Street parking and landscaping: 2.2m

<p>Road Type 8 Access lane (ONRC Access Road)</p>	<ul style="list-style-type: none"> • Less than 100m in length • Relies on landscaping in front yards 	10.5m	6.0m	<ul style="list-style-type: none"> • Back berm: 0.9m • Footpath: 1.6m 	<ul style="list-style-type: none"> • Landscaping: 2.0m
<p>Road Type 9 (Mo Street extension and for highly visible locations) (ONRC Access Road)</p>	<ul style="list-style-type: none"> • Short local road/ cul-de-sac • Footpath on one side allows for planting on visible ridgeline 	15.0m	7.0m	<ul style="list-style-type: none"> • Back berm: 0.9m • Footpath: 1.6m • Landscaping: 2.0m 	<ul style="list-style-type: none"> • Landscaping: 3.5m
<p>Road Type 10 Secondary Collector/Local Road for Precinct C (ONRC Secondary Collector Road)</p>	<ul style="list-style-type: none"> • Narrow reserve minimum width to minimise earthworks in more challenging topography • Footpath on one side 	11.7m (minimum)	6.6m	<ul style="list-style-type: none"> • Footpath on one side 	n/a



- + [general purpose road](#)
- + ~~secondary collector~~
- + build-outs to slow traffic
- + berms for street trees on both sides - alternative boulevard treatment
- + parking along carriageway
- + footpaths on both sides

Scale: Not to Scale at A4
 Date: 5 September 2019

ROAD Type 3

Reason

367. This is in response to the submissions which sought that the plan change provisions provide for alternative transport modes.

How this Change Achieves the Purpose of the RMA

368. The amending wording better provides for the integrated provision of infrastructure and housing as required by the NPS-UD.

Benefits including Opportunities for Economic Growth and Employment

369. This better matches the road typologies to fit the purpose of the road in the hierarchy. There are no specific economic growth or employment opportunities

Costs

370. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

371. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

372. The efficiency of the recommended change is high because the benefits outweigh the costs.
373. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

374. Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being less clear.

Recommended Change - Large Format Retail in Precinct D

LARGE FORMAT RETAIL ACTIVITY	<p>means any individual retail activity with:</p> <ul style="list-style-type: none"> a. A store exceeding 450m² gross floor area; or b. A yard area exceeding 450m²; or c. Any combination of store and yard exceeding 450m². <p>It includes:</p> <ul style="list-style-type: none"> i. Supermarket ii. Department store iii. Garden centre iv. Trade supplier v. Building and hardware supplier
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	<p>vi. Hire services</p> <p>vii. Marine retail</p> <p>viii. Motor vehicle sale</p> <p>ix. Markets</p>
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<u>TRADE SUPPLIER</u>	<p><u>means a business engaged in sales to businesses and institutional customers (but may also include sales to the general public) and consists only of suppliers of goods in one or more of the following categories:</u></p> <ul style="list-style-type: none"> a. <u>automotive and/or marine suppliers</u> b. <u>Building suppliers</u> c. <u>catering equipment suppliers;</u> d. <u>farming and agricultural suppliers;</u> e. <u>garden and patio suppliers;</u> f. <u>hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items);</u> g. <u>industrial clothing and safety equipment suppliers; and</u> h. <u>office furniture, equipment and systems suppliers.</u>
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The purpose of Precinct D is to provide a local centre with a compatible mix of commercial, retail and residential activities. The Precinct D plan includes a ~~Large Format~~ Supermarket and Trade Supplier Area and a Small Format Area for small retail and commercial service activities with residential apartments above.

PD_{PFZ}-P3	Buildings and Structures (Except Buildings for Large Format Retail <u>Supermarket and Trade Supplier</u> Activities)
<p>Provide for built development that is:</p> <ol style="list-style-type: none"> 1. Consistent with the Precinct D Plan; 2. Compatible with the character and amenity of the adjoining Precincts; and 3. Suitably serviced by infrastructure. 	

PD_{PFZ}-P5	Large Format Retail <u>Supermarket and Trade Supplier</u> Activity and Building
<p>Provide for large format retail <u>supermarket and trade supplier</u> activities and buildings that:</p> <ol style="list-style-type: none"> 1. Are consistent with the Precinct D Plan; 2. Avoid, remedy or mitigate any significant adverse effects; 3. Provide coherent design and appearance that integrates visual interest and mitigates visual dominance; 4. Have transparent glazing that allows visibility into and out of building frontages; 5. Have obvious public entrances; 	

6. Design and locate parking areas, vehicle access, outdoor storage and servicing arrangements to maintain streetscape, visual amenity and pedestrian safety;
7. Do not undermine the role and function of the Porirua City Centre in respect of nature and scale of activity;
8. Incorporate landscaping consistent with the Precinct D Plan, including high-quality landscape treatment that integrates with any adjoining landscape treatment along St Andrews Road including the drainage corridor. The landscape treatment must partially screen Buildings A and B (in the Precinct D Plan) and any service and loading facilities from St Andrews Road;
9. Design all spaces accessible to the public to be safe and minimise the opportunities for crime;
10. Respond to operational needs; and
11. Are suitably serviced by infrastructure.

PD_{PFZ}-R3	New Buildings and Structures Excluding Large Format Retail Supermarket and Trade Supplier Area
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1. Activity status: Restricted Discretionary
Where:
 - a. The building or structures are located within the area identified on the Precinct D Plan as Small Format Area;
 - b. Compliance is achieved with:
 - i. PD_{PFZ}-S2;
 - ii. PD_{PFZ}-S4;
 - iii. PD_{PFZ}-S6;
 - iv. PD_{PFZ}-S7;
 - v. PD_{PFZ}-S8;
 - vi. PD_{PFZ}-S9; and
 - vii. PD_{PFZ}-S10.

Matters of discretion are restricted to:

- M1. The matters in:
 - a. PD_{PFZ}-P1,
 - b. PD_{PFZ}-P2,
 - c. PD_{PFZ}-P3;
 - d. PD_{PFZ}-P4;
 - e. PD_{PFZ}-P6; and
 - f. SW_{PFZ}-P3.

2. Activity status: Discretionary
Where:
 - a. Compliance is not achieved with:
 - i. PD_{PFZ}-R3-1.

PD_{PFZ}-R4	Large Format Retail Supermarket and Trade Supplier Activity and Buildings	
<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. The activity and building <u>is for a supermarket or a trade supplier, and is</u> are located within the <u>Large Format Supermarket and Trade Supplier</u> Area of the Precinct D Plan; b. A landscape design and planting plan in accordance with PD_{PFZ}-IR-1 has been prepared; c. Compliance is achieved with: <ul style="list-style-type: none"> i. PD_{PFZ}-S1; ii. PD_{PFZ}-S2; iii. PD_{PFZ}-S3; iv. PD_{PFZ}-S5; v. PD_{PFZ}-S6; vi. PD_{PFZ}-S7; vii. PD_{PFZ}-S8; viii. PD_{PFZ}-S9; and ix. PD_{PFZ}-S10. <p>Matters of discretion are restricted to:</p> <p>M1. The matters in:</p> <ul style="list-style-type: none"> a. PD_{PFZ}-P1; b. PD_{PFZ}-P2; c. PD_{PFZ}-P5; d. PD_{PFZ}-P6; and e. SW_{PFZ}-P3. <p>Refer information requirement PD_{PFZ}-IR1.</p>		
<p>2. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with: <ul style="list-style-type: none"> i. PD_{PFZ}-R4-1. <p>Refer information requirement PD_{PFZ}-IR1.</p>		

PD_{PFZ}-S1	Building Gross Floor Area	
<p>Buildings located within the Large Format <u>Supermarket and Trade Supplier</u> Area of the Precinct D Plan must not exceed a gross floor area of 4,000m².</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> M1. The location, design and appearance of the building, having regard to the operational needs of the activity; M2. Effects on the streetscape; and 	

	M3. Compatibility with the scale, proportion and context of buildings and activities in the surrounding area.
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PD_{PFZ}-S5	Active Frontage – Large Format Supermarket and Trade Supplier Area	
Any building built within the Large Format Supermarket and Trade Supplier Area of the Precinct D Plan must meet the following:	<ol style="list-style-type: none"> 1. The primary frontage of Building A or Building B must have transparent glazing of at least 20% of the total width of the building frontage identified as ‘primary frontage’ and the glazing must have a vertical dimension of at least 5m; and 2. The primary or secondary frontage of Building A or Building B must include the buildings primary entrance, and that entrance must be covered. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> M1. Effects on the amenity of Precinct D including pedestrian routes and publicly accessible parking areas; and M2. Effects on public spaces including streets.

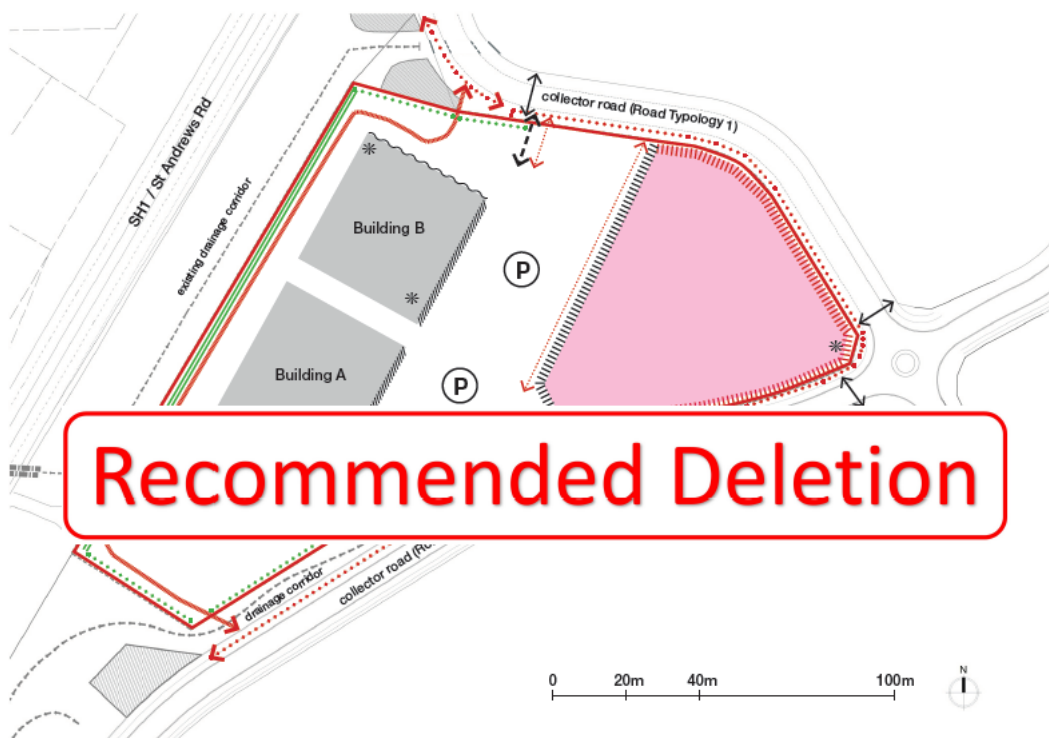
Table TR_{PFZ}-S11: Minimum Number of On-Site Bicycle Parking Spaces

Activity		Minimum Number of On-Site Bicycle Parking Spaces	
		Both short stay and long stay must be provided	
		Short Stay (visitors)	Long Stay (staff*)
<ul style="list-style-type: none"> • Retail Activity and • Large Format Retail Supermarket or Trade Supplier Activity 		Minimum 1, 0.1 per 100m ² GFA	Minimum 1, 0.1 per 100m ² GFA

INFORMATION REQUIREMENTS

PD_{PFZ}-IR1	Applications under Rule PD_{PFZ}-R49	
An application under Rule PD _{PFZ} -R49 must include: <ol style="list-style-type: none"> 1. A landscape design and planting plan prepared by a suitably qualified landscape architect that provides details of landscape strip and landscape treatments within the Precinct that are in accordance with the Precinct D Plan. 2. The planting plan must have as its key performance objectives: <ol style="list-style-type: none"> a. Revegetation and long-term management of the ecological corridor adjacent to the State Highway; b. Amenity planting of landscape strips. 		

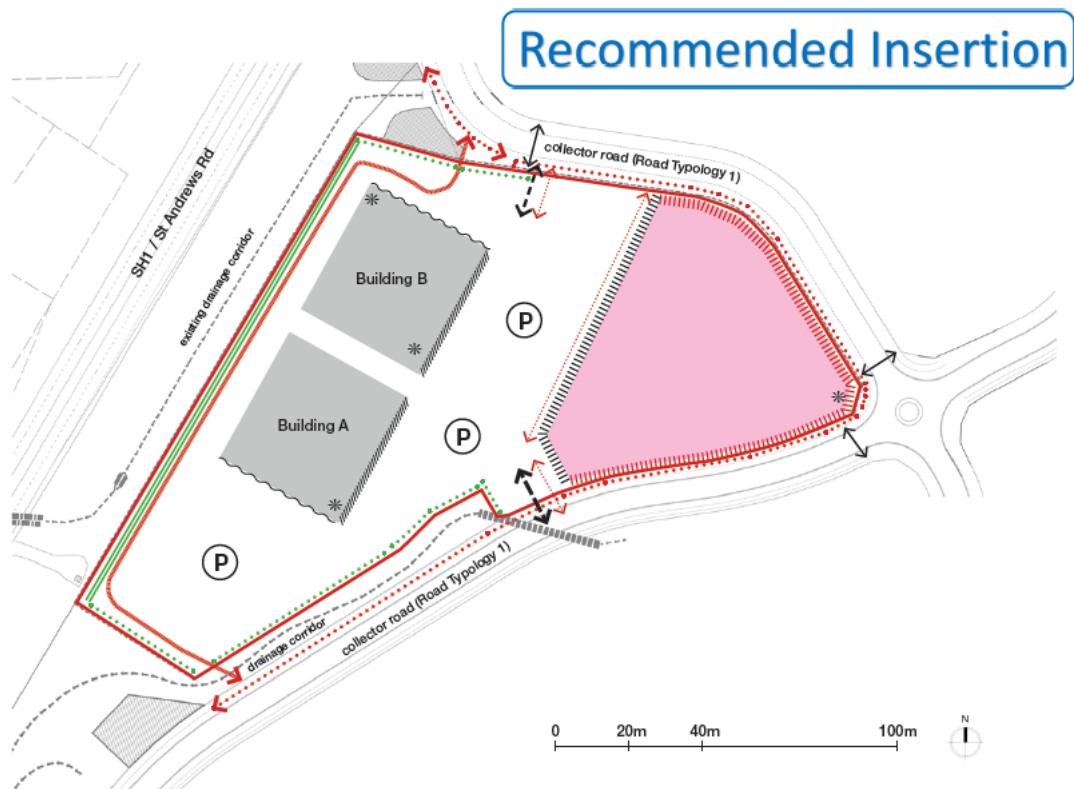
3. The landscape design and planting plan must include, but not be limited to, the following information:
 - a. Plant species and size at planting;
 - b. Performance standards for vegetation establishment and ongoing maintenance, including weed and pest control;
 - c. Proposed measures for ongoing protection of vegetation that may include covenant, consent notice or other mechanism;
 - d. Consideration of Crime Prevention Through Environmental Design principles;
 - e. Artificial lighting or screening to be used;
 - f. Paving configuration and materials;
 - g. Description of hard landscaping elements and furniture; and
 - h. Consistency with the Land Management Principles of Plimmerton Farm.



Recommended Deletion

LEGEND

- large format area
- small format area
- ecological corridor/screening
- indicative location of primary vehicle entry/exit
- indicative route of service traffic
- indicative location of primary pedestrian network
- * indicative location of primary signage
- landscape strip
- primary facade of large format retail
- secondary facade of large format retail
- P car parking area
- indicative pedestrian crossing with refuge
- active frontage to building if placed on street boundary
- active frontage to parking area
- watercourse and indicative culvert under road



LEGEND

- Supermarket and Trade Supplier Area
- small format area
- ecological corridor/screening
- indicative location of primary vehicle entry/exit
- indicative route of service traffic
- indicative location of primary pedestrian network
- * indicative location of primary signage
- landscape strip
- primary facade of large format retail
- secondary facade of large format retail
- P car parking area
- indicative pedestrian crossing with refuge
- active frontage to building if placed on street boundary
- active frontage to parking area
- watercourse and indicative culvert under road

Reason

375. This is in response to the submissions that considered Large Format Retail was an inappropriate activity to provide for within the plan change.

How this Change Achieves the Purpose of the RMA

376. The amending wording better achieves the purpose of the RMA by enabling people and communities to provide for their social and economic wellbeing.

Benefits including Opportunities for Economic Growth and Employment

377. This provides for specific economic growth and employment opportunities considered appropriate to the location.

Costs

378. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

379. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

380. The efficiency of the recommended change is high because the benefits outweigh the costs.

381. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

382. Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being less clear.

Recommended Change – Outdoor Living Space

PA _{PFZ} -S8	Outdoor Living Space	
<p>The minimum area of outdoor living space is:</p> <ol style="list-style-type: none"> 1. Per residential unit at ground level: 30m² <u>at ground level or a balcony above ground level of at least 6m² with a minimum dimension of 1.8m;</u> or 2. Per minor residential unit at ground level: 15m² <u>at ground level or a balcony above</u> 		<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> M1. Whether adequate useable space is provided to accommodate outdoor activities; M2. Proximity of the residential unit to accessible public open space; and

ground level of at least 6m² with a minimum dimension of 1.8m. ~~or~~

~~Per residential unit located above ground floor: Balcony of at least 6m² with a minimum dimension of 1.8m.~~

Except that:

3. A minor residential unit that has direct access to a minimum 30m² of outdoor living space provided for the primary residential unit does not need to provide additional outdoor living space;

The outdoor living space must:

4. Be able to fit a circle of 4m diameter where located at ground level;
5. Have a gradient of less than 1:20 where located at ground level;
6. Be directly accessible from the principal living room, dining room or kitchen;
7. Be free of buildings, parking spaces and manoeuvring areas;
8. Be orientated to the north, west or east side of the residential unit, except that:
 - a. Up to 30% of the outdoor living area may be orientated to the south of the residential unit.

This standard does not apply to non-residential buildings.

- M3. Whether there are topographical or other site constraints that make compliance with the permitted standard impracticable.

PB _{PFZ} -S9	Outdoor Living Space
<p>The minimum area of outdoor living space is:</p> <ol style="list-style-type: none"> 1. Per residential unit: 4030m² at ground level <u>or a balcony above ground level of at least 6m² with a minimum dimension of 1.8m;</u> or 2. Per minor residential unit: 2015m² at ground level <u>or a balcony above ground level of at least 6m² with a minimum dimension of 1.8m.</u> <p>Except that:</p> <ol style="list-style-type: none"> 3. A minor residential unit that has direct access to a minimum 30m² of outdoor living space provided for the primary residential unit does not need to provide additional outdoor living space; <p>The outdoor living space must:</p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> M4. Whether adequate useable space is provided to accommodate outdoor activities; M5. Proximity of the residential unit to accessible public open space; and M6. Whether there are topographical or other site constraints that make compliance with the permitted standard impracticable.

<p>4. Be able to fit a circle of 4m diameter where located at ground level;</p> <p>5. Have a gradient of less than 1:20 where located at ground level;</p> <p>6. Be <u>directly</u> accessible from the principal living room, dining room or kitchen;</p> <p>7. Be free of buildings, parking spaces and manoeuvring areas;</p> <p>8. Be orientated to the north, west or east side of the residential unit, except that:</p> <p style="padding-left: 40px;">a. Up to 30% of the outdoor living area may be orientated to the south of the residential unit.</p> <p>This standard does not apply to non-residential buildings.</p>	
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PCPFZ-S12	Outdoor Living Space
<p>The minimum area of outdoor living space is:</p> <ol style="list-style-type: none"> 1. Per residential unit: 4030m² at ground level <u>or a balcony above ground level of at least 6m² with a minimum dimension of 1.8m</u>; or 2. Per minor residential unit: 2015m² at ground level <u>or a balcony above ground level of at least 6m² with a minimum dimension of 1.8m</u>. <p>Except that:</p> <ol style="list-style-type: none"> 3. A minor residential unit that has direct access to a minimum 4030m² of outdoor living space provided for the primary residential unit does not need to provide additional outdoor living space; <p>The outdoor living space must:</p> <ol style="list-style-type: none"> 4. Be able to fit a circle of 4m diameter where located at ground level; 5. Have a gradient of less than 1:20 where located at ground level; 6. Be <u>directly</u> accessible from the principal living room, dining room or kitchen; 7. Be free of buildings, parking spaces and manoeuvring areas; 8. Be orientated to the north, west or east side of the residential unit, except that: 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> M7. Whether adequate useable space is provided to accommodate outdoor activities; M8. Proximity of the residential unit to accessible public open space; and M9. Whether there are topographical or other site constraints that make compliance with the permitted standard impracticable.

<p>a. Up to 30% of the outdoor living area may be orientated to the south of the residential unit.</p> <p>This standard does not apply to non-residential buildings.</p>	
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PD _{PFZ} -S6	Outdoor Living Space for Residential Units
<p>Each residential unit must provide a balcony or deck that is:</p> <ol style="list-style-type: none"> 1. At least 86m² in area with a minimum dimension of 1.8m; 2. Directly accessible from a habitable <u>the principal living room, dining room or kitchen within the unit</u>; and 3. <u>Orientated to either the north, east or west facing side of the residential unit, except that:</u> <ol style="list-style-type: none"> a. <u>Up to 30% of the outdoor living area may be orientated to the south side of the residential unit.</u> 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> M1. Proximity of the residential unit to accessible public open space; and M2. Quality and orientation of the space including access to sunlight.

Reason

383. This is in response to the submissions which considered that the private outdoor living space provided in the plan change was insufficient.

How this Change Achieves the Purpose of the RMA

384. The amending wording better provides for social wellbeing by providing for amenity values.

Benefits including Opportunities for Economic Growth and Employment

385. This provides for access to private amenity.

Costs

386. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

387. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

388. The efficiency of the recommended change is high because the benefits outweigh the costs. The amendments allow for more efficient, but still highly suitable, provision of outdoor living space.

The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

389. Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being less clear.

Landscape and Character

390. The following submissions raise matters I have identified as relevant to landscape and character.

<ul style="list-style-type: none"> • Carolyn Parris (4) • David Weinstein (7) • Liz Slessor (8) • Dale Shirtliff (10) • Michael Porteners (18) • Tom Georgeson (19) • Yvonne Fletcher (21) • Lucy Booth (22) • Maddison Booth (23) • Anne Cawthorn (25) • Susan Xuereb (30) • Suzy Pinguet (32) • Penelope Welsh (33) • Craig Welsh (35) • Julie Williams (36) • Courtney Dodunski (38) 	<ul style="list-style-type: none"> • Laura Lesslie (39) • Karla Beamsley (44) • Matthew Xuereb (46) • David Barker (48) • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1) • Marcia Ashdown (53) • Denise Lesslie (55) • Stephen Lord (64) • Moira Lawler and Pat Hanley (66) Guy Marriage (70) • Neil Aitken (71) (Wellington Electricity Lines Ltd F10) 	<ul style="list-style-type: none"> • Sara McClean (76) • Luke Baron (80) • Predator Free Pukerua Bay (81) • Charlotte Boys (85) • Sally Odams (86) • Heather Evans (87) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Nick Vincent (109) • Pukerua Bay Residents Association (111) 	<ul style="list-style-type: none"> • Tiaki and Amanda Pritchard (118) (Helen and Ian Gear F2) • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton’s Bush Trust F15) • Lynette Shum (129) • Anna Barker (130) • Michael Ashby (132) • Paul Botha (133)
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391. In my opinion the principal matters of agreement and disagreement in respect of landscape and character for **PC18** and submissions are the following.

Matters of Agreement

- (n) Ecological values in the context of Kakaho Special Amenity Landscape (**SAL**) values; and
- (o) SUB_{PFZ}-P5 Subdivision of an Allotment with a Significant Natural Area or Biodiversity Offsetting and Restoration Area.

Matters of Disagreement

- (p) The acceptability of change from a rural landscape to an urban landscape;
- (q) Whether information on the Kakaho SAL should be part of the plan change;

- (r) Whether the parts of the Taupō Swamp Complex within the site should be identified as an Outstanding Natural Feature (**ONF**);
- (s) The extent of the Coastal Environment;
- (t) Visual effects during construction;
- (u) Visual effects of roads;
- (v) Neighbouring public space; and
- (w) Plimmerton Village character.

392. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on the Statement of Evidence of Julia Williams (Landscape and Character) dated 21 August 2020, which I accept in full except where otherwise stated.

393. I then set out my recommended changes to the plan change together with a s32AA evaluation.

Matters of Agreement

Ecological values in the context of Kakaho SAL values

394. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) ([Welhom Developments Ltd \(F1\)](#)) considers that ecological values should not be subservient to landscape values in the Kakaho SAL:

The Kakaho Special Amenity Landscape attempts to protect and enhance a landscape that is incompatible with ecologically sound catchment and water quality values and, if it means the continuation of an open pastoral landscape, then this will have adverse effects on the condition of the Pauatahanui Inlet. The emphasis should change to maintain, protect and enhance the natural and ecological values of:

- *Significant Natural Areas*
- *Biodiversity and Offsetting Restoration Areas*
- *Indigenous vegetation and revegetation.*

395. Ms Williams notes PC18 does not seek to retain the existing pastoral landscape but to replace it with a cover of indigenous vegetation that reflects the underlying landform in an ecologically sustainable manner.

396. The Land Management Plans required by rules for subdivision must be prepared by ecologists and landscape architects working in collaboration. I agree with the submission that ecological values should not be overridden by landscape values and I am satisfied that they will not be.

Wording of SUB_{PFZ}-P5 Subdivision of an Allotment with a Significant Natural Area or Biodiversity Offsetting and Restoration Area

397. Pukerua Bay Residents Association (111) seeks specific changes to SUB_{PFZ}-P5. The submitter requests that the following words in clause 5 “must reflect this context” are replaced with “must be consistent/in keeping with the wider landscape-scale natural ecosystem and not undermine it.”
398. I accept Ms Williams’ support for the intent of the change to Clause 5 and recommend wording below.
399. Pukerua Bay Residents Association (111) also requests that clause 6 in SUB_{PFZ}-P5 is rewritten to make it clear that the changes to vegetation due to the negative impacts of land use change and climate change should be mitigated against.
400. Clause 6 states:
- Recognise that vegetation across Plimmerton Farm is continually changing, including through natural succession and reversion, the introduction of new vegetation elements through changing land use and the effects of climate change;*
401. The changes recognised by Clause 6, including natural succession and reversion, are likely to be positive effects. Therefore I do not support the requested change.

Matters of Disagreement

The acceptability of change from a rural landscape to an urban landscape;

402. Some submissions, including the following, state concern about adverse effects on the landscape qualities of the site’s hills and Taupō swamp catchment (Michael Porteners (18), Tom Georgeson (19), Lucy Booth (22), Maddison Booth (23), Susan Xuereb (30); Suzy Pinguet (32), Penelope Welsh (33), Craig Welsh (35), Julie

Williams (36), Courtney Dodunski (38), Laura Lesslie (39); Karla Beamsley (44); Matthew Xuereb (46); Marcia Ashdown (53), Denise Lesslie (55); Stephen Lord (64); Neil Aitken (71); Sara McClean (76); Predator Free Pukerua Bay (81), Charlotte Boys (85), Nick Vincent (109), Tiaki and Amanda Pritchard (118) (Helen and Ian Gear F2), Michael Ashby (132).

403. Some submitters identify “21st Century solutions” as the way forward for development on the site. “We don’t want to see repeats of some of the local development we are seeing currently” (Dale Shirliff (10), Tom Georgeson (19), Lucy Booth (22), Maddison Booth (23), Anne Cawthorn (25), Susan Xuereb (30), Suzy Pinguet (32), Penelope Welsh (33), Craig Welsh (35), Julie Williams (36), Courtney Dodunski (38), Matthew Xuereb (46), David Barker (48), Lynette Shum (129), Anna Barker (130). “Build sympathetically with the landscape” (Sally Odams (86), Heather Evans (87)). Various examples of things to avoid are given including:

- *Cut and fill techniques,*
- *Clearing hillsides,*
- *Small treeless sections,*
- *Grey featureless buildings,*
- *Giant featureless buildings,*
- *Treeless, windy, boring and lifeless subdivisions,*
- *Enormous carparks and roads that are just for driving and not for living.*

404. Similarly, Guy Marriage (70) considers that:

Aotea Block and the Kenepuru development are both depressing reminders of just how awful modern builder design/build housing schlock is.

405. He also notes:

There are examples in the Urban Design Assessment that show how this land could be sensitively developed in preference to terraforming, and there must be a mandate in place to ensure that only these methods are followed.

406. Liz Slessor (8) Considers there should be:

At the very minimum, an area of separation between the Mo Street/Sunflower Close houses and the Plimmerton Farm development, preferably planted with trees or native bush. Place any high-density housing further away from Mo Street/Sunflower Close.

407. The proposed plan change will enable the site to change from a rural landscape to an urban landscape. Ms Williams addresses this matter comprehensively in her evidence. In summary, Ms Williams notes that the site will change to consist of largely mixed density residential development across the lower slopes of the site, backdropped by a broad band of vegetation on the steeper hill slopes with clusters of large lot/low density residential development on flatter sites such as spurs and saddles below the ridgeline at the interface with vegetation cover.
408. Given this is a proposed plan change, Ms Williams acknowledges it is difficult to determine the visual effects on individual viewers or from particular viewpoints, as the precise building location, size and form will only be determined through subsequent resource consent processes. However, Ms Williams has provided a written description in Appendix 1 of her evidence which outlines how the provisions within the Plan Change are likely to influence views.
409. Overall, the proposed plan change will lead to a profound change in terms of views into the site. I consider this to be an inevitable and acceptable outcome of PCC's fulfilment of its NPS-UD obligations to zone sufficient land for residential development, implementing the Porirua Growth Strategy and providing additional housing capacity to meet projected demand.
410. Controls exist to promote the reinstatement of indigenous vegetation within the Biodiversity Offsetting and Restoration Areas (which also have other functions). There are also controls on earthworks, mitigation planting requirements for batters, street tree requirements and vegetation requirements in certain areas.
411. I note there are no controls over the mix of natives and exotics in residential areas, as Ms Williams and Neil Aitken (71) support using a range of native and exotic vegetation to structure the spatial qualities of the site.
412. This approach will ensure that the most ecologically important and visible areas within the plan change will be planted in indigenous species, and other parts of the site will be planted according to local conditions and owner requirements.

Whether information on the Kakaho SAL should be part of the plan change

413. Robyn Smith (107) questions the relevance and status of the Kakaho SAL given it was identified as part of a City-wide landscape evaluation to inform the PCC Proposed District Plan (**PDP**) review.
414. I agree with Ms Williams that the Kakaho SAL was identified by a landscape evaluation undertaken according to best practice (and peer reviewed) to meet the requirements of the Regional Policy Statement (**RPS**). In my opinion, PC18 must take into account the SAL and its identified landscape values. This has been achieved through the nuanced approach to the sub-precincts which comprise Precinct C, rather than as an overlay to the Plan Change area.

Whether the parts of the Taupō Swamp Complex within the site should be identified as an Outstanding Natural Feature

415. Robyn Smith (107) ([Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#), [Forest and Bird F14](#)) and Queen Elizabeth the Second National Trust (128) ([Welhom Developments Ltd F1](#), [Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [John Cody F13](#), [Forest and Bird F14](#), [Otari-Wilton's Bush Trust F15](#)) state that the portions of the Taupō Swamp Complex which extend into the Plan Change area should be identified as an outstanding natural feature. Their reasoning for this is that the Taupō Swamp Complex is recognised as an Outstanding Water Body in the Proposed Natural Resources Plan and the main body of the Taupō Swamp will be identified as an Outstanding Natural Feature in the PDP as recommended by the City-wide landscape evaluation.
416. Policy 25 of the RPS details how outstanding natural features and landscapes are to be identified. The qualifying criteria listed in the policy is that the natural feature or landscape is:
- exceptional or out of the ordinary; and
 - that its natural components dominate over the influence of human activity.

As part of determining these criteria, guidance factors are provided in the policy relating to natural science and sensory factors.

417. Ms Williams has advised that:

Regarding the swamp remnants located in the PFZ, their natural science factors may be high but their sensory factors in terms of coherence, vividness, naturalness, expressiveness and their shared and recognised values are at the low end of the scale. The swamp remnants in PFZ are part of the Taupō Swamp wetland in terms of their ecological attributes. From a landscape perspective they are physically and visually separated from the main swamp and are not perceived or experienced as forming part of the larger swamp. Furthermore, it is my opinion that the gully/wetland remnants in the PFZ are too small to be considered 'features' in their own right

418. I accept Ms Williams' advice and do not consider there is a need to change the provisions.

The extent of the Coastal Environment

419. Robyn Smith (107) has questioned whether the site is within the coastal environment.

420. Ms Williams notes that as part of the wider District Plan review, PCC commissioned Boffa Miskell to determine the extent of the coastal environment, with the assistance of Greater Wellington Regional Council (**GWRC**). Boffa Miskell and GWRC have adopted a consistent approach to identifying the extent of the coastal environment throughout the Wellington Region.

421. The site has been identified as being inland of the coastal environment, and the PC18 provisions have been prepared on that basis.

Visual Effects of Roads

422. Karla Beamsley (44) states "The creation of roading alignments within Precinct C will have significant long term visual and erosion effects".

423. Ms Williams notes the identified potential for adverse visual effects from roads. In response, the alignment and finishing of roads has been carefully considered and set down in the Movement Network of the Precinct Plan, the landscape treatments of cut and fill batters and the roading typologies and treatments, which include street trees.

Neighbouring Public Space

424. Moira Lawler and Pat Hanley (66) suggest that:

Council needs to buy the land between the proposed development and Pukerua Bay to be designated as a public open space in perpetuity to protect Pukerua Bay.

425. This suggestion is outside the scope of PC18.

Plimmerton Village Character

426. Several submissions assert that “The plan change will have adverse effects on the aesthetic locale and functioning of Plimmerton village” (David Weinstein (7), Michael Porteners (18), Tom Georgeson (19), Lucy Booth (22), Maddison Booth (23), Anne Cawthorn (25), Susan Xuereb (30), Suzy Pinguet (32), Penelope Welsh (33), Craig Welsh (35), Matthew Xuereb (46), Marcia Ashdown (53)). Other submissions suggest that there will be loss of Plimmerton Village character (Karla Beamsley (44) due to flooding (Marcia Ashdown (53)).

427. I accept that an increase in population near Plimmerton Village may lead to changes in the Village. Whether those changes are positive or negative may depend on the perspective of the observer. For example, there could be more customers for local businesses and more members for social and sports clubs. In my opinion, the changes are not something PC18 can or should be required to address.

Visual Effects of Construction

428. Neil Aitken (71) submits that:

Sediment interception and settling devices will require extensive earthworks in themselves. Such earthworks will not (presumably) be permanent but they are likely to be visually significant over a period of time.

429. The earthworks provisions require that the extent of soil exposed at any one time is strictly limited and all areas that were subject to earthworks, including temporary topsoil stockpiles, are suitably planted. While such treatments are primarily for erosion and sediment control, they also address the effects raised by Mr Aitken.

Recommended Changes and Section 32AA Evaluation

Recommended Change

430. Amend Clause 5 of SUB_{PFZ}-P5 Subdivision of an Allotment with a Significant Natural Area or Biodiversity Offsetting and Restoration Area as follows:

SUB _{PFZ} -P5	Subdivision of an Allotment with a Significant Natural Area or Biodiversity Offsetting and Restoration Area
Precincts A, B and C	<p>In respect of subdivision of an allotment that includes a Significant Natural Area or Biodiversity Offsetting and Restoration Area, require the preparation of a Land Management Plan that gives effect to the Land Management Principles of the Precinct Plan as follows:</p> <ol style="list-style-type: none"> 1. Promote integrated management of vegetation, animals and landscapes; 2. In Significant Natural Areas, protect significant indigenous vegetation and significant habitats of indigenous animals; 3. In Biodiversity Offsetting and Restoration Areas, undertake restoration that buffers and augments Significant Natural Areas; 4. Give effect to ECO_{PFZ}-P2 and ECO_{PFZ}-P5; 5. Recognise that Plimmerton Farm is part of a wider landscape-scale natural ecosystem. The management and restoration of landform and vegetation cover must reflect this context; Require the management and restoration of landform and vegetation cover to be compatible with the wider landscape-scale natural ecosystem that Plimmerton Farm is part of 6. Recognise that vegetation across Plimmerton Farm is continually changing, including through natural succession and reversion, the introduction of new vegetation elements through changing land use and the effects of climate change; 7. In the Kakaho Special Amenity Landscape, maintain and enhance the characteristics and values of the Landscape; 8. Contribute to the protection, enhancement and buffering of the Taupō Swamp complex, Taupō Stream and Te Awarua-o-Porirua; 9. Retain existing gully vegetation and regenerating native bush that will assist in the reinstatement of vegetation cover, particularly across steep hill slopes. Restoration may be promoted via natural regeneration of indigenous vegetation on retired pasture and other areas; 10. Integrate the following elements: <ol style="list-style-type: none"> a. Landform; b. Catchments, water runoff and erosion; c. Landscape character; d. Vegetation and animal habitats; e. Freshwater habitats; f. Indigenous biodiversity values; 11. Require Land Management Plans to detail the following:

	<ul style="list-style-type: none"> a. Vegetation establishment, maintenance and harvesting; b. The relationship between indigenous and introduced species present; c. Provision for cultural harvesting; d. Weed and animal pest control; e. Animal habitats; f. The relationship of SNAs and BORAs across Plimmerton Farm including buffering areas and potential ecological corridors; g. The potential to contribute to sediment control and the maintenance of water quality; h. Fencing to exclude stock; i. Sources of plants; j. Any public access and tracks; k. Mechanisms for ongoing legal protection and active management.
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Reason

431. This is in response to the submission of Pukerua Bay Residents Association (111) which requests amended wording.

How this Change Achieves the Purpose of the RMA

432. The amending wording better implements the intent of PC18 and with the wider direction given by the Regional Policy Statement in respect of the wider landscape values.

Benefits including Opportunities for Economic Growth and Employment

433. This more explicitly contributes to the desired implementation of the policy.

Costs

434. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

435. There are no risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

436. The efficiency of the recommended change is high because the benefits outweigh the costs.
437. The effectiveness of the recommended change is high because it contributes to the outcomes sought of appropriately managing and restoring the landscape values that exist on the site.

Other Reasonably Practicable Options for Achieving the Objectives

438. Another reasonably practicable option is to retain the wording as proposed. This has the disadvantage of being less clear.

Transport

439. The following submissions raise transport matters.

<ul style="list-style-type: none"> • Robin Chesterfield (6) • David Weinstein (7) (Kiwirail F5) • Liz Slessor (8) • Kiwirail (9) • MarketTowns Ltd (13) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Aimee Porteners (17) • Michael Porteners (18) • Lucy Booth (22) • Maddison Booth (23) • Anne Cawthorn (25) • Rebecca Isaac (26) • Julie Adams (27) • Celia McAlpine (28) • Susan Xuereb (30) • Robyn Hall (31) • Suzy Pinguet (32) • Penelope Welsh (33) • Craig Welsh (35) • Allanah Andrews (37) • Courtney Dodunski (38) • Leona Smith (40) 	<ul style="list-style-type: none"> • George Sederis (41) • Susie Hubbard (42) • Karla Beamsley (44) (Plimmerton School Board of Trustees F6) • Matthew Xuereb (46) • David Barker (48) • Greater Wellington Regional Council (49) (Director-General of Conservation F11) • Geraldine Dornbusch (50) • Martin Gregory (51) • Regional Public Health (54) • Denise Lesslie (55) • Catherine Gibb (59) • Plimmerton Residents' Association Inc (61) • Kate Jensen (63) • Stephen Lord (64) • Amos Mann (65) • Moira Lawler and Pat Hanley (66) • Deborah Lynch (67) • Fin Georgeson (69) • Guy Marriage (70) • The Archdiocese of Wellington and St Theresa's School Plimmerton (72) 	<ul style="list-style-type: none"> • St Theresa's Parish Plimmerton (73) • Residents of 2 – 20, James Street Plimmerton (74) • Nigel Smith (77) • Plimmerton Developments Ltd (78) (John Cody F13) • Luke Baron (80) (Kiwirail F5) • Sally Odams (86) • Heather Evans (87) • Charlotte Cudby (88) • Pene Burton Bell (90) • Russell Morrison (92) • Paremata Residents Association (93) • Powerco (95) • Generation Zero (96) • Dr Andrew Lensen (98) • Natasha Smith (100) • Liam Daly (101) • Sharon Vanesse Matich (102) • Isabella Cawthorn (103) (Kiwirail F5) • Diane Richardson (104) • Rebekah Burgess (105) • Otari-Wilton's Bush Trust (108) 	<ul style="list-style-type: none"> • Wellington Electricity Lines Ltd (110) • Sue Boyde (112) • Frances Cawthorn (115) (Kiwirail F5) • Peter Cockrem (116) • Miriam Freeman-Plume (119) • Glenn Pitcaithly (120) (Kiwirail F5) • Waka Kotahi NZ Transport Agency (122) (Welhom Developments Ltd F1, Kiwirail F5 Greater Wellington Regional Council F8) • Forest and Bird Youth (124) • Alan Reader (125) • Martin Cawthorn (126) • Our Climate Declaration (127) • Lynette Shum (129) • Anna Barker (130) • Michael Ashby (132) • Douglas Widdowson (135) • Wallace Webber and Helen Webber (136)
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440. In my opinion the principal matters of agreement and disagreement in respect of transport for PC18 and submissions are the following.

Matters of Agreement

- (x) Plan Provisions.

Matters of Disagreement

- (y) Provision for Park and Ride;
- (z) Traffic Impacts of PC18;
- (aa) Active Mode Connections to/from Plimmerton Farm;
- (bb) Public Transport Services;
- (cc) The Plimmerton Farm 'Movement Network';
- (dd) Cycle Parking Provision; and
- (ee) Construction Traffic.

441. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on the evidence of James Whittaker, which I accept in full, except where otherwise stated.

442. I then set out my recommended changes to the plan change together with a section 32AA evaluation.

Matters of Agreement*Plan Provisions*

443. Several submitters (Kiwirail (9), Regional Public Health (54), Waka Kotahi NZ Transport Agency (122)) support the focus on a safe, resilient and well-connected transport network that encourages public and active transport.

444. Plimmerton Developments Ltd (78) (John Cody F13) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9) seeks several minor technical changes to transport provisions. On Mr Whittaker's advice, I accept the changes.

445. Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Forest and Bird F14, Forest and Bird F14) notes its support for two new intersections with St Andrews Rd.

Matters of Disagreement

Provision for Park and Ride

446. A number of submissions (e.g. Robin Chesterfield (6), Liz Slessor (8)) suggest that additional car parking will be required for users of Plimmerton Train Station.
447. James Whittaker's Statement of Evidence (Transport) dated 21 August 2020 notes a Park and Ride facility within the site has been considered in discussion with Greater Wellington Regional Council (**GWRC**). Two key considerations are whether a suitable location on site is available and whether park and ride would undermine objectives to support active transport modes, as suggested by Isabella Cawthorn (103), Frances Cawthorn (115) and Glenn Pitcaithly (120).
448. Mr Whittaker notes that further evaluation is required. Waka Kotahi NZ Transport Agency (**NZ Transport Agency**) (122) expresses its desire to participate in any such evaluation.

Traffic Impacts of PC18

449. Many submissions (e.g. Karla Beamsley (44), Russell Morrison (92)) state concerns about increased traffic movements and parking demand in already congested areas, including James Street, Plimmerton Village, Paremata and Mana.
450. According to Karla Beamsley (44) (**Plimmerton School Board of Trustees F6**):
- The traffic assessment does not adequately address the short to medium term impacts of the development on the local roads, schools, shops and other amenities. Additional information is required on short to medium term traffic. The Stantec traffic report provides an assessment of traffic effects at ultimate development, but doesn't consider the impacts during the 15+ year development of the site. Traffic movements are underestimated.*
451. NZ Transport Agency (122) notes the assessment of the St Andrews Road intersection has been undertaken using an older version of SIDRA intersection software, and that any future assessment should be made available for review.
452. Mr Whittaker notes that the plan change 'High Trip Generator' provisions require comprehensive assessment of the transport effects of development projects using up

to date modelling software. He also notes the likelihood of the site being self-contained to an extent, with shops and services, recreation areas and other amenities reducing the need to travel beyond the site. He concludes PC18 will not lead to adverse impacts on the local traffic network.

453. NZ Transport Agency (122) ([Welhom Developments Ltd F1](#)) seeks provisions to require the preparation of an Integrated Transport Assessment (ITA) at the resource consent stage for each subdivision, and travel planning as part of the establishment of any new business and or community facility as well as the proposed retirement village.
454. The 'High Trip Generator' provisions already contain a threshold (60 residential units) for subdivision to require an ITA. This is more relevant than the stage of a resource consent. Mr Whittaker supports adding a requirement to develop a travel plan (covering matters such as active and public transport use, carpooling and rideshare) for new commercial and educational activities that trigger the high trip generator thresholds. The changes to the relevant provisions set out below are based on that recommendation.

Active Mode Connections to/from Plimmerton Farm

455. Many submissions state the plan change is car-centric and does not adequately provide for active transport modes (e.g. Pene Burton Bell (90), Forest and Bird Youth (124)).
456. Parts of Plimmerton Farm are located in close proximity to the Plimmerton Railway Station, although submissions note that the current State Highway 1 forms a barrier to active mode access of the train station.
457. The Section 32 Transport Report which was notified as part of PC18 included specific recommendations for a Plimmerton Station Access Plan to consider appropriate connections to the surrounding areas is provided. This would need to be a multi-agency approach, involving PCC, GWRC, NZ Transport Agency, KiwiRail and other key stakeholders, as well as the community. While the development of a Station Access Plan is beyond the scope of the plan change, I note the ITAs required for large scale proposals are likely to provide a useful impetus for its development.

458. Regardless of the progress of a Station Access Plan, ITAs would be required to consider and address connectivity to the Plimmerton Railway Station and Plimmerton Village. Mr Whittaker identifies the possibility of a signalised intersection replacing the James St roundabout, which would improve access across St Andrews Rd.

Public Transport Services

459. Several submissions (e.g. Liz Slessor (8), Susan Xuereb (30), Matthew Xuereb (46), Rebekah Burgess (105)) state that public transport services are at capacity and cannot handle additional passengers.

460. GWRC (49) ([Director-General of Conservation F11](#)) notes that its interest in the Transport section relates to access to public transport:

The Primary Collector road will run through the main portion of the development, and this road is suitable for a bus route. GWRC considers that minimising earthworks in the development is worthwhile, even if this means that the gradients and widths of the other road types may be too steep or narrow for conventional bus services. A public bus service in the more sparsely populated areas is unlikely to be viable, however emerging service options such as on-demand services could be a solution for this type of area in the medium to longer term.

461. NZ Transport Agency PC18/122 ([Kiwirail F5](#)) considers that full consideration must be given to public transport connections at subdivision stage (particularly the start of Precinct A) and the connection with Plimmerton Train Station. Isabella Cawthorn (103) ([Kiwirail F5](#)), Frances Cawthorn (115) ([Kiwirail F5](#)) and Glenn Pitcaithly (120) ([Kiwirail F5](#)) state that Plimmerton Station subway should be upgraded.

462. Kiwirail (9) supports the inclusion of public transport and associated infrastructure including train stations and Park and Ride areas in the definition of Transport Network.

463. Mr Whittaker confirms that public transport services can be accommodated within the primary roading network. The development of those services is the responsibility of the providers.

464. Upgrading the subway to Plimmerton Station is beyond the scope of PC18. However, access to the Station could be considered as part of a Station Access Plan

developed in an Integrated Transport Assessment (see the above discussion under the heading *Active Mode Connections to/from Plimmerton Farm*).

The Plimmerton Farm 'Movement Network'

465. Many submissions (e.g. Isabella Cawthorn 103) state:

The cross-sections for the roads include on-street parking and really wide lane widths. The roads generally are far too big for a self-respecting residential development in 2020, and deeply "unhealthy streets"... It's much too driveable, which means it'll be poorly liveable.

466. Mr Whittaker's evidence reconsiders the road typologies in the light of the submissions (as does Lauren White's Statement of Evidence (Urban Design) dated 21 August 2020). He notes the road typologies are based on the most recent version of NZS4404:2010 'Land Development and Subdivision Infrastructure', with input from other disciplines including urban design to balance amenity and function. The typologies are designed to be legible, with corresponding speed environments related to those widths, with narrower local roads serving residential environments, encouraging lower speed environments, and wider collector roads to link areas, including areas external to the site. Sufficient width is required to provide for active modes, including shared paths, street trees and infrastructure.

467. The road typologies provide for more experienced and confident cyclists to ride on the shoulder of collector roads, while less confident cyclists and micro-mobility users, such as scooter riders, can use the shared path. The provision of on road cycle paths effectively widen the carriageway, which can have the unintended consequence of increasing driving speeds. Accommodating a two way off road cycle lane within the legal road corridor would require wider road widths than proposed.

468. The Movement Network also proposes several off-road paths for the use of active modes. Mr Whittaker mentions the benefits of paths that deliver additional permeability and more direct routes along desirelines.

469. A key factor not recognised in submissions is that there are no minimum car parking requirements for any use or development. This approach explicitly does not encourage car use. This approach aligns with the recently gazetted National Policy Statement on Urban Development (**NPS-UD**).

470. After reconsidering the road typologies, Mr Whittaker is satisfied that they are fit for purpose and provide the flexibility to achieve multi-modal transport through the site. No change is recommended.
471. Waka Kotahi NZ Transport Agency (122) seeks that TR_{PFZ}-P2 *New Roads and Movement Network* is amended with additional clauses relating to multi-modal and public transport. The policy already provides for roads (that cater for public transport) as well as cycle and pedestrian networks. I do not consider changes to be necessary.
472. Waka Kotahi NZ Transport Agency (122) seeks that SUB_{PFZ}-P4 is amended to include multi-modal transport considerations. Multi-modal transport considerations are addressed in the Transport Chapter. I do not recommend changes to SUB_{PFZ}-P4.

Cycle Parking Provision

473. Regional Public Health (54) and Peter Cockrem (116) seek an increase to the minimum bicycle parking requirements.
474. Mr Whittaker has reconsidered and confirmed the appropriateness of the minimum bicycle parking requirements. He notes that particular use and development may provide more parking than the minimums as a result of consideration of ITAs and Travel Plans.

Construction Traffic

475. Karla Beamsley (44) ([Plimmerton School Board of Trustees F6](#)) states that construction traffic is underestimated.
476. Several submitters (Plimmerton Residents' Association Inc (61), The Archdiocese of Wellington and St Theresa's School Plimmerton (72), St Theresa's Parish Plimmerton (73), Residents of 2 – 20 James Street Plimmerton (74) raise concerns about increased traffic, including construction traffic, in James St. One suggestion is that the proposed intersection adjacent to Precinct D should be formed at the outset and used as the main construction access for Precinct A.
477. Mr Whittaker considers the matter and concludes that:

.. the current traffic characteristics of the James Street loop road will not change materially.

478. Mr Whittaker considers that construction traffic management plans are the appropriate tool to address construction traffic. I note traffic is addressed by site management plans required by plan provisions.

Recommended Changes and Section 32AA Evaluation

Recommended Change – Add new definition of Travel Plan, Add new information requirement to Transport provisions.

<u>TRAVEL PLAN</u>	<p>means a plan that includes:</p> <ul style="list-style-type: none"> a. <u>Details of the travel methods of employees, workers, suppliers, contractors, visitors to and from the site;</u> b. <u>Details of site accesses;</u> c. <u>Hours of operation including peak periods;</u> d. <u>Methods and incentives to reduce impacts of travel (including provision of end of trip facilities); and</u> e. <u>Methods of monitoring.</u>
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INFORMATION REQUIREMENTS	
TR_{PFZ}-IR-1	Applications under rule TR_{PFZ}-R1-3 or TR_{PFZ}-R3
<p>Applications under rule TR_{PFZ}-R1-3 or TR_{PFZ}-R3 must include:</p> <ol style="list-style-type: none"> 1. An Integrated Transport Assessment (ITA) by a suitably qualified traffic engineer. The ITA must be prepared in accordance with the NZTA Integrated Transport Assessment Guidelines dated November 2010. 2. <u>For non-residential activities, a Travel Plan. "Get your workplace moving – A guide to transport solutions for your staff and business" (GWRC 2018) is a useful guide.</u> 	

Reason

479. This is in response to Submission 122 Waka Kotahi NZ Transport Agency that the requirement for travel plans to be included in the information requirements for significant applications specifically those that relate to non-residential activities. The amended wording better implements the intention to promote active and public transport modes as well as travel demand management.

How this Change Achieves the Purpose of the RMA

480. This provides for sustainable development and social and economic well-being.

Benefits including Opportunities for Economic Growth and Employment

481. This may lead to a greater variety of transport choices and resulting benefits. This would also assist in reducing the effects of private motor vehicles and may result in the opportunity for economic growth through more efficient use of the land. There are benefits in terms of the potential to reduce emissions.

Costs

482. There are no significant costs associated with this change. The provision of Travel Plans for significant employment locations is now commonplace within district plans.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

483. No risks around uncertain or insufficient information in relation to this matter have been identified. Travel Plan guidance has been in effect for some time and is now codified by Greater Wellington through its “*Get your workplace moving – A guide to transport solutions for your staff and business*” (GWRC 2018).

Efficiency and Effectiveness

484. The efficiency of the recommended change is high because the benefits outweigh the costs.

485. The effectiveness of the recommended change is high because it contributes to the outcomes sought, providing for development including access to a range of transport choices.

Other Reasonably Practicable Options for Achieving the Objectives

486. Another reasonably practicable option is to do nothing and leave travel arrangements in the hands of the people doing the travelling.

Road Type	Description	Total Road Width	Minimum Carriageway Width	Footpath 1 Width and Formation	Footpath 2 Width and Formation

<p>Road Type 1 One Network Road Classification (ONRC) Primary Collector</p>	<ul style="list-style-type: none"> • Bus route • Entry from external access points • Visitor parking bays 	19.0m	8.4m	<ul style="list-style-type: none"> • Back berm: 0.3m • Footpath / cycleway: 3.0m • Street parking and landscaping: 2.5m 	<ul style="list-style-type: none"> • Back berm landscaping: 1.0m • Footpath: 1.8m • Front berm landscaping: 2.0m
<p>Road Type 2 ONRC Secondary Collector Boulevard “A” option</p>	<ul style="list-style-type: none"> • Primary access road • Predominantly large frontage lots to allow for large street trees • Wide berm on one side to enable landscaping • Shared path on one site • On street parking 	18.6m	6.7m	<ul style="list-style-type: none"> • Back berm: 0.3m • Footpath / cycleway: 3.0m; • Landscaping 1.6m; • Street parking and landscaping: 2.1m 	<ul style="list-style-type: none"> • Back berm landscaping 1.0m • Footpath: 1.8m • Front berm landscaping: 2.1m
<p>Road Type 3 Secondary Collector General Purpose Road (ONRC Access Road) Boulevard “B” alternative</p>	<ul style="list-style-type: none"> • Landscaping and street parking on both sides 	18.6m	9.0m	<ul style="list-style-type: none"> • Back berm: 1.0m • Footpath: 1.8m • Landscaping: 2.0m 	<ul style="list-style-type: none"> • Back berm landscaping: 1.0m • Footpath: 1.8m • Street parking and landscaping: 2.0m
<p>Road Type 4 General purpose local road (ONRC Access Road)</p>	<ul style="list-style-type: none"> • Street parking and landscaping on both sides where practical 	16.0m	6.0m	<ul style="list-style-type: none"> • Back berm: 1.2m • Footpath: 1.6m • Street parking and landscaping: 2.2m 	<ul style="list-style-type: none"> • Back berm landscaping: 1.2m • Footpath: 1.6m • Street parking and landscaping: 2.2m
<p>Road Type 5 Local Road with shared pedestrian / cycle route (ONRC Access Road)</p>	<ul style="list-style-type: none"> • Shared path on one side • Landscaping and parking on one side 	16.0m	6.0m	<ul style="list-style-type: none"> • Back berm: 0.3m • Footpath/cycleway: 2.5m • Front berm landscaping: 2.0m • Street parking: 2.2m 	<ul style="list-style-type: none"> • Back berm landscaping: 0.3m • Footpath: 1.6m • Front berm planting: 1.4m
<p>Road Type 6 Minor local</p>	<ul style="list-style-type: none"> • Serving large lots • Tree planting one site 	11.3m	6.0m	<ul style="list-style-type: none"> • Landscaping: 2.5m 	<ul style="list-style-type: none"> • Back berm planting: 1.2m

road (Precinct C) (ONRC Access Road)	<ul style="list-style-type: none"> • Footpath one side to serve low pedestrian volume 				<ul style="list-style-type: none"> • Footpath: 1.6m
Road Type 7A Minor Local Road for Precincts B and C (ONRC Access Road) Option A	<ul style="list-style-type: none"> • Short local road with cul-de-sac • Tree planting both sides 	12.6m	6.0m	<ul style="list-style-type: none"> • Back berm: 0.6m • Footpath: 1.6m • Landscaping: 2.2m 	<ul style="list-style-type: none"> • Back berm landscaping: 0.6m • Footpath: 1.6m
Road Type 7B Minor Local Road for Precincts B and C (ONRC Access Road) Option B	<ul style="list-style-type: none"> • Footpath one side • Landscaping opportunities on both sides 	12.6m	6.0m	<ul style="list-style-type: none"> • Back berm: 0.6m • Footpath: 1.6m • Street parking and landscaping: 2.2m 	<ul style="list-style-type: none"> • Street parking and landscaping: 2.2m
Road Type 8 Access lane (ONRC Access Road)	<ul style="list-style-type: none"> • Less than 100m in length • Relies on landscaping in front yards 	10.5m	6.0m	<ul style="list-style-type: none"> • Back berm: 0.9m • Footpath: 1.6m 	<ul style="list-style-type: none"> • Landscaping: 2.0m
Road Type 9 (Mo Street extension and for highly visible locations) (ONRC Access Road)	<ul style="list-style-type: none"> • Short local road/ cul-de-sac • Footpath on one side allows for planting on visible ridgeline 	15.0m	7.0m	<ul style="list-style-type: none"> • Back berm: 0.9m • Footpath: 1.6m • Landscaping: 2.0m 	<ul style="list-style-type: none"> • Landscaping: 3.5m
Road Type 10 Secondary Collector/Local Road for Precinct C (ONRC Secondary Collector Road)	<ul style="list-style-type: none"> • Narrow reserve minimum width to minimise earthworks in more challenging topography • Footpath on one side 	11.7m (minimum)	6.6m	<ul style="list-style-type: none"> • Footpath on one side 	n/a

TR_{Pfz}-S5	Design Standards for Vehicle Manoeuvring Areas	
1. Sufficient area must be provided on a site for vehicles to stand, queue and make all necessary manoeuvres on site without using the public	Matters of discretion are restricted to:	

<p>road reserve, and without using the area provided for parking, servicing, loading or storage purposes; and</p> <p>2. Sufficient area must be provided to allow vehicles to enter and exit the site in a forward direction except where</p> <p>a. the access is for a single dwelling; and</p> <p>b. The access is on to an Access, Secondary Collector or Primary Collector road.</p>	<p>M1. The safety and movement of pedestrians, cyclists, public transport and general traffic.</p>
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Reason

487. This is in response to Submission 78 Plimmerton Developments Ltd to provide clarity in the relevant provisions.

How this Change Achieves the Purpose of the RMA

488. The amending wording more accurately describes the road classification and removes redundant wording (because all roads on the site are Access or Collector roads).

Benefits including Opportunities for Economic Growth and Employment

489. The changes improve clarity of provisions and none of the changes are of sufficient importance to justify a reassessment.

Costs

490. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

491. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

492. The efficiency of the recommended change is high because the benefits outweigh the costs.
493. The effectiveness of the recommended change is high because it contributes to the outcomes sought being to clarify the road typologies proposed.

Other Reasonably Practicable Options for Achieving the Objectives

494. No other reasonably practicable option has been identified.

Infrastructure

495. The following submissions raise matters I have identified as relevant to infrastructure.

<ul style="list-style-type: none"> • MarketTowns Ltd (13) • Peter Mitchell 1(4) • Plimmerton Developments Ltd (15) (Robyn Smith F4, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Yvonne Fletcher (21) 	<ul style="list-style-type: none"> • Fire and Emergency NZ (34) • Karla Beamsley (44) • Martin Gregory (51) • Stephen Lord (64) • Neil Aitken (71) • Luke Baron (80) • Andy Brown (82) • Russell Morrison (92) • Paremata Residents Association (93) • Powerco (95) (Wellington Electricity Lines Ltd F10) • Dr Andrew Lensen (98) 	<ul style="list-style-type: none"> • Liam Daly (101) • Sharon Vanesse Matich (102) • Rebekah Burgess (105) • Otari-Wilton’s Bush Trust (108) • Wellington Electricity Lines Ltd (110) • Forest and Bird Youth (124) 	<ul style="list-style-type: none"> • Queen Elizabeth the Second National Trust (128) (Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton’s Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11)
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496. In my opinion the principal matters of agreement and disagreement in respect of infrastructure for PC18 and submissions are as follows:

Matters of Agreement

- (ff) The need for new infrastructure;
- (gg) Protection of Regionally Significant Infrastructure;
- (hh) Servicing of Allotments.

Matters of Disagreement

- (ii) The capacity of existing infrastructure;
- (jj) Alternative or Self-Contained Infrastructure;
- (kk) Servicing of Precinct D.

497. I discuss the above matters under separate headings below, highlighting the views of some submitters and drawing on the evidence of Ryan Rose, which I accept in full, except where otherwise stated.

498. I then set out my recommended changes to the plan change together with a s32AA evaluation.

Matters of Agreement

The need for new infrastructure

499. Many of the submissions listed above identify the need for new or upgraded infrastructure, and its funding. I agree that new infrastructure will be necessary within the site to provide for the change in land use. In Ryan Rose's statement of evidence (Infrastructure) dated 21 August 2020, Mr Rose has confirmed that the site can be serviced with new infrastructure. This has also been confirmed through submissions received from Wellington Electricity Lines Ltd (110) and Powerco (95), as well as through consultation with Wellington Water Limited.

500. The role of the District Plan with regard to infrastructure is to:

- Provide for the development of infrastructure;
- Manage the effects of infrastructure on the environment; and
- Manage the effects of subdivision, land use and development on infrastructure.

501. The District Plan does not address how infrastructure is funded, or the level of service from infrastructure providers. Decisions on these issues are the responsibility of the infrastructure providers. Where Council is the infrastructure provider these decisions are made through processes outside the District Plan, in particular through Council's Infrastructure Strategy and Long Term Plan.

502. However, the NPS-UD requires councils to provide sufficient housing development capacity that is serviced by development infrastructure. Development infrastructure is defined as "network infrastructure for water supply, wastewater, stormwater, and land transport as defined in the Land Transport Management Act 2003, to the extent that it is controlled by local authorities." The infrastructure requirements of the National Policy Statement relate to the following timeframes:

- Short term – within the next three years: Development capacity must be serviced with development infrastructure.

- Medium term – between three and 10 years: Development capacity must be serviced with development infrastructure, and this development infrastructure must be identified in the relevant Long Term Plan required under the Local Government Act 2002.
- Long term – between 10 and 30 years: Development capacity must be serviced with development infrastructure, and this development infrastructure must be identified in the relevant Long Term Plan required under the Local Government Act 2002.

503. In the proposed Plimmerton Farm Zone, infrastructure is provided for through the subdivision and transport sections and through the Network Utilities and Designations chapters of the Operative District Plan.

504. The plan change responds to a 'growth pays for growth' approach to funding infrastructure for the future population growth and changing infrastructure requirements. This ensures that new and upgraded infrastructure can be funded as required, and can be provided more efficiently through the maintenance programmes of infrastructure providers.

505. Karla Beamsley (44) suggests that new above ground infrastructure, such as water reservoirs, can give rise to adverse visual effects. In my view this is a valid issue, and consequently the plan change provisions require resource consent for large, above ground infrastructure. This allows adverse effects to be considered. Ms Williams confirms that appropriate measures are readily able to be put in place to avoid, remedy or mitigate those effects.

506. Fire and Emergency New Zealand (34) has suggested amendments to the provisions that require firefighting water supply. I agree with the suggestions, which are set out in the *Recommended Changes* section below.

Protection of Regionally Significant Infrastructure

507. Powerco (95) ([Wellington Electricity Lines Ltd F10](#)) requests amendments for the mapping and protection of the gas main through the site and changes to earthworks and road typology provisions to facilitate the provisions of gas infrastructure.

508. Wellington Electricity Lines Ltd (110) requests that regionally significant infrastructure is clearly identified on the PC18 Precinct and Planning maps.

509. I accept that the Regionally Significant Infrastructure on the site, which by definition includes gas distribution, should be identified on the Planning maps, and that the subdivision policy for the creation of new allotments (SW_{PFZ}-P1) should both address reverse sensitivity effects on Regionally Significant Infrastructure and require consultation with the providers. In my view, the consultation required will ensure that subdivision appropriately provides a framework for appropriate solutions. My recommended changes are set out below.

510. The earthworks matter is dealt with in the earthworks section.

Servicing of Allotments

511. Wellington Electricity Lines Ltd (110) (GWRC F8) requests that SUB_{PFZ}-P1 is clarified by amending the Clause 3 from “are able to be serviced” to “are serviced”. I accept this and set out recommended changes below.

Matters of Disagreement

The capacity of existing infrastructure

512. A number of submitters (e.g. Plimmerton Residents’ Association Inc (61), Neil Aitken (71), Friends of Taupo Swamp & Catchment Inc (79), Russell Morrison (92), Paremata Residents Association (93), Rebekah Burgess (105)) consider there are capacity issues with existing infrastructure. Mr Rose has outlined that with appropriate measures in place, the demand on existing infrastructure can be managed so that it does not exceed the capacity of that infrastructure. These measures include:

- The construction of storage tanks that can hold up to 12 hours of wastewater within the site before discharging it to the existing network;
- The duplication or upgrading of a section of wastewater main between the site and Porirua City Centre; and
- A holding tank in the City Centre designed to hold 12-hour average dry weather flow storage.

513. Mr Rose considers that the above measures will provide a large increase in buffering capacity within the wastewater system that will minimise overflows related to capacity. This addresses the matter of capacity in the system.

Alternative or Self-Contained Infrastructure

514. Some submitters (e.g. MarketTowns Ltd (13), Stephen Lord PC (64), Paremata Residents Association (93) suggest alternative, private infrastructure systems, such as septic tanks, composting toilets, private water storage and private power generation. Mr Rose notes that private wastewater systems are typically not suitable for urban residential areas, and can lead to poorer environmental and public health outcomes. It is noted however that there are no provisions within the plan change which limit the installation of such systems.
515. Private water storage is discussed in the Stormwater Management section of this report.
516. Forest and Bird Youth (124) suggest that development of the site should “invest in nature-friendly, low carbon, and resilient assets and infrastructure”. Martin Gregory (51) suggests renewable electricity generation should be considered as an alternative to connection to the network. Private power generation, provided it meets bulk and location and noise provisions within the plan change, is not precluded, and individual developers or property owners could choose to take these up, but it would not be prudent to rely on these as the only power supply/generation option.
517. In my opinion, the plan change does not preclude the consideration and establishment of alternative infrastructure solutions. The plan change requires confirmation that the site can be suitably serviced with infrastructure. I consider that this has been adequately confirmed by expert assessment and the submissions of relevant infrastructure providers.

Servicing of Precinct D

518. Wellington Electricity Lines Ltd (110) (GWRC F8) requests that the Precinct D provisions contain a specific objective related to infrastructure. I consider the matter to be satisfactorily addressed through the subdivision provisions.

Recommended Changes and Section 32AA EvaluationRecommended Change - Map Regionally Significant Infrastructure and Amend SUB_{PFZ}-P1

[Revised Planning Map showing alignment of Regionally Significant Infrastructure to be provided

in due course]

SUB _{PFZ} -P1	Creation of Allotments
All Precincts	<p>Require subdivision to result in allotments that:</p> <ol style="list-style-type: none"> 1. Give effect to the Plimmerton Farm Precinct Plan; 2. Are of a size and shape that is sufficient to accommodate the intended or anticipated use and development form for the Precinct; 3. Are able to be serviced by reticulated network infrastructure or on-site servicing; 4. Provide for built development to occur outside any Significant Natural Areas or Biodiversity Offsetting and Restoration Areas that fall within an allotment;and 5. Take account of the Flood Hazard Areas identified through NH_{PFZ}-P1; <u>and</u> 6. <u>Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner.</u>

Reason

519. This is in response to the submission of Powerco (95) and Wellington Electricity Lines Ltd (110), which requests amended wording. The explicit recognition of the safe operation and maintenance of Regionally Significant Infrastructure achieved through consultation with providers will enable efficient provision for development. The amendment to Clause 3 improves clarity.

How this Change Achieves the Purpose of the RMA

520. The amended wording better implements the intention to provide for and protect existing Regionally Significant Infrastructure. This change will further provide for integration between the necessity for infrastructure provided to enable development while protecting the reasonable needs for infrastructure providers once development has been concluded.

Benefits including Opportunities for Economic Growth and Employment

521. This assists in protecting the existing investment in Regionally Significant Infrastructure while providing for ongoing maintenance and operation.

Costs

522. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

523. The available information is certain and sufficient. No associated risk has been identified. I note the infrastructure providers have participated in the development of the Plan Change.

Efficiency and Effectiveness

524. The efficiency of the recommended change is high because the benefits outweigh the costs.
525. The effectiveness of the recommended change is high because it contributes to the outcomes sought which in this case is to provide sufficient infrastructure to enable the development to occur while also providing for integration between land use and infrastructure provision.

Other Reasonably Practicable Options for Achieving the Objectives

526. No other reasonably practicable options have been identified over and above the plan change as notified.

Recommended Change - Amend SUB_{PFZ}-S3

SUB _{PFZ} -S3	Water Supply	
All Precincts	<ol style="list-style-type: none"> Where a connection to Council’s reticulated water supply is available, all new allotments must be capable of being provided with a water supply connection at the allotment boundary, in accordance with the Wellington Water Limited <i>Regional Standard for Water Services</i> (2019). Where a connection to Council’s reticulated water supply is unavailable, all allotments must be capable of being provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L (including firefighting water supply) and a firefighting water supply in accordance with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008. 	

[Note: Fire and Emergency New Zealand recommends that the most appropriate way to comply with the New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008 is through the installation of fire sprinkler systems, in accordance with NZS 4541:2013.](#)

Reason

527. This is in response to the submission of Fire and Emergency New Zealand (34), which requests amended wording. The amending wording better implements the intention to suitably provide for fire-fighting water supply.

How this Change Achieves the Purpose of the RMA

528. The change better enables people to provide for their social and economic wellbeing.

Benefits including Opportunities for Economic Growth and Employment

529. This change more explicitly contributes to the desired outcomes of providing for water for firefighting.

Costs

530. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

531. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

532. The efficiency of the recommended change is high because the benefits outweigh the costs.
533. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

534. No other reasonably practicable option has been identified.

Compliance and Monitoring

535. The following submissions raise matters of compliance and monitoring.

<ul style="list-style-type: none"> • Carolyn Parris (4) • David Weinstein (7) • Liz Slessor (8) • Michael Porteners (18) • Tom Georgeson (19) • Lucy Booth (22) • Maddison Booth (23) • Geoff Mowday (3) • Anne Cawthorn (25) • Suzy Pinguet (32) • Penelope Welsh (33) • Craig Welsh (35) 	<ul style="list-style-type: none"> • Julie Williams (36) • Courtney Dodunski (38) • John Cody (45) • Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1) • Marcia Ashdown (53) • Wellington Botanical Society (57) • Plimmerton Residents' Association Inc (61) • Moira Lawler and Pat Hanley (66) 	<ul style="list-style-type: none"> • Friends of Taupo Swamp & Catchment Inc (79) (Neil Aitken F3, Queen Elizabeth the Second National Trust F12) • Luke Baron (80) • Predator Free Pukerua Bay (81) • Andy Brown (82) • Charlotte Boys (85) • Pene Burton Bell (90) • Murray Pierce (94) • Isabella Cawthorn (103) • Nick Vincent (109) • Pukerua Bay Residents Association (111) 	<ul style="list-style-type: none"> • Sue Boyde (112) • Frances Cawthorn (115) • Glenn Pitcaithly (120) • Martin Cawthorn (126) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Michael Ashby (132) • Tracey Waters (138)
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536. In my opinion the key matter raised in the above submissions is concerns about achieving PC18's desired outcomes through robust monitoring of Plan effectiveness and compliance with resource consent requirements.

537. There is strong sentiment among submitters on compliance and monitoring that resource consent conditions, particularly for sediment control, must be robust and strictly monitored and enforced by PCC and GWRC. Many submissions gave examples of what they believe to be poor erosion and sediment control practices and council enforcement on other Porirua developments, e.g. Whitby residential development and Transmission Gully. There is scepticism that council enforcement at Plimmerton Farm will be satisfactory (Friends of Taupo Swamp & Catchment Inc (79) (Neil Aitken F3, Queen Elizabeth the Second National Trust F12), Predator Free Pukerua Bay (81), Charlotte Boys (85), Nick Vincent (109)):

We want assurance that any consents / conditions set down for this development

are not only at an optimum level, but that they are rigorously enforced at every step of the way by PCC and GWRC. With insights gained from current Porirua developments FOTSC sees non-compliance with agreed conditions as the major threat to the unique ecological systems within Plimmerton farm

538. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) ([Welhom Developments Ltd F1](#)) and Friends of Taupo Swamp & Catchment Inc (79) ([Neil Aitken F3](#), [Queen Elizabeth the Second National Trust F12](#)) state:

It is critical that these provisions, and especially the sign off and application of Erosion and Sediment Control Plans, be followed, monitored and enforced by the Council. Any non performance to these requirements will have severe and possibly irreversible consequences on the wetland ecosystems in the Plimmerton Farm zone and, especially, on the Taupo Swamp

539. Another theme in submissions (Wellington Botanical Society (57)) points to monitoring the effectiveness of the plan provisions:

Ensure PC18 requires PCC and PDL to support the development and on-going operation of a monitoring programme that will describe and quantify levels of sedimentation, contaminants, base and peak flows throughout and downstream of the catchments affected by the development of the Plimmerton Farm. This could be achieved alongside or as part of the Te Awarua o Porirua Whaitua Implementation Programme.

540. Te Rūnanga o Toa Rangatira (131) (supported by [Director-General of Conservation F11](#)) suggests a comprehensive monitoring approach with Ngāti Toa involvement:

Monitoring of waterways, wetlands, and earthworks will need to be undertaken during to ensure the effects are no more than minor, particularly in relation to sediment discharges. In terms of addressing potential cultural effects regarding changes in water quality, such as impacts on mauri and cultural harvesting, Te Rūnanga proposes that Ngāti Toa is included in the monitoring, and that regular updates are provided as to the environmental outcomes of these activities. The nature of Ngāti Toa's involvement could entail identification of cultural health indicators to be included in the monitoring programme. This is potentially a matter for further discussion with Porirua City Council and PDL.

541. Sally Odams (86) and Heather Evans (87) suggest setting up a stakeholder engagement group.

542. I agree with submitters that achieving the Plan's desired outcomes requires robust monitoring of Plan effectiveness and compliance with resource consent requirements.
543. The RMA requires local authorities to monitor the efficiency and effectiveness of policies, rules, or other methods in its policy statements or plans, and to take appropriate action when monitoring indicates that action is necessary and to report on its monitoring.
544. Plan effectiveness monitoring builds on and provides information for state of the environment monitoring and can be assisted by monitoring resource consents, compliance and complaints.
545. The following RMA provisions are relevant to monitoring and compliance;
- (ll) Section 35 of the RMA specifies the duty to gather information, monitor and keep records.
 - (mm) Section 35(2)(a) requires councils to carry out state of the environment monitoring.
 - (nn) Section 35(2)(b) requires councils to monitor the efficiency and effectiveness of policies, rules or other methods in its policy statement or plan for its region or district.
 - (oo) Under s35(2A) councils are required to prepare a report at least every five years on the results of their monitoring under s35(2)(b) for policy and plan efficiency and effectiveness. This may be some form of integrated policy and plans, consents and compliance, complaints and state of the environment reporting.
 - (pp) Section 35(2)(d) requires every council to monitor resource consents that have effect in its region or district, as the case may be, and take appropriate action (having regard to the methods available to it under this RMA) where this is shown to be necessary.
 - (qq) Section 35(3) requires councils to keep reasonably available at its principal office, information which is relevant to the administration of policy

statements and plans, the monitoring of resource consents, and current issues relating to the environment in the area, to enable the public -

- i. to be better informed of their duties and of the functions, powers and duties of the local authority
- ii. to participate effectively under the Act.

(rr) Section 35(5)(i) requires councils to keep a summary of all written complaints received by it during the preceding five years concerning alleged breaches of the RMA or a plan, and information on how it dealt with each such complaint. Section 62(1)(j) requires that a regional policy statement must state... 'the procedures used to monitor the efficiency and effectiveness of the policies or methods contained in the statement'.

(ss) Section 75(2)(e) notes that a district plan may state... 'the procedures for monitoring the efficiency and effectiveness of the policies and methods' contained in the plan.

546. The Plimmerton Farm Zone would be subject to Part L Monitoring of the Operative Porirua District Plan. Part L describes the Council's approach to meeting its monitoring obligations.
547. Each resource consent would have conditions of consent and requirements for monitoring compliance with those conditions.
548. Monitoring aimed at understanding Plan effectiveness and the state of the environment can benefit from community involvement.
549. I support the concept of a Plimmerton Farm monitoring programme involving Ngāti Toa and a stakeholder engagement group that would complement the Te Awarua o Porirua Whaitua Implementation Programme. Potential aspects to be monitored could include:
- Water flow regime
 - Water quality
 - Aquatic macroinvertebrates and fish
 - Forest cover in SNAs and BORAs
 - Fauna – bird counts
 - Number of residential units

- Number of businesses (including work from home).

Recommended Changes and Section 32AA Evaluation

550. In my opinion, none of the matters raised in submissions result in a need to change the plan change provisions as notified. Consequently there is also no need for a Section 32AA evaluation of these matters.

Other Matters

551. The following submissions raise other matters that do not directly fit within the frameworks of the above sections.

<ul style="list-style-type: none"> • David Weinstein (7) (Greater Wellington Regional Council F8) • Liz Slessor (8) • Urban Pirates (24) • David Barker (48) • Greater Wellington Regional Council (49) • The Archdiocese of Wellington and St Theresa’s School Plimmerton (72) • St Theresa’s Parish Plimmerton (73) • Residents of 2 – 20, James Street Plimmerton (74) • Bill McAulay (89) • Generation Zero (96) • Dr Andrew Lensen (98) 	<ul style="list-style-type: none"> • Liam Daly (101) • Isabella Cawthorn (103) (Kiwirail F5) • Rebekah Burgess (105) • Robyn Smith (107) (Friends of Taupō Swamp and Catchment Inc F9, Director-General of Conservation F11, Queen Elizabeth the Second National Trust F12, Forest and Bird F14) • Wellington Electricity Lines Ltd (110) (Greater Wellington Regional Council F8) • Welhom Developments Ltd (113) 	<ul style="list-style-type: none"> • Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) • Waka Kotahi NZ Transport Agency (122) (Welhom Developments Ltd F1, Kiwirail F5 Greater Wellington Regional Council F8) 	<ul style="list-style-type: none"> • Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton’s Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) • Anna Barker (130) • Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) • Director-General of Conservation (134) (Greater Wellington Regional Council F8, Queen Elizabeth the Second National Trust F12)
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552. The above submissions express a range of views that concern other matters not considered elsewhere in this report. The matters are:

- (a) Subdivision provisions;
- (b) Definitions;
- (c) Natural hazards;
- (d) Level of detail in Precinct Plan;

- (e) Mana whenua engagement;
- (f) Non-notification clauses;
- (g) Reverse sensitivity;
- (h) Light spill;
- (i) Signage;
- (j) Scope;
- (k) Financial Contributions; and
- (l) Terminology

553. I discuss the matters under separate headings below, highlighting the views of some submitters.

Subdivision Provisions

554. Robyn Smith (107) ([Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#), [Forest and Bird F14](#)) observes that the introduction to the subdivision chapter (Section 10) states that *all subdivisions within Plimmerton Farm is a Restricted Discretionary* but that the rules in this chapter allow boundary adjustments to be undertaken as controlled activities, and that subdivision which cannot meet standards is a discretionary activity. I accept that the introduction is not accurate, and recommended amendments are below.
555. Robyn Smith (107) ([Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#), [Forest and Bird F14](#)) states concerns that the information required for subdivision consent applications is unclear. I accept this point and recommend a change below.
556. Robyn Smith (107) ([Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#), [Forest and Bird F14](#)) and Forest and Bird (117) suggest that PC18 needs to set out “clear and comprehensive requirements about the information that an application for consent is required to contain”. I do not consider this necessary in general where the requirements of the RMA can be relied on. Where specific information needs have been identified, PC18 imposes corresponding information requirements.
557. Robyn Smith (107) ([Friends of Taupō Swamp and Catchment Inc F9](#), [Director-General of Conservation F11](#), [Queen Elizabeth the Second National Trust F12](#), [Forest and Bird F14](#)) suggests that land use activities that may adversely affect the Taupō Swamp

ecosystem should have buffering requirements. I consider that such requirements are already provided in PC18, for example through water sensitive design, earthworks and erosion and sediment control measures, the establishment of SNAs and BORAs, building and earthworks setbacks from water bodies and identification of areas for built development.

Definitions

558. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) submits that including definitions in a single list of definitions for the entire Operative District Plan would reduce inconsistencies. My view is that making the PC18 list of definitions specific to and contained in the zone provisions is simpler and clearer.
559. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) also seeks clarification about the definition of 'Conservation Activity' and its scope. 'Conservation activity' is not used in PC18 and does not require definition. Therefore, I recommend the definition is deleted.
560. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) request the addition of a definition of 'vegetation clearance'. I accept that this would be useful. I recommend the defined term is 'vegetation removal' to be consistent with the recommended provisions in the Ecosystems and Indigenous Biodiversity section of this report. I considered the definition in the NESFW but, because it is nuanced around matters such as sphagnum moss, have preferred the definition in the pNRP, amended to replace 'clearance' with 'removal'.
561. Wellington Electricity Lines Ltd (110) (Greater Wellington Regional Council F8) seeks a number of changes to definitions.
- (tt) The definitions of 'Building' and 'earthworks' are National Planning Standards definitions therefore I do not consider change is appropriate.

- (uu) The suggested changes to 'cabinet' and 'minor earthworks' are provided for in the existing definition. I prefer to retain consistency with the PDP unless there is a good reason to do otherwise.
- (vv) I accept that the definition of 'infrastructure' should align with that set out in s2 of the RMA. The amendment is set out below.
- (ww) For 'minor above ground line', the relief sought is covered in the definition of 'Customer Connection Line'. The term 'minor above ground line' is required because it is used in Chapter NU of the Operative District Plan, which will continue to apply to the PFZ. For clarity, I suggest the definition of 'minor above ground line' cross-references to that of 'Customer Connection Line'. The change is set out below.
- (xx) I accept in part the changes sought to 'minor upgrading'. The term 'The restaging of conductors' has been amended to correct a typographical error and now reads 'The resagging of conductors'. 'The addition of longer and more efficient insulators' is already part of the definition. Overall, I note that because linear infrastructure is required to be installed underground, minor upgrading described in the definition is unlikely to be required. The change is set out below.
- (yy) I accept the point about 'Regionally significant infrastructure'. In my view the suggested amendment is given effect to by removing the erroneous reference to the now-revoked Electricity Governance Regulations 2003. The error arose from being consistent with the definition of 'Regionally significant infrastructure' in the RPS. The change is set out below.

562. Welhom Developments Ltd (113) seeks that the definition of 'Retirement Village' be amended to capture any non-residential activities that they require, and recognise that retirement village is residential rather than commercial in nature. The definition of 'Retirement Village' is the National Planning Standards definition therefore I do not consider change is appropriate. In my view, since the definition of 'retirement village' contains many non-residential components, the activity sits better in the nesting table as a commercial activity rather than a residential activity.
563. Queen Elizabeth the Second National Trust (128) ([Welhom Developments Ltd F1](#), [Friends of Taupō Swamp and Catchment Inc F9](#), [Wellington Electricity Lines Ltd F10](#), [Director-General of Conservation F11](#), [John Cody F13](#), [Forest and Bird F14](#), [Otari-Wilton's Bush Trust F15](#), [Porirua](#)

Harbour and Catchment Community Trust F16) requests a definition of 'soft engineering'. I accept the usefulness of such a definition and have taken the definition of 'soft engineering measures' from the PDP. The definition is set out below.

564. Te Rūnanga o Toa Rangatira (131) seeks that the definition of papakāinga is updated to align with the draft District Plan. I agree that there is merit in updating the definition to ensure that alignment. The recommended change is shown below.
565. Te Awarua-O-Porirua Harbour and Catchment Community Trust (52) (Welhom Developments Ltd F1, Director-General of Conservation F11) requests the inclusion of a definition of contaminant. I accept that plan users may find the RMA definition of 'contaminant' more readily accessible if it is repeated in PC18. The recommended change is shown below.

Natural hazards

566. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) seeks that a specific building setback requirement is included for less-hazard-sensitive activities in stream corridors. Such setbacks are required in the Precinct provisions and do not need to be repeated. At the beginning of each set of rules the following note is included "Note: The rules of other parts of the District Plan may apply in addition to the rules of this section. More than one rule may apply".
567. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) requests a change to Map A-PFZ-3 *Flood Hazard Areas* to incorporate a 10 metre riparian setback for the purposes of flood hazard management and protection of stream receiving environments. I agree with the outcome being sought but consider that the existing PC18 provisions, including Natural Hazards, which do not permit building or activities in stream corridors and adjacent overland flow paths, are satisfactory in this regard. These areas are shown on Map A-PFZ-3 *Flood Hazard Areas*.

568. Queen Elizabeth the Second National Trust (128) (Welhom Developments Ltd F1, Friends of Taupō Swamp and Catchment Inc F9, Wellington Electricity Lines Ltd F10, Director-General of Conservation F11, John Cody F13, Forest and Bird F14, Otari-Wilton's Bush Trust F15, Porirua Harbour and Catchment Community Trust F16) requests that the building setback from water bodies standards (PA_{PFZ}-S6, PB_{PFZ}-S6, PC_{PFZ}-S10, PD_{PFZ}-S8) are amended to apply to all water bodies, not just water bodies greater than 3 metres in width. I consider that the stream corridors and adjacent overland flow paths shown on Map A-PFZ-3 *Flood Hazard Areas* effectively provide setbacks from all water bodies.
569. Director-General of Conservation (134) (Greater Wellington Regional Council F8, Queen Elizabeth the Second National Trust F12) seeks that NH_{PFZ}-R1 holds controlled activity rather than permitted activity status to ensure that effects are appropriately managed. I do not consider this prudent because it may place unnecessary impediments in the way of urgent works.
570. Bill McAulay (89) seeks that all habitable floor levels are above the 1:50 year flood level. That is a Building Code requirement for housing. PC18 includes the additional requirement (NH_{PFZ}-R2) that buildings in ponding areas (low hazard areas) must have minimum floor levels that protect them from 1 in 100 year events.
571. Waka Kotahi NZ Transport Agency (122) seeks that infrastructure is included in the suite of natural hazards policies. I consider that property, which includes infrastructure, is appropriately protected through the natural hazards policies. I do not recommend changes to provisions.

Level of Detail in Precinct Plan

572. Some submissions, including The Archdiocese of Wellington and St Theresa's School Plimmerton (72), St Theresa's Parish Plimmerton (73) and Residents of 2 – 20, James Street Plimmerton (74) seek a greater level of detail be included in the Precinct Plan, particularly for Precinct A, to include staging and a southern intersection. In my view, PC18 sets out a level of detail appropriate to a district plan change. Further detail is appropriately provided and considered through resource consent processes.
573. Other submitters (The Gray Family (83), The Neil Group Ltd (84), Robyn Smith (107)) raise concern that the Precinct Plan shows detail outside of the proposed Plimmerton

Farm Zone. This is accepted and the Precinct Plan has been amended to detail solely the features within the boundary of the proposed zone.

Mana Whenua Engagement

574. Generation Zero (96) seeks the introduction of mana whenua engagement and representation. I consider that such engagement and representation already exists through Part Z of the District Plan, and PCC's ongoing partnership with Ngāti Toa Rangatira.
575. Dr Andrew Lensen (98) and Liam Daly (101) state that no decisions on PC18 should be made until a cultural impact assessment has been completed. I note that the cultural impact assessment included with the notified plan change (Attachment 5 of the Section 32 Report) was prepared by Te Rūnanga o Toa Rangatira.

Non-notification clauses

576. Some submitters (Wellington Electricity Lines Ltd (110) and Welholm Developments Ltd (113)) seek that non-notification clauses are included for specific activities. The approach taken in PC18 is that notification decisions can appropriately be made on their merits during the resource consent process when the nature and scale of effects are clear.

Reverse Sensitivity

577. Waka Kotahi NZ Transport Agency (122) seeks a range of amendments to the Noise Chapter provisions concerning reverse sensitivity effects in respect of St Andrews Road. The objectives and policies as notified make it clear that areas near St Andrews Road need to provide acoustic attenuation to account for noise effects. The extent required is specified through the rules and standards. No provisions are included for how to attenuate noise in outdoor areas, because the means of mitigation is not readily apparent. I consider that no changes are necessary.

Light Spill

578. Luke Baron (80) submits:

There will be too many bright lights. Battle Hill and the surrounding area is renowned for clear night skies. Use lower brightness street lights.

579. In respect to the prominent ridgeline at the skyline, I note that lighting associated with roading and access is controlled by PC_{PFZ}-P6, which requires lighting to avoid significant adverse effects on the Kakaho SAL. The other important factor is that the density of built development in that area is low and sources of light will be limited.

580. Another lighting matter is raised by Pukerua Bay Residents Association (111), which requests that each precinct has a standard similar to PD_{PFZ}-S9 — Light Spill in Precinct D that prevents light being directed upwards.

581. The standard PD_{PFZ}-S9 is to mitigate the effects of major commercial lighting that is not anticipated elsewhere on the site.

582. I do not recommend any changes in respect of lighting.

Signage

583. Waka Kotahi NZ Transport Agency (122) seeks changes to the sign provisions for Precinct D. In my view the sign provisions are clear, and appropriately provide for traffic safety considerations, as well as urban design considerations. Therefore, no changes are necessary.

Scope

584. A number of submissions (e.g. David Weinstein (7) ([Greater Wellington Regional Council F8](#)), Liz Slessor (8), Urban Pirates (24)), raise matters such as providing for energy efficiency and green star systems within the buildings to be constructed in the PFZ.

585. In my view, control of such matters is best addressed under the Building Act 2004. I do not consider there to be any barriers to constructing such buildings under PC18.

586. Some submissions, including David Barker (48), Rebekah Burgess (105), Anna Barker (130) consider changes are needed to speed limits, traffic calming and traffic noise that occur outside of the site. The proposed plan change cannot control these matters.
587. Te Rūnanga o Toa Rangatira (131) (Director-General of Conservation F11) state:
- Given the rich history and significance of the Plimmerton Farm area to Ngāti Toa, as well as the significance that Plimmerton Farm will have to Porirua, Ngāti Toa seek to be involved in any street naming, designs, sculptures and playground development etc. It is important to Ngāti Toa that our history is told in a way that is mana enhancing, and that the richness and strength of Ngāti Toa as mana whenua in Porirua is not undermined (*
588. This matter is outside the scope of PC18 but can and should be progressed through the partnership between PCC and Ngāti Toa.

Financial Contributions

589. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) requests that PC18 include provisions to require financial contributions to provide for offsets. Offsets can be achieved through other mechanisms, including section 104(1)(ab), which provides for:
- any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects.*
590. Furthermore, as noted by Forest and Bird (117), the financial contributions provisions of the RMA cease to apply in 2022. Developing a financial contributions framework in PC18 for a limited period would not in my view be worthwhile.

Terminology

591. Forest and Bird (117) (Welhom Developments Ltd F1, Robyn Smith F4, Greater Wellington Regional Council F8, Friends of Taupō Swamp and Catchment Inc F9, Queen Elizabeth the Second National Trust F12, Porirua Harbour and Catchment Community Trust F16) requests clarity about the zone name and introductory statements. The zone name reflects the history of the site and what it is locally known as. The suggested minor wording

changes to the introduction are inconsequential. I do not recommend any changes in response to this submission point.

Recommended Changes and Section 32AA Evaluation

Recommended Change - Subdivision Provisions

10 Subdivision

Subdivision within Plimmerton Farm ~~is a Restricted Discretionary Activity~~ requires resource consent to ~~require~~ achieve consistency with the Plimmerton Farm Precinct Plan. The key features of the Plimmerton Farm Precinct Plan will be delivered at subdivision stage, including provision for roading, walking, cycling connections and routes, public open spaces, and protection of indigenous biodiversity.

SUB _{PFZ} -R2	All Subdivisions (Excluding Boundary Adjustments)
All Precincts	<p>1. Activity Status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <ul style="list-style-type: none"> i. SUB_{PFZ}-S1; ii. SUB_{PFZ}-S2; iii. SUB_{PFZ}-S3; iv. SUB_{PFZ}-S4; v. SUB_{PFZ}-S5; and <p>b. Where subdivision is of land in Precinct B directly adjoining St Andrews Road, compliance is achieved with:</p> <ul style="list-style-type: none"> i. SUB_{PFZ}-S6; and ii. A Planting Plan in accordance with SUB-IR-1 has been prepared. <p>Matters of Discretion are restricted to:</p> <p>M1. The matters in:</p> <ul style="list-style-type: none"> a. SUB_{PFZ}-P1; b. SUB_{PFZ}-P3; c. SUB_{PFZ}-P4; and <p>M2. Where subdivision is of land in Precinct B directly adjoining St Andrews Road:</p> <ul style="list-style-type: none"> a. The appropriateness of the Planting Plan; b. Timing of the planting; c. Effectiveness of the measures to ensure the ongoing management and legal protection of the buffer area; and d. The matters in SUB_{PFZ}-P7. <p>Refer to information requirements SUB_{PFZ}-IR-1 <u>for land directly adjoining St Andrews Road.</u></p>

Reason

592. This is in response to the Robyn Smith (107) who sought clarity to subdivision provisions.

How this Change Achieves the Purpose of the RMA

593. The amendment clarifies the intention of PC18 in regard to subdivision.

Benefits including Opportunities for Economic Growth and Employment

594. This provides more clarity to plan users.

Costs

595. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

596. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

597. The efficiency of the recommended change is high because the benefits outweigh the costs.

The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

598. Another reasonably practicable option is to retain the wording as proposed. This would have the disadvantage of being less clear.

Recommended Change - Definitions

CONSERVATION ACTIVITY	means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resource and includes: a. Planting;
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	<p>b. Pest and weed control; and</p> <p>c. Track construction.</p>
<p><u>CONTAMINANT</u></p>	<p>has the same meaning as in section 2 of the RMA:</p> <p><u>includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</u></p> <p>a. <u>when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</u></p> <p>d. <u>when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.</u></p>
<p>INFRASTRUCTURE</p>	<p>has the same meaning as in section 2 of the RMA:</p> <p>means—</p> <p>a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;</p> <p>b. a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;</p> <p>c. a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</p> <p>d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—</p> <p style="padding-left: 40px;">i. uses them in connection with the generation of electricity for the person’s use; and</p> <p style="padding-left: 40px;">ii. does not use them to generate any electricity for supply to any other person;</p> <p>e. a water supply distribution system, including a system for irrigation;</p> <p>f. a drainage or sewerage system;</p> <p>g. structures for transport on land by cycleways, rail, roads, walkways, or any other means;</p> <p>h. facilities for the loading or unloading of cargo or passengers transported on land by any means;</p> <p>i. an airport as defined in section 2 of the Airport Authorities Act 1966;</p> <p>j. a navigation installation as defined in section 2 of the Civil Aviation Act 1990;</p> <p>k. facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988; and</p> <p>l. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</p> <p>means—</p> <p>a. Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy, including valves, meters, regulator stations, compressor stations, pumping stations;</p> <p>b. A network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001, including containers, cabinets, and similar structures;</p>

	<p>e. A network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989, including containers, cabinets, and similar structures;</p> <p>d. Facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, transformers (other than pole mounted transformers), substations (other than overhead substations), containers, cabinets, and similar structures, excluding facilities, lines, and support structures if a person —</p> <p style="padding-left: 40px;">i. uses them in connection with the generation of electricity for the person's use; and</p> <p style="padding-left: 40px;">ii. does not use them to generate any electricity for supply to any other person;</p> <p>e. A water supply distribution system, including a system for irrigation and pumping stations;</p> <p>f. A drainage or sewerage system including pumping stations;</p> <p>g. Structures for transport on land by cycle ways, rail, roads, walkways, or any other means;</p> <p>h. Facilities for the loading or unloading of cargo or passengers transported on land by any means;</p> <p>i. An airport as defined in section 2 of the Airport Authorities Act 1966;</p> <p>j. Navigational aids including navigation installations as defined in section 2 of the Civil Aviation Act 1990;</p> <p>k. Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;</p> <p>l. Meteorological installations;</p> <p>m. Anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166 of the RMA.</p>
<p>MINOR ABOVE GROUND LINE</p>	<p>Is included in the definition of Customer Connection Line means a line that provides an above ground connection to a site, including any connection to a building within that site, from an existing or permitted new above ground line provided that no more than one new support structure is required for that connection.</p>
<p>MINOR UPGRADING</p>	<p>means an increased in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:</p> <ul style="list-style-type: none"> a. The reconductoring of the lines with higher capacity conductors; b. The restaging resagging of conductors; c. The addition of longer and more efficient insulators; d. A support structure replacement within 5m of the support structure that is to be replaced; e. The addition of earthwires which may contain telecommunications lines, earthpeaks and lightning rods; f. The addition of electrical or telecommunication fittings, excluding antenna;

	<ul style="list-style-type: none"> g. The replacement of existing cross arms, including with cross arms of an alternative design; h. An increase in support structure height to achieve compliance with the clearance distances specified in NZECP34:2001; and i. An increase in the height of replacement poles in the road reserve by a maximum of 1m, for the purpose of achieving road controlling authority clearance requirements, providing the permitted height in NU7.2.1 is not exceeded. <p>Minor upgrading does not include:</p> <ul style="list-style-type: none"> j. Any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage; k. Any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 30mm, l. The bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30mm in diameter, or m. The addition of any new circuits, lines or utility structures.
<p>PAPAKĀINGA</p>	<p>means any activity which the owners of land held under Te Ture Whenua Māori Act 1993 that is in the traditional rohe of those tangata whenua shall seek to undertake on their land to sustain themselves. Papakāinga may include (but not be limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.</p> <p><u>means any activity undertaken in the traditional rohe of tangata whenua to sustain themselves, which is on land held under Te Ture Whenua Māori Act 1993, or on land where there is an ancestral connection to the land and the land will remain in Māori ownership in the long term. Papakāinga may include (but not be limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.</u></p>
<p>REGIONALLY SIGNIFICANT INFRASTRUCTURE</p>	<p>means regionally significant infrastructure including:</p> <ul style="list-style-type: none"> a. Pipelines for the distribution or transmission of natural or manufactured gas or petroleum; b. The National Grid, as defined by the National Policy Statement on Electricity Transmission; c. Facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003; d. The local authority water supply network and water treatment plants; e. The local authority wastewater and stormwater networks, systems and wastewater treatment plants; f. The Strategic Transport Network, as detailed in Appendix 1 to the Wellington Regional Land Transport Strategy 2010-2040; and g. Radio New Zealand’s radio transmission facilities at Titahi Bay, referenced in the DESIGNATIONS chapter.
<p><u>SOFT ENGINEERING MEASURES</u></p>	<p><u>means a form of hazard mitigation that uses natural elements to provide protection to private properties, public space and infrastructure. It includes sacrificial fill, vegetation planting, beach nourishment and dune restoration.</u></p>

<p><u>VEGETATION REMOVAL</u></p>	<p><u>The removal or destruction of woody vegetation (exotic or native) by mechanical or chemical means, including felling vegetation, spraying of vegetation by hand or aerial means, hand removal, and the burning of vegetation.</u> <u>Vegetation removal does not include:</u> <u>a. any vegetation removal, tree removal, or trimming of vegetation associated with the Electricity (Hazards from Trees) Regulations 2003, and</u> <u>b. any vegetation removal or vegetation disturbance covered by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.</u></p>
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Reason

599. This is in response to submissions that seek changes to definitions.

How this Change Achieves the Purpose of the RMA

600. The amendment clarifies the terms used in PC18 and assist in achieving the purpose of the RMA.

Benefits including Opportunities for Economic Growth and Employment

601. This provides more clarity to plan users.

Costs

602. There are no significant costs associated with this change.

Risk of Acting or Not Acting if Information is Uncertain or Insufficient

603. No risks around uncertain or insufficient information in relation to this matter have been identified.

Efficiency and Effectiveness

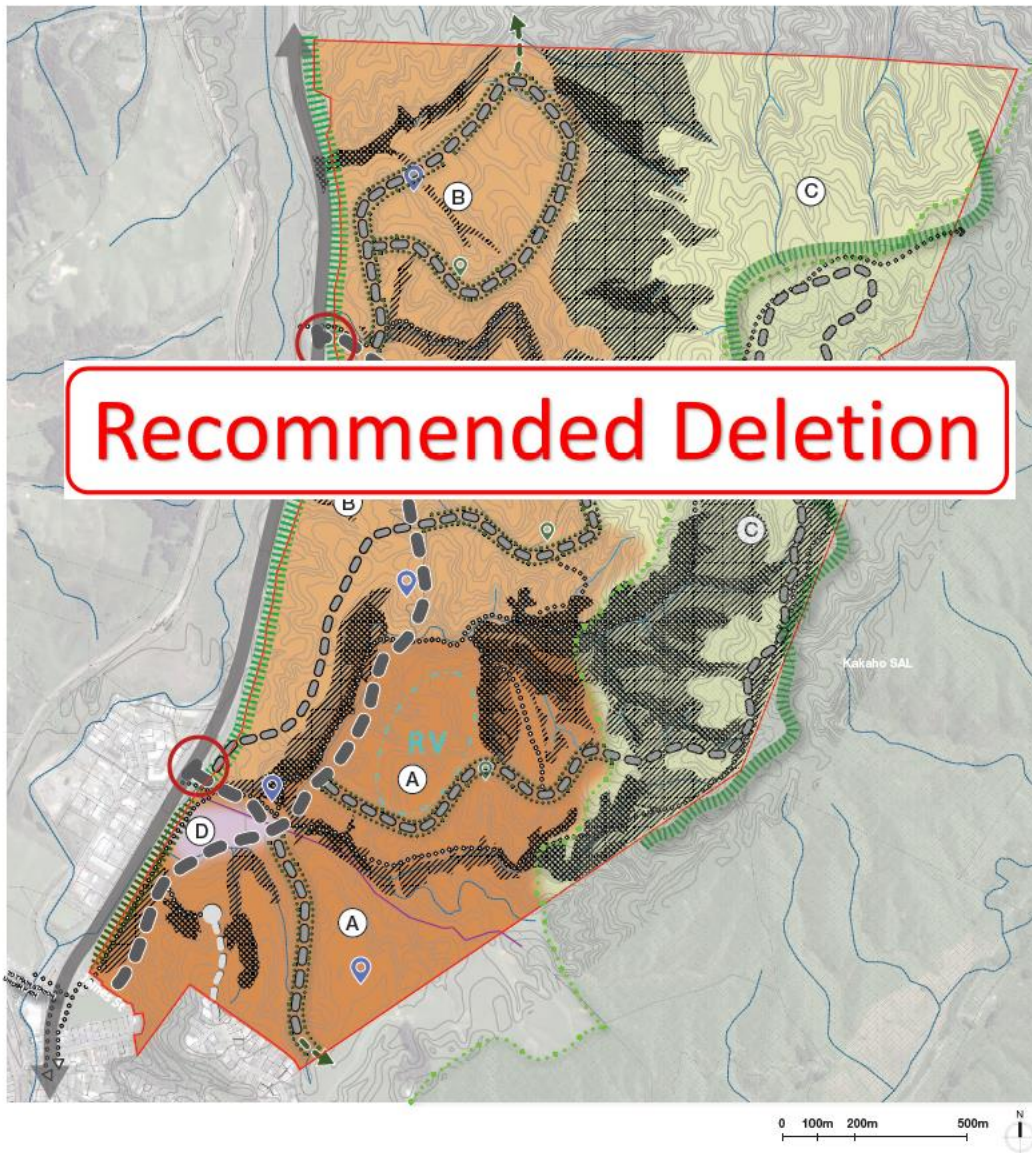
604. The efficiency of the recommended change is high because the benefits outweigh the costs.

605. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

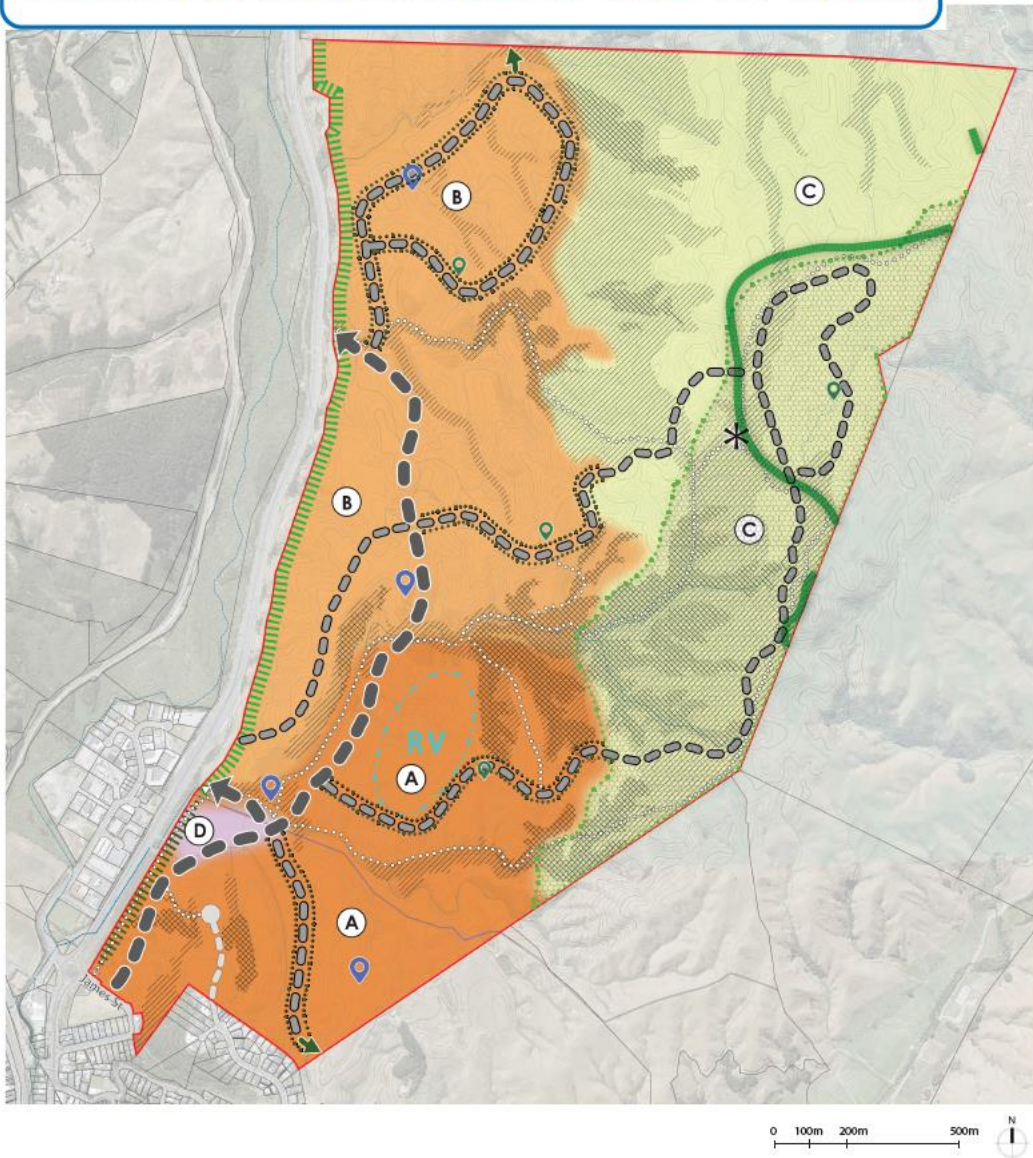
Other Reasonably Practicable Options for Achieving the Objectives

606. Another reasonably practicable option is to retain the definitions as proposed. This would have the disadvantage of being less clear.

Recommended Change – Precinct Plan Amendments to Remove Overlays Beyond the Site



Recommended Insertion



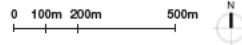


Recommended Deletion



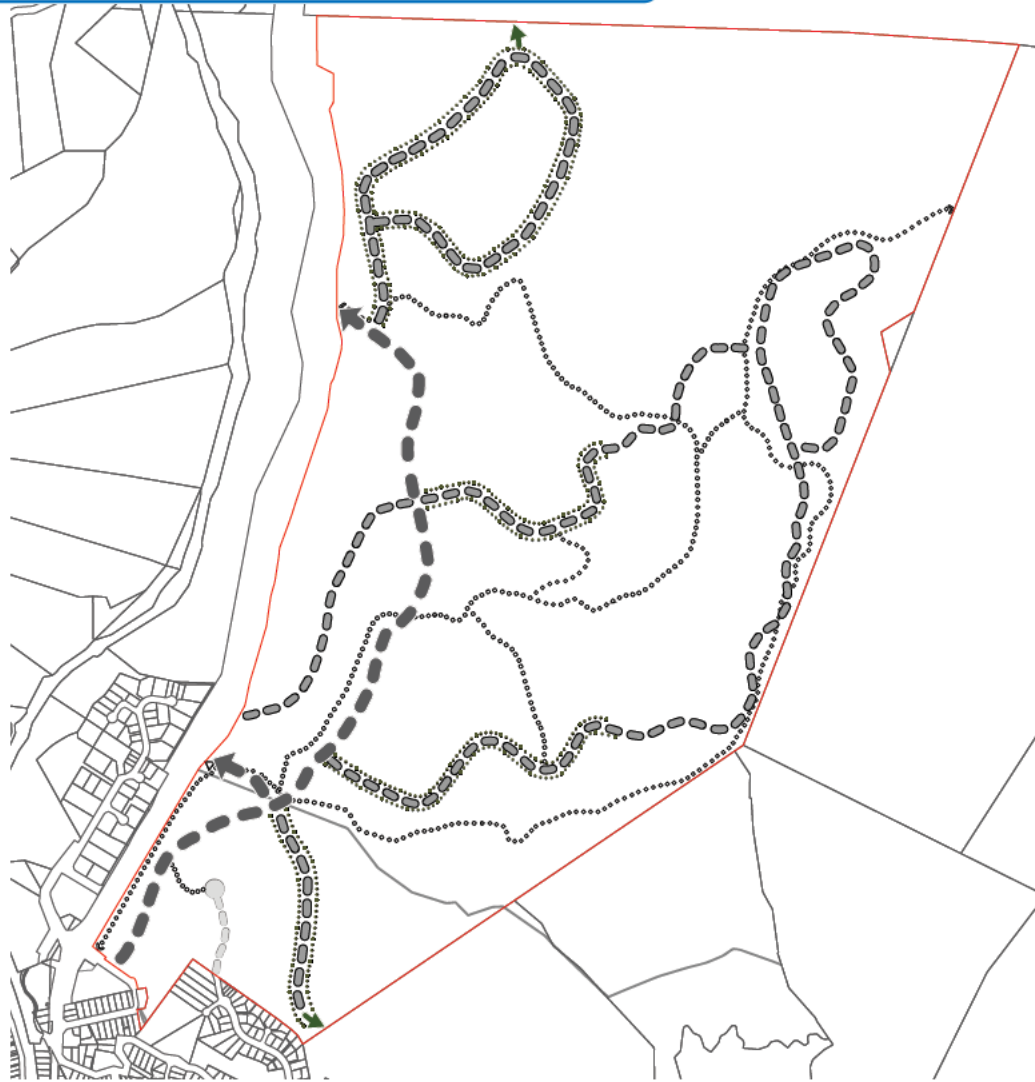
MOVEMENT NETWORKS

- St Andrew's Road
- Primary Collector
- Secondary Collector
- Access and low volume roads
- Potential future connections
- Primary walking and cycling trail
- Potential new intersection
- Boulevard road treatment in Precinct A+ B






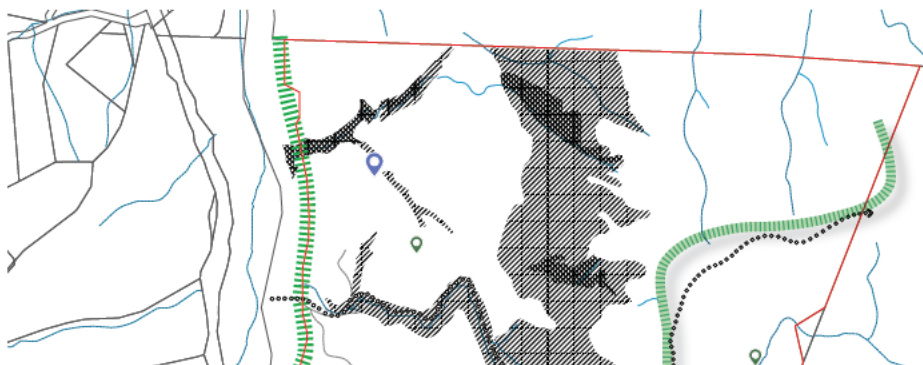
Recommended Insertion

PLIMMERTON FARM PRECINCT PLAN

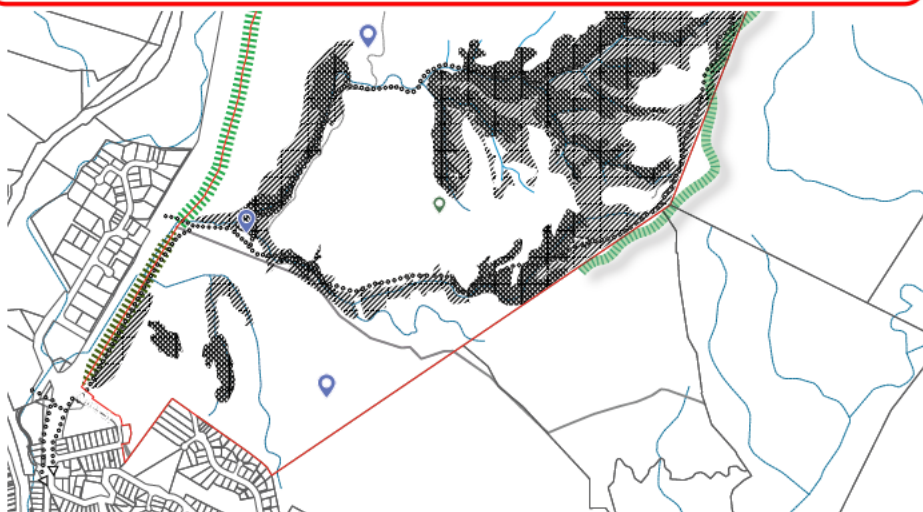


MOVEMENT NETWORKS

-  St Andrew's Road
-  Primary Collector
-  Secondary collector
-  Access and low volume roads
-  Potential future connections
-  Primary walking and cycling trail



Recommended Deletion

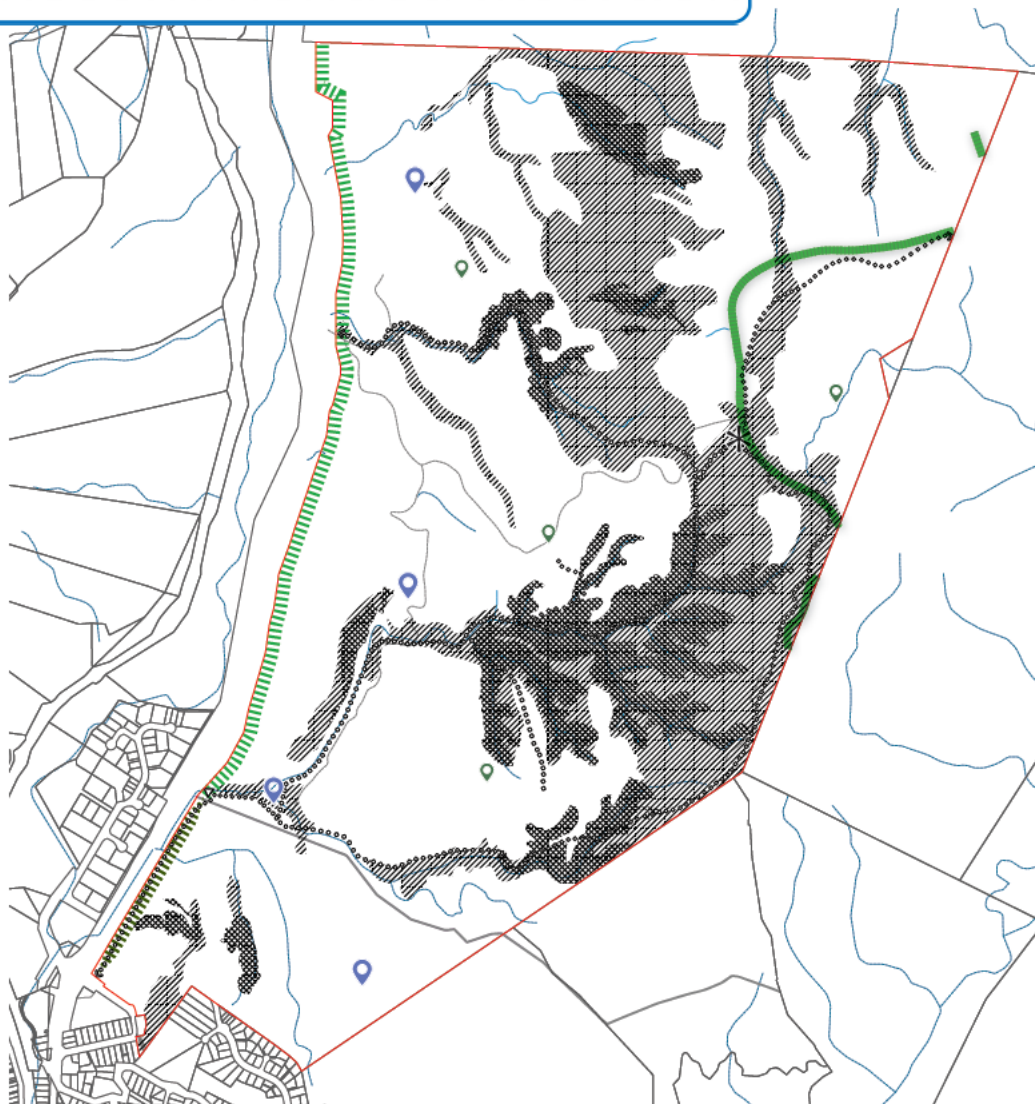


OPEN SPACE

- Significant Natural Areas
- Biodiversity Offsetting and Restoration Areas
- Indicative neighbourhood park
- Indicative pocket parks / playgrounds
- Indicative lookout / viewpoint
- Prominent Ridgeline
- Landscape buffer to St Andrew's Road
- Ecological Corridor
- Primary walking and cycling trail

Recommended Insertion

ERTON FARM PRECINCT PLAN



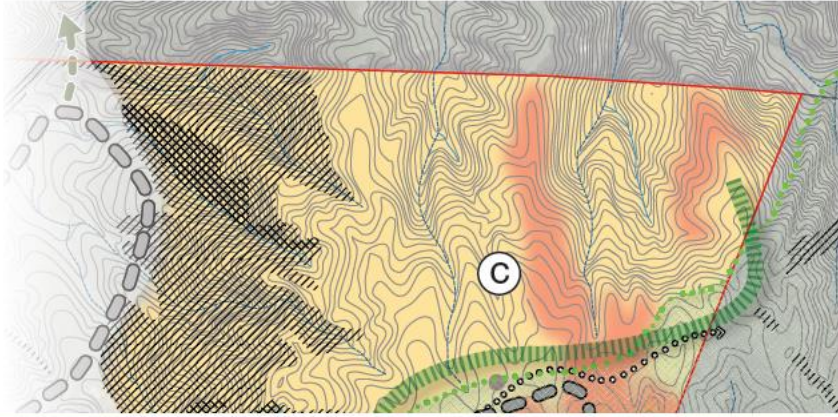
OPEN SPACE

-  Significant Natural Areas
-  Biodiversity and Offsetting Restoration Areas
-  Indicative neighbourhood park
-  Indicative pocket parks / playgrounds
-  Indicative lookout / viewpoint
-  Prominent Ridgeline
-  Landscape buffer to St Andrew's Road
-  Ecological Corridor
-  Primary walking and cycling trail

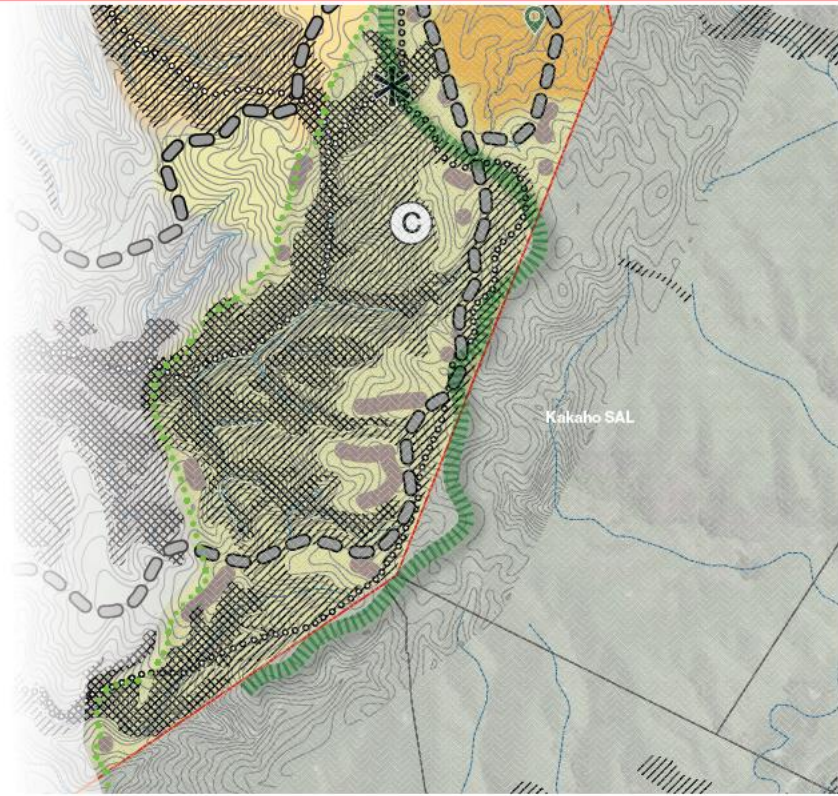


Scale: Not to Scale at A4
Date: 20 August 2020

OPEN SPACE



Recommended Deletion

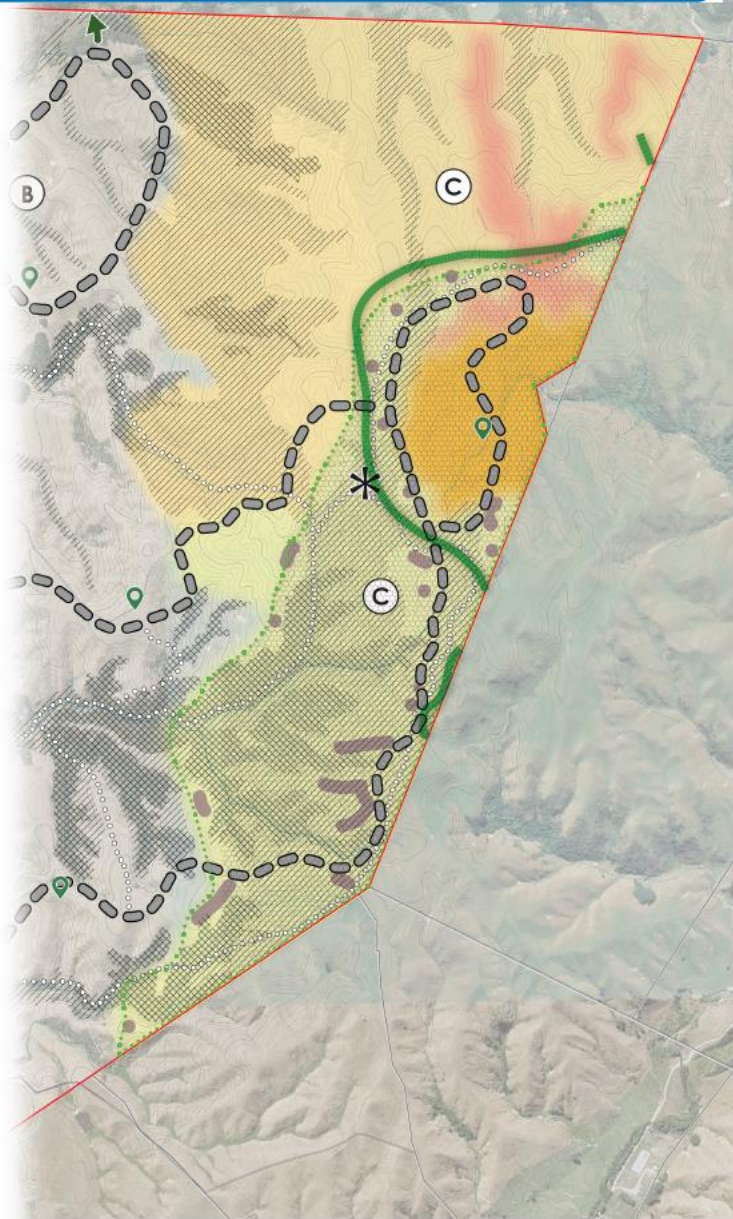


poriruacity

Scale: Not to Scale at A4
Date: 22 November 2019

PRECINCT C

Recommended Insertion



porirua city

Scale: Not to Scale at A4
Date: 20 August 2020

PRECINCT C