

**PROPOSED PLAN CHANGE 18 TO THE PORIRUA CITY DISTRICT PLAN
RIGHT OF REPLY OF ANDREW CUMMING AND THOMAS ANDERSON ON BEHALF
OF PORIRUA CITY COUNCIL**

1. This report presents updated Plan Change 18 provisions based on matters raised and discussed at the Hearing. The report follows the format used in the s42A Report and Rebuttal Evidence. It is presented under the section headings of PC18.
2. The changes to PC18 provisions and updates to s32AA analysis are colour-coded as follows:

S42A Report	deletions and <u>insertions</u>
Rebuttal Version	deletions and <u>insertions</u>
Post-Rebuttal Version	deletions and <u>insertions</u> .
Planning Summary to Hearing	deletions and <u>insertions</u>
Right of Reply Version	deletions and <u>insertions</u> .

PFZ Section 1 Introduction

3. We do not recommend additional changes to this section as a result of the hearing.

PFZ Section 2 Definitions

4. The Hearing Panel requested a response to whether terms such as mauri and mātauranga Māori should be formally defined. The Panel also raised the matter with Te Rūnanga o Toa Rangatira. We discussed the matter directly with Te Rūnanga o Toa Rangatira and agreed that the terms should not be formally defined. The content of several other definitions was clarified by Te Rūnanga o Toa Rangatira. PC18 contains strong direction for resource consent applicants to consult with Te Rūnanga o Toa Rangatira.
5. The Hearing Panel sought clarification over whether a definition of 'pest' would assist plan users. We consider a definition would assist and have provided one in discussion with GWRC. The definition applies to both flora and fauna. Consequential changes are also recommended to ensure the term is used consistently. The definition is shown below. The consequential changes are shown in the overall track changes version of PC18.
6. The Hearing Panel requested clarification of the definition of 'Travel Plan' in respect of active and shared modes. The definition has been amended from "Encouragement of..." to "Provision for..." The change is shown below.

7. The Hearing Panel sought consequential changes to the Definitions Nesting Table. The changes are shown in the overall track changes version

Recommended Changes and Section 32AA Evaluation

PEST	<p>Means any species that is:</p> <p>a. A pest or unwanted organism as defined in the Biosecurity Act 1993; or</p> <p>a.b. Identified as a pest species in a relevant site-specific restoration plan or Ecosystems and Indigenous Biodiversity Management Plan approved by Porirua City Council.</p>
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Reason

8. This is in response to a consequential need for clarification of what a pest is.

How this Change Achieves the Purpose of the RMA

9. This provides for sustainable management and environmental well-being.

Benefits including Opportunities for Economic Growth and Employment

10. There are benefits to biodiversity.

Costs

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

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

12. No risks around uncertain or insufficient information in relation to this matter have been identified. The definition reduces uncertainty.

Efficiency and Effectiveness

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

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

Other Reasonably Practicable Options for Achieving the Objectives

15. No other reasonably practicable options have been identified.

<p><u>TRAVEL PLAN</u></p>	<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> a.e. <u>Methods of monitoring; and</u> b.f. <u>Encouragement of Provision for increased active and shared modes.</u>
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Reason

16. This is in response to Submission 122 Waka Kotahi NZ Transport Agency, and agreement reached in the Joint Witness Statement – Planning and consequential discussion at the Hearing, 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

17. This provides for sustainable management and social and economic well-being.

Benefits including Opportunities for Economic Growth and Employment

18. 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

19. 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

20. 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

- 21. The efficiency of the recommended change is high because the benefits outweigh the costs.
- 22. 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

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

PFZ Section 3 Strategic Objectives

- 24. The Hearing Panel requested clarification in PFZ-O3 of the relationship of Te Mana o Te Wai with receiving waters. We have considered the matter and suggest a clearer link with receiving waters would be appropriate. The change is shown below.

Recommended Changes and Section 32AA Evaluation

PFZ-O3	Receiving Waters Quality
Subdivision, use and development in Plimmerton Farm is undertaken in an integrated manner that recognises Te Mana o te Wai for receiving waters including within the site and within 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, and minimises changes to the hydrological regime.	

Reason

- 25. This is in response to submissions **evidence and joint witness statements** and **discussion at the Hearing** 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 **and minimising changes to the hydrological regime.**

How this Change Achieves the Purpose of the RMA

26. 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 directives through the NPSUD ~~concerning housing capacity while also recognising the~~and NPSFM ~~as it applies to the overall site~~.

Benefits including Opportunities for Economic Growth and Employment

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

Costs

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

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

29. 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

30. The efficiency of the recommended change is high because the benefits outweigh the costs. Clear provisions assist plan users.
31. The effectiveness of the recommended change is high because it contributes to the outcomes sought.

Other Reasonably Practicable Options for Achieving the Objectives

32. Another reasonably practicable option is to retain the wording as proposed. This has the disadvantage of being less clear ~~and potentially misleading as to the intent~~.

PFZ Section 4 Stormwater Management

33. Some submitters continue to state that stormwater management is not integrated through other provisions. We continue to hold the view that stormwater management is thoroughly integrated. Stormwater policies are directly cross-referenced in subdivision provisions through SUB_{PFZ}-P4 *Integration with Infrastructure*, transport provisions through TR_{PFZ}-P2 *Movement Network and Connectivity* and earthworks provisions through EW_{PFZ}-P2 *Earthworks – Management of Other Effects*, and in the precinct provisions, through rules managing building activities and impervious surfaces. In addition, please see paragraph 70 in which we recommend an additional cross-reference in NH_{PFZ}-P6. In addition, SW_{PFZ}-P1-5 requires water sensitive design to retain and use natural systems without exceeding their existing capacities, thereby protecting the ecological values of those systems.
34. SW_{PFZ}-P1-6 was discussed at the hearing with Te Rūnanga o Toa Rangatira. The outcome was that “determined by Ngāti Toa” would be changed to “identified by Ngāti Toa” and that ‘mauri’ should continue to be associated with the stormwater being released. The changes are shown below.
35. The Hearing Panel asked whether a consequential addition to SW_{PFZ}-P1 is required to more clearly direct the protection of Taupō Swamp. We suggest an amendment to the lead statement to explicitly state that part of water sensitive design is protection of receiving waters. The change is shown below.
36. The Hearing Panel asked for clarification about the differences between Water Sensitive Design and Water Sensitive Urban Design. We asked Mr Wilson to advise on the matter. His response is attached (**Attachment 1**). Essentially, they are interchangeable terms.
37. SW_{PFZ}-P2 was discussed at the hearing, particularly in relation to the merits of mandatory rainwater tanks. Some submitters compared the PC18 approach with that of Kāpiti Coast District Council. Mr Wilson’s advice (Attachment 1) is that in Kāpiti, rainwater tanks are used for water supply demand management, not for stormwater volume control. Tanks for water supply demand management are managed to be full (so they can be a reliable water source), while tanks for volume control are managed to be empty (so they can capture the rain that drains to them).
38. We rely on the evidence of Mr Wilson and Dr Afoa that rainwater tanks for volume control are an option (that is likely to be required in some circumstances) but should not be mandatory because that may detract from other potentially more appropriate

opportunities to manage stormwater (such as permeable surfaces and rain gardens).
 PC18 provisions enable rainwater tanks should they be necessary or desirable.

Recommended Changes and Section 32AA Evaluation

SW _{PFZ} -P1	Water Sensitive Design
Require all subdivision, use and development to incorporate <u>achieve</u> water sensitive design <u>that protects receiving waters</u> that as follows:	
<ol style="list-style-type: none"> <li data-bbox="271 571 1332 683">1. <u>Provide or comply with a catchment flow management solution, in accordance with the hydrology mitigation requirements set out in this policy, that caters for all subsequent development in the catchment;</u> <li data-bbox="271 683 1361 840">1.2. Is <u>Provide water sensitive design</u> 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; <li data-bbox="271 840 1316 952">2.3. <u>Require stormwater hydrology mitigation for increases in mean annual exceedance frequency of the 2-year Average Recurrence Interval flow and mean annual volume of stormwater runoff;</u> <li data-bbox="271 952 1300 1064">4. <u>Require stormwater from high-contaminant-generating carparks, off-street vehicle parking areas in Precinct D and all roads to be treated to minimise concentrations of copper, zinc and sediment to the smallest amount practicable prior to discharge;</u> <li data-bbox="271 1064 1361 1153">5. <u>Retains</u> and <u>uses</u> existing natural systems of stormwater management, without exceeding their existing capacities; <li data-bbox="271 1153 1348 1332">3.6. 7. Provide water sensitive design <u>Is so that stormwater is naturally treated</u> in accordance with mātauranga Māori <u>(as determined identified by Ngāti Toa)</u> <u>to maintain and enhance its so that the</u> mauri <u>of stormwater is maintained and enhanced</u> before it is released into the receiving waters of Taupō Swamp, Taupō Stream, Kakaho Stream and Te Awarua-o-Porirua Harbour; <li data-bbox="271 1332 853 1377">4.7. <u>Avoids</u> mixing waters of different catchments; <li data-bbox="271 1377 981 1422">5.8. <u>Provides</u> for, <u>protects</u> and <u>maintains</u> overland flow paths; <li data-bbox="271 1422 1093 1467">6.9. <u>Provides</u> for access to and along waterbodies for maintenance; <u>and</u> <li data-bbox="271 1467 1332 1556">7.10. <u>Provides</u> for stormwater treatment devices that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade. <li data-bbox="271 1556 1348 1668">8.11. Requires stormwater runoff from impervious surfaces in Precinct D and from all roads in Plimmerton Farm Zone to be treated to remove contaminants <u>reduce concentrations of copper, zinc and sediment prior to discharge;</u> <u>and</u> <li data-bbox="271 1668 1252 1736">9.12. Where feasible, may be used for other purposes (such as recreational facilities). 	

Reason

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

40. This is in response to the recommendations, including those of the Joint Witness Statement – Engineering, that Ngāti Toa are the appropriate determinant of mātauranga Māori.
41. It is also in response to the Joint Witness Statement – Engineering recommendations to strengthen provisions to minimise changes to the hydrological regime.
42. Discussion at the hearing resulted in clarification to the lead statement and to the wording in relation to consulting with Ngāti Toa.

How this Change Achieves the Purpose of the RMA

43. The amendments detail what the indicator contaminants in stormwater runoff are, thereby clarifying what effects are required to be addressed.
44. The change addresses Section 8 of the RMA and is consistent with section 6(e).
45. The amendment also manages SNAs and wetlands in accordance with the functions of regional councils and territorial authorities, under s30 and 31 respectively, including integrated management.

Benefits including Opportunities for Economic Growth and Employment

46. This clarifies the contaminants which must be reduced to achieve the water sensitive design outcomes.
47. This ensures that water sensitive design solutions will meet expectations of providing for mātauranga Māori.
48. The amendment strengthens provisions to minimise changes to the hydrological regime and provide opportunities for flood reduction.

Costs

49. 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.
50. 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

51. No risks around uncertain or insufficient information in relation to this matter have been identified. This is with particular regard to the input of mana whenua to the development of the Plimmerton Farm Zone.

Efficiency and Effectiveness

52. The efficiency of the recommended change is high because the benefits outweigh the costs.
53. 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 **and minimise changes to the hydrological regime**.
54. 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

55. 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.

PFZ Section 5 Transport

56. Discussion at the Hearing considered whether active transport connection across St Andrews Road could be better provided for. We remain of the opinion that the appropriate mechanism to provide such connection is an integrated transport assessment required by resource consent processes. However, we recommend a change to TR_{PFZ}-P2 to provide greater policy direction. The change is shown below.
57. Discussion at the Hearing considered whether or not the road typologies proposed in the Plimmerton Farm Precinct Plan and TR_{PFZ}-S1 provide appropriately for place-making and active transport modes. Submitter 103 Isabella Cawthorn presented

examples of alternative road typologies and referred the Hearing Panel to the *Auckland Roads and Streets Framework 2020*.

58. We asked Mr Whittaker and Ms White to review the material provided and reconsider the PC18 road typologies. Their advice (including Mr Whittaker’s memorandum **Attachment 2**) is that the PC18 road typologies are similar to those suggested by Ms Cawthorn, particularly for residential culs de sac. We note that while curbless roads may be supportable from an urban design perspective, they are impracticable in steep terrain for managing stormwater.
59. In respect of collector roads, Ms Cawthorn recommends that pedestrian paths are separated from other active modes. We accept the advice of Ms White and Mr Whittaker that separation is unnecessary with shared paths that are suitably wide (at least 3m).
60. We acknowledge that the transport provisions may benefit from increased flexibility, enabling transport solutions beyond the road typologies. We therefore suggest a change to TR_{PFZ}-P2 to remove reference to consistency with the road types in the Precinct Plan. This means that alternative road types would be able to be considered against the matters set out in the policy, without being tied to the PC18 road typologies. The changes (including a consequential change to TR_{PFZ}-S1) are shown below.
61. Please note that when reviewing the Transport section we discovered an error in Table TR_{PFZ}-S11 in that it refers to the City Centre Zone and Local Centre Zone. These zones do not exist in PC18. Therefore we have corrected the table. The change is shown below.

Recommended Changes and Section 32AA Evaluation

TR _{PFZ} -P2	New Roads and Movement Network <u>and Connectivity</u>
Provide for new roads, private ways, and cycle and pedestrian <u>safe, multi-modal and active transport</u> networks that are consistent with the movement network and road types in the Plimmerton Farm Precinct Plan, and:	
<ol style="list-style-type: none"> 1. Integrate and coordinate with the <u>wider</u> transport network including proposed transport infrastructure and service improvements; <u>2.</u> <u>Achieve safe, active transport connections to Plimmerton Station and Plimmerton School;</u> 2.3. Respond to site and topographical constraints; 3.4. Achieve the <u>safe</u>, efficient and effective functioning of the transport network; 4.5. Provide for public health and safety; and 	

5.6. Achieve the management of stormwater quality and quantity set out in SW_{PFZ}-P1 and SW_{PFZ}-P2.

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}-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*)
Any activity in City Centre Zone or Local Centre Zone	Nil	In accordance with the rest of this table

Reason

62. This is in response to submission 122 Waka Kotahi NZ Transport Agency, and agreement reached in the Joint Witness Statement – Planning and discussion at the Hearing.

How this Change Achieves the Purpose of the RMA

63. The amendments provide for sustainable management and social and economic well-being.

Benefits including Opportunities for Economic Growth and Employment

64. The amendments may lead to a greater variety of safe, transport choices and resulting benefits, as well as clarity for plan users.

Costs

65. There may be a small construction cost associated with achieving the acoustic attenuation required in the St Andrews Road reverse sensitivity buffer and achieving a connection across St Andrews Road.

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

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

Efficiency and Effectiveness

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

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

Other Reasonably Practicable Options for Achieving the Objectives

69. The other reasonably practicable option is to do nothing.

PFZ Section 6 Natural Hazards

70. Dr Afoa considered that the term *soft engineering measures* implies an engineering response and suggested that NH_{PFZ-P6} *Soft Engineering Measures* cross-reference SW_{PFZ-P1} *Water Sensitive Design*. We accept the advice. The change is shown below.

Recommended Changes and Section 32AA Evaluation

NH _{PFZ-P6}	Soft-Engineering Measures
	Encourage soft engineering measures <u>that are consistent with SW_{PFZ-P1}</u> when undertaking natural hazard mitigation activities within Flood Hazard Areas to reduce the risk from flooding.

Reason

71. This is in response to discussion at the Hearing.

How this Change Achieves the Purpose of the RMA

72. The amendments provide for sustainable management and environmental well-being.

Benefits including Opportunities for Economic Growth and Employment

73. The amendment provides clarity.

Costs

74. There are no additional costs from the amendment.

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

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

Efficiency and Effectiveness

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

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

Other Reasonably Practicable Options for Achieving the Objectives

78. The other reasonably practicable option is to do nothing.

PFZ Section 7 Ecology and Indigenous Biodiversity

79. There was discussion at the hearing about whether roads that may affect SNAs should have more policy direction. Our position is that roads and other infrastructure should be considered alongside other use and development, but that policy direction is appropriate for use and development that has a functional need¹ to locate in a specific location. The use and development should continue to be considered through the effects-management hierarchy of ECO_{PFZ}-P3. The change is shown below. A consequential change (shown below) to the introduction of the section is also required.

¹ The equivalent provision that applies to BORAs allows wider scope, i.e. "functional need or operational need", due to BORAs not having significant indigenous biodiversity values in terms of Policy 23 of the RPS.

80. QEII's evidence recommended that SNA *values* rather than *identified values* be protected through ECO_{PFZ}-O1. We agree. The change is shown below.
81. There was discussion at the hearing that provisions for natural wetlands need to include an objective. We agree to the extent that of PCC's jurisdiction and having consistency with the requirements of the pNRP to avoid adverse effects on outstanding waterbodies. The change is shown below.
82. There was discussion at the hearing about the identification of natural wetlands. We remain of the view that wetland identification is the responsibility of GWRC. In rebuttal, we attempted to provide a pragmatic way forward by mapping GWRC wetlands and PCC indicative wetlands. Having now heard the views of submitters about the pros and cons of that approach, and taken legal advice, we now recommend that GWRC wetlands only are mapped and PCC indicative wetlands are not. We recommend that natural wetlands are identified through the Ecosystems and Indigenous Biodiversity Management Plan process (which is the renamed and reconfigured Land Management Plan process discussed under the heading PFZ Section 10 *Subdivision* at paragraph 112 below), in collaboration with GWRC. GWRC would then be able to confirm the wetlands' extent and status through its processes. Changes to the ECO provisions are shown below.
83. The Hearing Panel asked for clarification about whether additional direction is required in the information requirement ECO_{PFZ}-IR-1 to detail how policies have been complied with. In our view, there is already a clear requirement in PC18 for restricted discretionary consent applications to address the relevant policies, which are often matters of discretion.
84. The Hearing Panel asked for clarification about the phrase "socially acceptable option" in Offsetting Principle 2 and Biodiversity Compensation Principle 2. We agree the phrase is unclear and would not assist plan users and recommend its deletion (shown below).
85. The Hearing Panel sought clarification from Submitter 131 Te Rūnanga o Toa Rangatira about the lone tī kōuka on the site. Te Rūnanga o Toa Rangatira subsequently advised:
- On reflection we believe that the lone Ti Kouka should be provided with some protection. As I understand it, the lone Totara is also to be protected, but the Ti Kouka is older. The Ti Kouka reflects the ground cover that once would have existed on the site. Ti Kouka are an important taonga species used as kai, rongoā and as markers/indicators or wayfinding points. They are also a symbol of life and death, and could mark a place of significance*
86. We accept the advice. In considering provisions to protect the tree, we consider clear identification of the tree and its values, policy direction and a rule that enables

consideration of the effects of activities on the tree. We have applied the same approach to the lone tōtara recommended for protection in the s42A Report. The recommended changes are shown below.

Recommended Changes and Section 32AA Evaluation

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.

ECO_{PFZ}⁻ O1	Significant Natural Areas
	<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.
ECO_{PFZ}⁻ O3	Natural Wetlands
	<u>Natural wetlands are protected from inappropriate subdivision, use and development.</u>

<p>ECO_{PFZ}-P2</p>	<p>Identification of Natural Wetlands</p>
<p>To assist the integrated management of natural wetlands, map identify and list within ECO_{PFZ}-Appendix 2: Schedule of Natural Wetlands natural wetlands identified and mapped by Greater Wellington Regional Council and indicative natural wetlands identified and mapped by Porirua City Council.</p> <p><i>Note: The identification and management of natural wetlands is a function of Greater Wellington Regional Council. Refer to the National Environmental Standard for Freshwater 2020 and the Natural Resources Plan for the Wellington Region.</i></p>	
<p>ECO_{PFZ}-P4</p>	<p>Protection of Wetlands</p>
<p>Require subdivision, use and development to avoid adverse effects on the indigenous biodiversity values of natural wetlands.</p> <p><i>Note: The identification and management of natural wetlands is a function of Greater Wellington Regional Council. Refer to the National Environmental Standard for Freshwater 2020 and the Natural Resources Plan for the Wellington Region.</i></p>	
<p>ECO_{PFZ}-P53</p>	<p>Appropriate Use and Development in Significant Natural Areas and Biodiversity Offsetting and Restoration Areas</p>
<p>Enable vegetation removal within Significant Natural Areas identified in <i>ECO_{PFZ}-Appendix-1: Schedule of Significant Natural Areas</i> or Biodiversity Offsetting and Restoration Areas for the following activities where the vegetation removal is of a scale and nature that maintains the identified biodiversity values, including:</p> <ol style="list-style-type: none"> 1. Maintenance around existing buildings and infrastructure; 2. Safe operation of roads, tracks and accessways; 3. Restoration and conservation activities; and 4. Opportunities to enable tangata whenua to exercise customary harvesting practices. 	
<p>ECO_{PFZ}-P642</p>	<p>Other Subdivision, Use and Development in Significant Natural Areas</p>
<p>Provide for Only allow subdivision, use and development in Significant Natural Areas identified in <i>ECO_{PFZ}-Appendix-1: Schedule of Significant Natural Areas</i>, as follows where the activity:</p> <ol style="list-style-type: none"> 1. Applies the effects-management hierarchy of ECO_{PFZ}-P324; 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}-P324; 3. Require Provides for the formal protection and ongoing active management of the Significant Natural Area; 4. Limit Minimises the land ownership fragmentation and physical fragmentation of land ownership within the Significant Natural Areas as part of the subdivision, use or development that would constrain ongoing active management; 5. Avoids locating building platforms and vehicle accessways in Significant Natural Areas; 	

- 6. Minimise trimming or removal of indigenous vegetation to avoid loss, damage or disruption to the ecological processes, functions and integrity of the Significant Natural Area;
- 7. Minimise earthworks in Significant Natural Areas;
- ~~7.8. Has a functional need for the specific location;~~ and
- ~~8.9. Minimises the potential cumulative adverse effects of activities on the values of the Significant Natural Area Enable tangata whenua to exercise traditional cultural harvesting practices.~~

ECO_{PFZ}-P765 Other Subdivision, Use and Development in Biodiversity Offsetting and Restoration Areas

Provide for subdivision, use and development in Biodiversity Offsetting and Restoration Areas ~~that~~ where the activity protects or restores ecological, hydrological and amenity values, or provides opportunities for biodiversity offsetting, as follows:

- ~~1. Provide opportunities for biodiversity offsetting;~~
~~Protect, restore and enhance ecology, hydrology and amenity, as follows:~~
 - ~~2.1. Require planting regimes and ongoing pest animal and weed-pest plant management;~~
 - ~~3.2. Encourage water sensitive design; or~~
 - ~~4.3. Has a functional need or operational need for the specific location; and~~
 - ~~5.4. Prepare or implement Land Management Plans in accordance with SUB_{PFZ}-P5.~~

ECO_{PFZ}-P10 Identification and Protection of Individual Trees

Protect the values of individual trees as identified in ECO_{PFZ}-Appendix 4. Provide for trimming for the health of the tree or for the safety of people and property. Only allow tree removal in consultation with Ngāti Toa.

ECO_{PFZ}-R1 Trimming or Removal of Indigenous Vegetation within a Significant Natural Area or Biodiversity Offsetting and Restoration Area

- | | |
|---------------|---|
| All Precincts | <ul style="list-style-type: none"> 1. Activity Status: Permitted
Where: <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 <u>in a Biodiversity Offsetting and Restoration Area</u> 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); |
|---------------|---|

	<p>vii. Construct or maintain perimeter fences for stock or pest animal exclusion provided the removal of indigenous vegetation is within 1m of the fence;</p> <p>viii. Comply with section 43 of the Fire & Emergency NZ Act 2017; or</p> <p>ix. Enable tangata whenua to exercise traditional cultural <u>customary</u> harvesting practices.</p>
	<p>2. Activity Status: Controlled</p> <p>Where:</p> <p>a. The activity is the construction, in a Significant Natural Area, of a new public walking or cycling track up to 2.5m in width, undertaken by Porirua City Council or its agent.</p> <p>Matters of control are:</p> <p>M1. The need for the track;</p> <p>M2. The location of the track and</p> <p>M3. Effects on the indigenous biodiversity values of the Significant Natural Area.</p>
	<p>2.3. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. ECO_{PFZ}-R1-1; or</p> <p>ii. ECO_{PFZ}-R1-2.</p> <p>Matters of discretion are restricted to:</p> <p>M1. For SNAs, the matters in</p> <p>a. ECO_{PFZ}-P32, ECO_{PFZ}-P53 and ECO_{PFZ}-P64.</p> <p>M2. For BORAs, the matters in:</p> <p>a. ECO_{PFZ}-P53 and ECO_{PFZ}-P76.</p> <p>For SNAs, refer to information requirement ECO_{PFZ}-IR-1.</p>

<p>ECO_{PFZ}-R2</p> <p>ECO_{PFZ}-R2</p>	<p>Removal of Non-Indigenous Vegetation within a Significant Natural Area or Biodiversity Offsetting and Restoration Removal of Non-Indigenous Vegetation within a Significant Natural Area or Biodiversity Offsetting and Restoration</p>
<p>All Precincts</p> <p>All Precincts</p>	<p>1. Activity Status: Permitted Activity Status: Permitted</p> <p>Where:</p> <p>a. The trimming or removal is of non-indigenous vegetation that has not been identified as providing habitat with significant indigenous biodiversity value in a Ecosystems and Indigenous Biodiversity Management Plan that applies to the site.</p>
	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p>

	<p>a. <u>Compliance is not achieved with:</u></p> <p>i. <u>ECO_{PFZ}-R2-1.</u></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}-P3, ECO_{PFZ}-P5 and ECO_{PFZ}-P6.</u></p> <p>M2. <u>For BORAs, the matters in:</u></p> <p>a-b. <u>ECO_{PFZ}-P5 and ECO_{PFZ}-P7.</u></p>
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ECO_{PFZ}-R43	Enhancement and Management Restoration and Maintenance of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas
All Precincts	<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 <u>pest</u> animal pest and exotic <u>pest</u> plant control activities;</p> <p>iii. Carrying out activities in accordance with a <u>Ecosystems and Indigenous Biodiversity Management Plan</u> 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. <u>ECO_{PFZ}-R43-1.</u></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}-P32, ECO_{PFZ}-P53 and ECO_{PFZ}-P64.</u></p> <p>M2. <u>For BORAs, the matters in:</u></p> <p>a. <u>ECO_{PFZ}-P53 and ECO_{PFZ}-P76.</u></p>

ECO_{PFZ}-R6	Trimming or Removal <u>Protection of Significant Lone Tōtara and Lone Tī Kōuka Tree</u> identified in <u>Map A-PFZ-2</u> ECO_{PFZ}-Appendix-4
Precinct A	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The works activity affecting the tree:</u></p>

	<ul style="list-style-type: none"> i. <u>Are/s essential works</u> due to a serious imminent threat to the safety of people or property; ii. <u>Are/s</u> for removal of the tree if it is confirmed to be dead or in terminal decline by a suitably qualified arborist; iii. <u>are/s</u> advised to Porirua City Council as soon as reasonably practicable prior to work commencing; iv. <u>Are/s</u> undertaken or supervised by a suitably qualified arborist; and v. <u>Are/s</u> 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.
	<p>2. <u>Activity Status: Discretionary</u></p> <p><u>Where</u></p> <p>a. <u>Compliance is not achieved with ECO_{PFZ}-R67-1.</u></p>

ECO_{PFZ}-Appendix-2: Biodiversity Offsetting

<u>Principle</u> 2	<u>Limits to offsetting</u>
<p>Many biodiversity values cannot be offset and if they are adversely affected then they will be permanently lost. These situations include where:</p> <ul style="list-style-type: none"> a. <u>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> b. <u>There are no technically feasible or socially acceptable options by which to secure gains within acceptable timeframes; and</u> c. <u>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> 	

ECO_{PFZ}-Appendix-3: Biodiversity Compensation

<u>Principle</u> 2	<u>Limits to biodiversity compensation</u>
<p>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:</p> <ul style="list-style-type: none"> a. <u>The indigenous biodiversity affected is irreplaceable or vulnerable;</u> b. <u>There are no technically feasible or socially acceptable options by which to secure proposed gains within acceptable timeframes; and</u> c. <u>Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse.</u> 	

ECO_{PFZ}-Appendix-4: Schedule of Individual Trees

<u>Tree Name</u>	<u>Values</u>

Lone Tōtara	The tōtara has ecological value as a large and spreading tree that represents original forest associations in the District. The tree provides an important source of food and seeds.
Lone Tī Kōuka	The tī kōuka reflects the ground cover that once would have existed on the site. Tī kōuka are an important taonga species used as kai, rongoā and as markers, indicators or wayfinding points. They are also a symbol of life and death, and could mark a place of significance.

Reason

87. 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, [evidence, joint witness statements](#) 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. [The changes also reflect discussion at the Hearing.](#)
88. This is in response to the submissions, [evidence and JWS-Ecology](#) that requested protection of the tōtara ~~and Dr Blaschke's subsequent advice.~~ [It is also in response to discussion at the Hearing and subsequent advice from Te Rūnanga o Toa Rangatira regarding protection of the tī kōuka.](#)

How this Change Achieves the Purpose of the RMA

89. The amending wording better implements section 6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, [section 6\(e\) and s8.](#)

Benefits including Opportunities for Economic Growth and Employment

90. 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.
91. There is a minor benefit to ecological values [and benefit to cultural values from protecting the totara and tī kōuka.](#) There is no change to opportunities for economic growth and employment associated with this amendment.

Costs

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

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

93. 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. [Although the margins of natural wetlands are uncertain, the provision provide a mechanism for PCC to carry out its functions in respect of natural wetlands.](#)

Efficiency and Effectiveness

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

Other Reasonably Practicable Options for Achieving the Objectives

96. 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.

PFZ Section 8 Earthworks

97. The Hearing Panel asked for clarification about whether EW_{PFZ}-P2-8 is subject to the other matters listed in the policy. An amendment (shown below) clarifies that EW_{PFZ}-P2-8 is subject to the other matters listed in the policy.
98. A consequential amendment is needed to EW_{PFZ}-S3 to fully give effect to changes recommended in rebuttal. The track changes version provided by Submitter 117 Forest and Bird and Submitter 128 QEII pointed to an error in that EW_{PFZ}-R7 did not refer to EW_{PFZ}-S3 as it should do. The changes are shown below.

99. Submitter 117 requested that earthworks rules do not permit any earthworks in SNAs. We do not consider additional provisions to be necessary because earthworks in SNAs would be associated with vegetation removal, which is already tightly controlled.
100. Submitter 44 Karla Beamsley requested that chemical flocculation of sediment ponds be required by PC18. Chemical flocculation is a contaminant and its use requires resource consent from GWRC. However, in light of the evidence of Mr Blyde at the hearing, its use is now recommended in the Erosion and Sediment Control Principles.
101. The ESCP have been amended to reflect the jurisdictional split for earthworks between PCC and GWRC. For example, principles that relate to earthworks greater than 3000m² are recommended rather than required. The changes are shown below.
102. The Hearing Panel asked for clarification about the requirements of EW_{PFZ}-Appendix 1 Te Rūnanga o Toa Rangatira Accidental Discovery Protocol. The preamble to the PC18 earthworks rules notes that the protocol applies to all earthworks. We agree that the protocol needs to state that complying with the protocol is a Porirua City Council requirement. The changes, including minor consequential clarifications, are shown below.

Recommended Changes and Section 32AA Evaluation

EW_{PFZ}-P1	Earthworks – Management of Erosion and Sediment Effects
Require earthworks associated with subdivision, use and development to:	
<ol style="list-style-type: none"> 1. Protect Significant Natural Areas and natural wetlands from the adverse effects of earthworks; 2. Be considered in accordance with ECO_{PFZ}-P32 if the earthworks are within a Significant Natural Area; 3. Manage erosion and sediment control for earthworks areas not exceeding 3,000m² in accordance with the Greater Wellington Regional Council publication <i>Small Earthworks - Erosion and Sediment Control for Small Sites</i> (2006) and the Erosion and Sediment Control Principles in the Plimmerton Farm Precinct Plan; and 4. Recognise and provide for Tangata Whenua cultural values and practices. 	
Note: Erosion and sediment effects of earthwork areas of 3000m ² or more are regulated by Greater Wellington Regional Council	
EW_{PFZ}-P2	Earthworks – Management of Other Effects
Require earthworks associated with subdivision, use and development to:	
<ol style="list-style-type: none"> 1. Recognise and provide for Tangata Whenua cultural values and practices. 	

2. Avoid compromising the safety and stability of land, infrastructure or buildings;
3. Manage stormwater in accordance with SW_{PFZ}-P1;
4. Address the effects of earthworks in Flood Hazard Areas in accordance with NH_{PFZ}-P7 and NH_{PFZ}-P8;
5. 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;
6. 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 Pimmerton Farm Precinct Plan;
7. In the Kakaho Special Amenity Landscape minimise changes to the landform;
8. Provide for earthworks to construct roads in Precinct C in accordance with the Pimmerton Farm Precinct Plan, while giving effect to the other matters listed in this policy;
9. Avoid abrupt changes in ground level at site boundaries;
10. Avoid, remedy or mitigate any adverse dust or vibration beyond the site; and
11. Manage traffic movements associated with earthworks to minimise adverse effects on the transport network and on local amenity values.

EW _{PFZ} -R7	Earthworks associated with the construction of a road illustrated on the Pimmerton Farm Precinct Plan in Precinct C
Precinct C	<p>1. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is achieved with:</p> <p style="padding-left: 20px;">i. EW_{PFZ}-S3; and</p> <p style="padding-left: 20px;">ii. EW_{PFZ}-S8.</p> <p>Matters of discretion are restricted to:</p> <p>M1. The matters in:</p> <p style="padding-left: 20px;">a. EW_{PFZ}-P14; and</p> <p style="padding-left: 20px;">b. EW_{PFZ}-P25.</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 style="padding-left: 20px;">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 style="padding-left: 20px;">i. EW_{PFZ}-R7-1.b</p>

Refer to information requirements in EW_{PFZ}-IR-2.

EW_{PFZ}-S3	Setbacks from Waterbodies Earthworks within 20m of a stream or wetland	
All Precincts	<p>Earthworks:</p> <ol style="list-style-type: none"> 1. Must be set back at least 5m-20m from natural wetlands or a streams (measured from the highest annual bank-full flow); 1. Must not exceed 25m³ per site in any 12 month period; and 2. 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>Note: Earthworks near waterbodies are also regulated by Greater Wellington Regional Council</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 waterbody.

EW_{PFZ}-Appendix-1: Te Rūnanga o Toa Rangatira Accidental Discovery Protocol

Evidence of archaeological sites can include kōiwi (human skeletal remains), taonga Māori (Māori artifacts), oven stores, charcoal, shell middens, ditches, banks, pits and old building foundations.

If any archaeological site(s) are uncovered during physical works, ~~Te Rūnanga o Toa Rangatira~~ Porirua City Council will requires the contractor to adopt the following protocols:

1. Work shall-must cease immediately at the place of discovery;
2. The contractor and subcontractor(s) must shut down all machinery, isolate and secure the site, and advise the project manager;
3. No materials relating to the artifacts or site shall-may be removed;
4. The project manager shall promptly advise Porirua City Council and Te Rūnanga o Toa Rangatira (see contact details below);
5. If skeletal remains are uncovered, the project manager will-must also advise the New Zealand Police;
6. An archaeologist and Iwi monitor approved by Te Rūnanga o Toa Rangatira shall-must be employed at the expense of the contractor to examine and record the site;
7. Te Rūnanga o Toa Rangatira will, at their discretion, contact other iwi groups and organise a site inspection by appropriate tangata whenua advisors and the archaeologist;
8. If, as a result of the site inspection and investigation, there is a need for an appropriate ceremony, Te Rūnanga o Toa Rangatira will arrange such at the contractor's expense;
9. Materials discovered will be handled and removed by Ngāti Toa Rangatira representatives responsible for the tikanga appropriate to their removal and preservation, or re-interment;
10. Works affecting the archaeological site shall-must not resume until Te Rūnanga o Toa Rangatira and the New Zealand Police in the case of skeletal remains have each given the appropriate consent, approval or authority for work to continue.

The contractor and subcontractor(s) ~~will~~ **must** allow representatives of Te Rūnanga o Toa Rangatira and the archaeologist all reasonable access to the site to carry out their respective responsibilities or activities under this protocol.

Contact details for the Te Rūnanga o Toa Rangatira representative are as follows:

Resource Management and Communications Team
 Te Rūnanga o Toa Rangatira
 26 Ngāti Toa Street
 PO Box 50079
 PORIRUA

Erosion and Sediment Control Principles

~~The Greater Wellington Regional Council Erosion and Sediment Control Guidelines for the Wellington Region (2006) details control measures and is widely used as the appropriate standard for management of erosion and sediment control in the Wellington Region. These guidelines form the basis of earthwork design within the region, but for the Plimmerton Farm Zone additional measures seek to provide a more robust solution.~~

Due to the sensitive and important nature of the downstream receiving environment, ~~more~~ conservative design parameters for the sizing of ~~the~~ erosion and sediment controls ~~are~~ **need to be** employed ~~than what is provided for in the guideline~~. This will have the effect of making the controls ~~more~~ responsive to climate change and ~~more~~ resilient to rain events that are heavier, higher intensity, or more prolonged than expected. It will also add capacity and flexibility to manage the sediment from rain events.

Further justification for imposing a higher ~~er~~ level of control can be found in the Te Awarua-o-Porirua Whaitua Implementation Programme ('WIP'). Recommendation 50 seeks that:

"WCC and PCC have consistent bylaws and guidance for silt and sediment control within the Whaitua. Consideration must be given to the effects of climate change to ensure control measures are designed to meet increasing intensity duration of rainfall events"

And Recommendation 51 states that:

"Greater Wellington reviews and updates publications, including Small Earthworks – Erosion and sediment control for small sites (2006), and Erosion and Sediment Control Guidelines for the Wellington Region (2006) to ensure the methods in principles they set out reflect good practices. Amendments may include increasing the design standards to deal with more significant but less frequent rainfall events"

As the WIP recommendations have not been incorporated into operative district or regional plans (at the time of notification of the Plimmerton Farm Zone), Earthworks and Erosion and Sediment Control Principles have been developed for the Plimmerton Farm Zone to ensure the WIP recommendations are appropriately considered at the time of subdivision, use and development.

Any application for subdivision or earthworks in the Plimmerton Farm Zone is required to provide an assessment of a proposal's consistency with Earthworks and Erosion and Sediment Control Principles via information requirements specified in the chapter sections. In addition, specific matters of discretion will ensure that Council has sufficient scope, where appropriate, to assess proposals against these principles.

General Principles

Land Disturbance	
ESCP 1	Prepare an Erosion and Sediment Control Plan for bulk earthworks.
ESCP 2	Stage bulk earthworks to minimise the total area of exposed soils at any point in time. Minimise disturbance of existing vegetation.

Perimeter Controls	
ESCP 3	Install diversion drains, silt fences and decanting earth bunds to divert clean water runoff away from worked areas and keep separate from sediment-laden-prone water.

Design Principles

Sediment Retention Ponds	
ESCP 4	Sediment retention ponds are recommended 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 <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. A chemical flocculant treatment system is recommended to be incorporated with any sediment retention pond.
ESCP 5	Sediment retention ponds must are recommended to be used for multiple catchments where possible.
ESCP 6	Sediment retention ponds for catchments larger than 1.5ha must are recommended to have baffles installed to improve settling conditions and prevent wind induced movement of sediment.
Decanting Earth Bunds	
ESCP 7	Decanting earth bunds are recommended to be built at least 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. A chemical flocculant treatment system is recommended to be incorporated with any decanting earth bund.

Reason

103. 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 and integrated management and avoidance of duplication. There was further discussion at the hearing to clarify several matters.

How this Change Achieves the Purpose of the RMA

104. 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. The changes provide an integrated management regime between PCC and GWRC.

Benefits including Opportunities for Economic Growth and Employment

105. 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. The changes avoid costs associated with duplicated resource consent processes.

Costs

106. 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

107. No risks around uncertain or insufficient information in relation to this matter have been identified. The changes to the accidental discovery protocol provide greater certainty to plan users. The changes to the Erosion and Sediment Control Principles reflect PCC and GWRC responsibilities for earthworks.

Efficiency and Effectiveness

108. The effectiveness of the recommended changes is high because ~~it~~ they 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

109. 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 through evidence, the JWS Planning and direct discussions with GWRC.

PFZ Section 9 Noise

110. We do not recommend additional changes to this section as a result of the hearing.
111. We note that as a result of our recommended changes to providing for a commercial area (see paragraph 130), the applicable noise provisions would be those of Precinct A rather than Precinct D. In our view, this is appropriate because the Precinct A noise provisions are more stringent and provide appropriate control for commercial development adjoining residential areas.

PFZ Section 10 Subdivision

112. Discussion at the Hearing sought cross-references between the subdivision policies and Section 7 *Ecosystems and Indigenous Biodiversity*. Given there are policies in Section 7 that address subdivision, including minimising land ownership fragmentation of SNAs and BORAs, we agree with the need for cross-references in SUB_{PFZ}-P1 *Creation of Allotments*. The changes are shown below.
113. Extensive discussion at the Hearing sought clarification of what Land Management Plans would achieve and how they would be implemented and enforced. To provide the clarification, we considered why LMPs were part of PC18 in the first place. The reason was to provide for protection and ongoing management of SNAs and BORAs. We accept that the focus of the LMPs was broad and they lacked clarity about their role and execution. We have therefore simplified the concept, renamed the LMP to its core focus of Ecosystem and Indigenous Biodiversity Management Plan, clarified the required contents of an EIBMP, the triggers for creating and updating EIBMPs, legal mechanisms to require owner responsibility and requirements for monitoring and enforcement.
114. The rewritten provisions now require that the first subdivision within the PFZ would be required to map all SNAs, BORAs, natural wetlands (with GWRC input), areas of significant terrestrial indigenous biodiversity outside of SNAs and BORAs, areas within SNAs and BORAs of non-indigenous vegetation that provide significant indigenous biodiversity habitat, and catchment and sub-catchment boundaries. This first subdivision would then prepare an EIBMP that details pest management, fencing, any offsetting or restoration in BORAs, provision for cultural harvesting, management measures for areas of significant terrestrial indigenous biodiversity outside of SNAs and BORAs and the legal mechanism (which is likely a Consent Notice) to specify the landowner's responsibility for the ongoing management and funding of any SNAs, BORAs and areas of significant terrestrial, indigenous biodiversity outside of SNAs and BORAs on a site.
115. As further subdivision of the PFZ occurs, the applicant will be required to prepare an EIBMP or update an existing EIBMP that applies to the site through the parent title. In essence, the first subdivision will establish where the areas are, and provide legal protection through any titles created, and then that legal protection will continue to apply to any subsequently created titles that contain protected areas (including any significant indigenous biodiversity discovered outside SNAs and BORAs).

116. We realised that the Precinct Plan’s Land Management Principles were also detracting from the clarity of the approach due to the fact that they were referred to in SUB_{PFZ}-P5, despite being fully repeated in SUB_{PFZ}-P5. We recommend deleting the Land Management Principles on the basis that they are superfluous.
117. The Hearing Panel also queried whether a comprehensive residential development could avoid triggering subdivision provisions and therefore the EIBMP requirements. In our view, a comprehensive residential development would not be able to proceed without subdivision to create road access. It would also be desirable from the applicant’s point of view to incorporate subdivision to provide for separate ownership. We are therefore satisfied that the mechanism via subdivision provisions is appropriate and could only be circumvented by a deliberately fanciful proposal.

Recommended Changes and Section 32AA Evaluation

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. <u>Achieve the requirements for Significant Natural Areas or Biodiversity Offsetting and Restoration Areas set out in ECO_{PFZ}-P3, ECO_{PFZ}-P6 and ECO_{PFZ}-P7, where Significant Natural Areas or Biodiversity Offsetting and Restoration Areas fall within an allotment;</u> 5. <u>Achieve the requirements for natural wetlands set out in ECO_{PFZ}-P4, where natural wetlands fall within an allotment;</u> 4.6. Provide for built development to occur outside any Significant Natural Areas or Biodiversity Offsetting and Restoration Areas <u>or natural wetlands</u> that fall within an allotment; and 7. <u>Take account of the Flood Hazard Areas identified through NH_{PFZ}-P1; and</u> 5.8. <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>
SUB_{PFZ}-P5	Subdivision of an Allotment with a Significant Natural Area or Biodiversity Offsetting and Restoration Area
All Precincts A, B and C	<ol style="list-style-type: none"> 1. <u>The first subdivision in the Plimmerton Farm Zone must, in consultation with Porirua City Council and Ngāti Toa, prepare a map of the entire Plimmerton Farm Zone that identifies:</u> <ol style="list-style-type: none"> a. <u>Significant Natural Areas;</u> b. <u>Biodiversity Offsetting and Restoration Areas;</u>

- c. Natural wetlands and streams in consultation with Greater Wellington Regional Council;
 - d. Areas of significant terrestrial, indigenous biodiversity outside of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas;
 - e. Areas within Significant Natural Areas and Biodiversity Offsetting and Restoration Areas of non-indigenous vegetation that provide significant indigenous biodiversity habitat;
 - f. Catchment and sub-catchment boundaries;
2. All subdivision, including the first subdivision, of an allotment containing a Significant Natural Area or Biodiversity Offsetting and Restoration Area must prepare or update an Ecosystems and Indigenous Biodiversity Management Plan that:
- a. Gives effect to the requirements for Significant Natural Areas or Biodiversity Offsetting and Restoration Areas set out in ECO_{PFZ}-P3, ECO_{PFZ}-P6 and ECO_{PFZ}-P7;
 - b. Provides details of the following, including key performance indicators for monitoring:
 - i. Pest management;
 - ii. Fencing to exclude animals from Significant Natural Areas and Biodiversity Offsetting and Restoration Areas;
 - iii. Offsetting and restoration for Biodiversity Offsetting and Restoration Areas that includes:
 - I. Buffering and augmentation of Significant Natural Areas;
 - II. Retention of existing gully vegetation and regenerating native bush to assist in the reinstatement of vegetation cover. Restoration may be promoted via natural regeneration of indigenous vegetation on retired pasture and other areas;
 - III. Restoration of landform and vegetation cover that is compatible with the wider landscape-scale natural ecosystem that Plimmerton Farm is part of;
 - iv. Planting including plant sources, establishment and maintenance;
 - v. Provision for cultural harvesting;
 - vi. Management of areas of significant terrestrial, indigenous biodiversity outside of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas;
 - vii. Specifies legal mechanisms for the land owner's responsibility for the ongoing management including funding for Significant Natural Areas, Biodiversity Offsetting and Restoration Areas and areas of significant terrestrial, indigenous biodiversity outside of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas;
 - c. Sets out monitoring and enforcement of the matters detailed in Clauses 2a and 2b.

~~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:

Promote integrated management of vegetation, animals and landscapes;

1. In Significant Natural Areas, protect significant indigenous vegetation and significant habitats of indigenous animals;
2. In Biodiversity Offsetting and Restoration Areas, undertake restoration that buffers and augments Significant Natural Areas;
3. Give effect to ECO_{PEZ}-P2 and ECO_{PEZ}-P5;
- 4.1. 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.
5. 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;
6. In the Kakaho Special Amenity Landscape, maintain and enhance the characteristics and values of the Landscape;
7. Contribute to the protection, enhancement and buffering of the Taupō Swamp complex, Taupō Stream and Te Awarua-o-Porirua;
8. 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;
9. Integrate the following elements:
 - a. Landform;
 - b. Catchments, water runoff and erosion;
 - c. Landscape character;
 - d. Vegetation and animal habitats;
 - e. Freshwater habitats;
 - f. Indigenous biodiversity values;
10. Require Land Management Plans to detail the following:
 - a. Vegetation establishment, maintenance and harvesting;
 - b. The relationship between indigenous and introduced species present;
 - c. Provision for cultural harvesting;
 - d. Pest animal and pest plant 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;

~~Mechanisms for ongoing legal protection and active management.~~

SUB_{PFZ}-R3	Subdivision of a Site Containing a Significant Natural Area or a Biodiversity Offsetting and Restoration Area
All Precincts	<p>1. Activity Status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. A building platform to contain a residential unit complying with the Precinct provisions is identified for each new lot and is located outside of the Significant Natural Area or Biodiversity Offsetting and Restoration Area; <u>and</u> b. Access to the building platform complies with the relevant standards in TR_{PFZ}, is identified for each new lot and is located outside of the Significant Natural Area or Biodiversity Offsetting and Restoration Area; and c. A Land Management Plan in accordance with SUB_{PFZ}-IR-2 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; and b. SUB_{PFZ}-P5. <p>Refer to information requirement SUB_{PFZ}-IR-2.</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. SUB_{PFZ}-R3-1.

INFORMATION REQUIREMENTS	
SUB_{PFZ}-IR-1	Planting Plan
Precinct B	<p>An application made under Rule SUB_{PFZ}-R2 for subdivision of land in Precinct B that includes land adjoining St Andrews Road must include:</p> <ul style="list-style-type: none"> 1. A planting plan prepared by a suitably qualified landscape architect that provides details of a landscape buffer strip in accordance with the Plimmerton Farm Precinct Plan. The planting plan will have as its key performance objectives: <ul style="list-style-type: none"> a. Revegetation and long-term management of the landscape buffer strip adjacent to St Andrews Road; b. A planting palette that assists in providing an ecological reference to Taupō Swamp. 2. The planting plan must include the following information: <ul style="list-style-type: none"> a. Plant species and size at planting; b. Performance standards for vegetation establishment and ongoing maintenance, including <u>pest animal and pest plant</u> weed and pest control;

	c. Proposed measures for ongoing protection of vegetation that may include covenant, consent notice or other mechanism.
SUB_{PFZ}-IR-2	Land Management Plan
All Precincts	<p>Applications for subdivision under Rule SUB_{PFZ}-R3 must include:</p> <ol style="list-style-type: none"> 1. A Land Management Plan prepared by a suitably qualified ecologist and a suitably qualified landscape architect that sets out the following: <ul style="list-style-type: none"> — Detailed mapping of the Significant Natural Areas and Biodiversity Offsetting and Restoration Areas within the subdivision; — Detailed mapping of areas that are beyond the extent of Significant Natural Areas and Biodiversity Offsetting and Restoration Areas and contain significant biodiversity values in terms of Policy 23 of the Regional Policy Statement for the Wellington Region; <ol style="list-style-type: none"> a. Measures to achieve the matters in SUB_{PFZ}-P5; b. Detailed mapping of the public accessways and tracks within the subdivision to give effect to the Plimmerton Farm Precinct Plan; c. Measures to assist with sediment control and water quality, in accordance with the Plimmerton Farm Earthworks and Erosion and Sediment Control Principles and Freshwater Principles, with particular regard to the Taupō Swamp complex, Taupō Stream and Te Awarua-O-Porirua; d. Timeframes for implementation; and e.a. Monitoring and reporting to Council on the achievement of the Land Management Plan's intended outcomes.

Land Management Principles

LMP-1	Land Management Plans achieve integrated management of vegetation, animals and landscapes within Significant Natural Areas (SNAs) and Biodiversity Offsetting and Restoration Areas (BORAs).
LMP-2	<p>Land Management Plans include:</p> <ol style="list-style-type: none"> a. SNA management to protect areas of significant indigenous vegetation and significant habitats of indigenous animals; b. BORA management to buffer and augment SNAs; c. SNA and BORA management to protect and enhance landscape values and indigenous biodiversity and contribute to the management of stormwater and sediment.
LMP-3	Plimmerton Farm Zone is part of a wider landscape scale natural ecosystem. The management and restoration of landform and vegetation cover must reflect this context.
LMP-4	Land Management Plans must recognise that vegetation across the Plimmerton Farm Zone 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.
LMP-5	Land Management Plans in the Kakaho Special Amenity Landscape must maintain and enhance its characteristics and values.

LMP 6	Land Management Plans contribute to the protection, enhancement and buffering of the Taupō Swamp complex, Taupō Stream and Te Awarua-O-Porirua
LMP 7	Land Management Plans must 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.
LMP 8	Land Management Plans must consider and detail how management and restoration integrate the following elements: a. Landform; b. Catchments, water runoff and erosion; c. Landscape character; d. Vegetation and animal habitats; e. Freshwater habitats; f. Biodiversity values.
LMP 9	The vegetation and animal habitat management set out in Land Management Plans must address: a. Vegetation establishment, maintenance and harvesting; b. The relationship between indigenous and introduced species present; c. Cultural harvesting; d. <u>Post animal and pest plant Weed and animal pest control;</u> e. Animal habitats; f. The relationship of SNAs and BORAs across the Plimmerton Farm Zone 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.
LMP 10	Land Management Plans must set out recommendations for mechanisms to achieve ongoing: a. Legal protection (for example via reserves, covenants and consent notices); b. Active management, including <u>pest animal and pest plant and weed control.</u>

Reason

118. This responds to discussion at the hearing.

How this Change Achieves the Purpose of the RMA

119. This change provides a clearer framework to ensure subdivision and subsequent use and development respond appropriately to the environmental constraints of the site, including s6 matters.

Benefits including Opportunities for Economic Growth and Employment

120. [The change provides clarity for the identification, protection and ongoing management of indigenous biodiversity.](#)

Costs

121. [There are no additional costs associated with this change.](#)

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

122. [The change increases certainty about information appropriate responses.](#)

Efficiency and Effectiveness

123. [The efficiency of the recommended change is high because the benefits outweigh the costs.](#)
124. [The effectiveness of the recommended change is high because it contributes to the outcomes sought, i.e. development within environmental limits.](#)

Other Reasonably Practicable Options for Achieving the Objectives

125. [No other reasonably practicable options have been identified.](#)

PFZ Section 11 Renewable Electricity Generation

126. The Hearing Panel asked for clarification about the setback requirements for roof-mounted wind turbines and whether a specific noise standard is required. We note the setback for roof-mounted wind turbines is controlled by REG_{PFZ-S2-2}, which sets a height in relation to boundary control. We consider that the noise standards of PFZ Section 9 provide satisfactory control of wind turbine noise.
127. We do not recommend additional changes to this section as a result of the hearing.

PFZ Section 12 Precinct A

128. The Hearing Panel sought clarification about why 30m² of outdoor living space is required at ground level when 6m² on a balcony is considered adequate. Ms White advises that 6m² of outdoor space at ground level would have a very different

quality/amenity compared to 6m² at a first or second floor level. A balcony, by virtue of its elevation provides outlook and solar access whereas a 6m² space with a dimension of 1.8m at ground level could be very enclosed and dark.

129. The 4m diameter shape factor standard at ground level ensures a 4m outlook and functionality. In order to achieve a 6m outlook (consistent with the outlook requirement in the Auckland Unitary Plan) a terrace house of 5m wide (as a smallest case scenario) would need approximately 30m². The combination of shape factor (which provides functionality) and the size requirement (30m²) provide amenity. We accept Ms White's advice and no changes are recommended.
130. There was extensive discussion at the Hearing about the uncertainty of the extent of natural wetlands, if any, in Precinct D. The uncertainty reflects disagreement among the expert ecologists. Precinct D, as proposed in PC18, may or may not be able to be given effect to depending on the results of future GWRC natural wetland identification processes.
131. We note the urban design and retail economics advice received about the importance of a commercial hub to the feasibility and liveability of a future Plimmerton Farm community. We suggest that provision for such a commercial hub is incorporated into Precinct A rather than being identified in a particular location on the planning maps and Precinct Plan. We suggest that suitable provisions for a commercial hub can be provided, focusing on the relationship of the hub with its residential surrounds rather than at a specific location. This approach allows for the outcomes sought by Precinct D to be realised in a suitable location, which, subject to consent processes, may or may not prove to be part of the previous Precinct D location. The area previously identified on the planning map as Precinct D is now shown as part of Precinct A.
132. Some of the more prescriptive provisions that applied to Precinct D cannot be simply transferred to Precinct A because the specific location of the commercial centre is not known. The table below shows how the matters previously managed in Precinct D are recommended to be managed in Precinct A. Any application for a commercial centre in Precinct A would be a restricted discretionary activity, with matters of discretion being set out in directive policies and, where appropriate, specific standards. The intention is to provide appropriate interface management with residential activities.

Matter	Precinct D	Precinct A
Building gross floor area	Standard PD _{PFZ} -S1	Policy PA _{PFZ} -P2-1 and 2-2 Plimmerton Farm Commercial Centre – addresses scale. Policy PA _{PFZ} -P7-1 Urban Design (Commercial) – addresses visual dominance.
Maximum height	Standard PD _{PFZ} -S2	Standard PA _{PFZ} -S2 Height in relation to boundary
Landscaping	Standard PD _{PFZ} -S3	Standard PA _{PFZ} -S13 Screening and landscaping of service areas, outdoor storage areas and parking areas
Active frontage – small format area	Standard PD _{PFZ} -S4	Policy PA _{PFZ} -P7-2 Urban Design (Commercial) – addresses positive interface with public space
Active frontage – supermarket and trade supplier area	Standard PD _{PFZ} -S5	Policy PA _{PFZ} -P7-2 Urban Design (Commercial) – addresses positive interface with public space
Outdoor living space for residential units	Standard PD _{PFZ} -S6	Policy PA _{PFZ} -P2-3f Plimmerton Farm Commercial Centre – addresses outdoor living space for residential units
Outdoor storage	Standard PD _{PFZ} -S7	Standard PA _{PFZ} -S13 Screening and landscaping of service areas, outdoor storage areas and parking areas
Building setbacks from waterbodies	Standard PD _{PFZ} -S8	Standard PA _{PFZ} -S6
Light spill	Standard PD _{PFZ} -S9	Standard PA _{PFZ} -S14
Use of copper and zinc	Standard PD _{PFZ} -S10	Standard PA _{PFZ} -S10
Signs	Standard PD _{PFZ} -S11	Standard PA _{PFZ} -S12

133. The suggested approach results in a number of changes, including deleting the entire Precinct D section and inserting a framework for the consideration of commercial development into Precinct A. Consequential changes are needed throughout PC18 including to the Precinct Plan, planning map, Section 9 Noise and Section 10 Subdivision to remove references to Precinct D. The consequential changes are shown in the overall track changes version but not below.

Recommended Changes and Section 32AA Evaluation

<p>PLIMMERTON FARM COMMERCIAL CENTRE</p>	<p>Area used predominantly for small-scale commercial and community activities that service the social, cultural and economic needs of the residential catchment.</p>
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	<p><u>Includes commercial activities, community facilities, healthcare activities and residential activities.</u></p> <p><u>Excludes Large Format Retail activities, except supermarket or trade supplier activities</u></p>
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124. PRECINCT A

Precinct A is located at the southern end of the Plimmerton Farm Zone, close to the existing urban areas of Plimmerton and Camborne and existing public transport networks. The purpose of this Precinct is to provide for medium density residential in a built form of predominantly two-storey and three-storey buildings, detached, semi-detached and terraced housing and low-rise apartments, supported by a commercial centre. A retirement village is also anticipated.

The Precinct A objectives, policies and rules provide the framework for managing the effects of development and providing for high levels of ~~residential~~ amenity and a high quality built environment.

The commercial centre, hHome businesses es and other non-residential activities that support the social and economic health and wellbeing of the community ~~may occur~~ are provided for in Precinct A, as long as they ~~minimise~~ manage adverse effects on residential character and amenity values.

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

PA_{PFZ}-01 Purpose of Precinct A

Precinct A:

1. Primarily provides for medium density residential activities; and
2. Provides for a range of non-residential activities, including a commercial centre, that support the social, cultural and economic health and wellbeing of people and communities, and are compatible with the character and amenity values of Precinct A.

PA_{PFZ}-02 Character and Amenity Values of Precinct A

The scale, form and density of subdivision, use and development in Precinct A is characterised by:

1. A built form of predominantly two-storey and three-storey buildings, detached, semi-detached and terraced housing, ~~and~~ low-rise apartments and compatible commercial development;
2. High quality urban design and ~~residential~~ amenity; and
3. An urban environment that is visually attractive, safe, easy to navigate and convenient to access.

PA_{PFZ}-P2 Plimmerton Farm Commercial Centre

Provide for a Plimmerton Farm Commercial Centre that:

1. Includes predominantly small-scale commercial and community activities that service the social, cultural and economic needs of the residential catchment;
2. Does not include large format retail activities except supermarket and trade supplier activities;
3. Enables residential activities above ground floor that achieve the following:
 - a. Indoor noise and ventilation levels that are appropriate for residents, to mitigate reverse sensitivity to other Plimmerton Farm Commercial Centre activities;
 - b. Access to sunlight or daylight;

- c. Internal privacy for all residential units;
- d. Access both to and within the building that is convenient, legible and efficient;
- e. Servicing that is suitable, convenient and visually discreet; and
- f. Outdoor living space that is readily accessible and of high quality to attract occupation and use;
- 4. Is of a type and scale compatible with the character and amenity anticipated in Precinct A;
- 5. Avoids, remedies or mitigates adverse effects on the amenity values beyond the site from the movement of people and vehicles associated with the Centre's activities;
- 6. Has hours of operation compatible with residential amenity;
- 7. Has an operational need for its location;
- 8. Is suitably serviced with infrastructure; and
- 4-9. Does not undermine the role and function of the City Centre Zone.

PA_{PFZ}-P32 Other Non-Residential Activities

Enable non-residential activities that:

1. Contribute to the social, cultural and economic wellbeing of people and communities;
2. Are of a type and scale compatible with the character and amenity anticipated in Precinct A of the area;
- ~~3. Avoid, remedy or mitigate adverse effects on the amenity values beyond the site including from signs and the location and scale of utility and external storage areas;~~
- 4.3. Avoid, remedy or mitigate adverse effects on the amenity values beyond the site from the movement of people and vehicles associated with the activity;
- ~~5.4. Have hours of operation compatible with residential amenity;~~
- ~~6.5. Have an operational need to locate in the Precinct; and~~
6. Are suitably serviced with infrastructure; and
7. Do not undermine the role and function of the City Centre Zone.

Avoid non-residential activities that are incompatible with the character and amenity values anticipated in Precinct A.

PA_{PFZ}-P54 Buildings and Structures

Provide for buildings and structures that are of a form, scale and design that achieve the character and amenity anticipated for Precinct A.

When considering height of buildings to enable greater residential density, consideration must be given to:

1. The distance (for all transport modes) from ~~Precinct D non-residential land uses~~ and Plimmerton Railway Station.
2. 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;
3. Measures proposed to mitigate adverse effects on the character ~~s and value~~ of Precinct A through:
 - a. The location, design and scale of the building or structure;
 - b. The visibility, reflectively and colour of the building or structure;
 - c. Visibility and similarity with surrounding colours, textures, pattern and forms; and

- d. How proposed landscaping contributes to amenity and balancing the building or structures scale and form.

PA_{PFZ}-P65 Urban Design (Residential)

Require residential development in Precinct A to achieve high quality urban design by taking an integrated, comprehensive site planning and design approach to achieve the following:

1. Site planning that:
 - a. Integrates building form and open space;
 - b. Achieves a consistent pattern of building alignment;
 - c. Provides access to sunlight or daylight to buildings;
 - d. Provides a positive frontage to the street;
 - e. Provides convenient, safe and legible connections and circulation;
 - f. Provides front doors that are clearly legible from the street or accessway;
 - g. Achieves passive surveillance of the street or accessway;
 - h. Minimises the visual impact of car parking and garaging on the streetscape;
2. Building design that:
 - a. Achieves visual interest and avoids visual monotony while also achieving aesthetic coherence and integration;
 - b. Provides internal visual privacy for all units within a development;
 - c. Provides for servicing that is suitable, convenient and visually discreet;
3. Open space and landscape design that:
 - a. Ensures all outdoor living areas in the development are well located and accessible;
 - b. Ensures any shared outdoor living areas are well located and of high quality;
 - c. Uses planting to achieve visual amenity, safety and functionality;
 - d. Includes driveways, manoeuvring and parking areas that are safe, convenient and attractive; and
4. Lighting that enhances safety and security without adversely affecting the amenity of other sites.

PA_{PFZ}-P76 Urban Design (Commercial)

Provide for commercial use and development that:

1. Is coherently designed, offers visual interest and mitigates any visual dominance;
2. Has a positive interface with public space (including streets), including:
 - a. A veranda or other form of shelter for pedestrians;
 - b. A predominance of transparent glazing that allows visibility into and out of building frontages; and
 - c. Obvious public entrances;
3. Designs and locates parking areas, vehicle access, outdoor storage and servicing arrangements to maintain streetscape, visual amenity, residential amenity and pedestrian safety;

4. Incorporates high-quality landscape treatment that integrates with any adjoining landscape treatment and provides screening to any buildings, parking areas and any service and loading facilities from any adjoining residential neighbours;
5. Designs all spaces accessible to the public to be safe and minimises opportunities for crime;
6. Provides for external lighting that:
 - a. Has a functional need or operational need;
 - b. Contributes to safety;
 - c. Avoids adverse effects on traffic safety; and
 - d. Avoids conflict with permitted sensitive activities, including any adjoining residential neighbours;
7. Provides for signs that:
 - a. Have a functional need or operational need;
 - b. Contribute to social, cultural and economic wellbeing;
 - c. Avoid, remedy or mitigate adverse effects on traffic safety; and
 - ~~a~~.d. Avoid, remedy or mitigate adverse effects on amenity, including that of any adjoining residential neighbours.

PA_{PFZ}-R11 Community Facilities

1. Activity Status: Restricted Discretionary
Matters of discretion are restricted to:
 - M1. The matters in:
 - a. PA_{PFZ}-P2 for community facilities in the Plimmerton Farm Commercial Centre; and
 - ~~a~~.b. PA_{PFZ}-P3.

PA_{PFZ}-R12 Healthcare Activities

1. Activity Status: Restricted Discretionary
Matters of discretion are restricted to:
 - M1. The matters in:
 - a. PA_{PFZ}-P2 for healthcare activities in the Plimmerton Farm Commercial Centre; and
 - ~~a~~.b. PA_{PFZ}-P3.

PA_{PFZ}-R13 Plimmerton Farm Commercial Centre Buildings and Activities

1. Activity Status: Restricted Discretionary
Where:
 - a. The height of the building does not exceed 16m; and
 - b. Compliance is achieved with:
 - i. PA_{PFZ}-S2;
 - ii. PA_{PFZ}-S5;
 - iii. PA_{PFZ}-S6;

- vi. [PA_{PFZ}-S10](#);
- vii. [PA_{PFZ}-S11](#);
- viii. [PA_{PFZ}-S12](#);
- ix. [PA_{PFZ}-S13](#); and
- x. [PA_{PFZ}-S14](#).

[Matters of discretion are restricted to:](#)

M1. The matters in:

- a. [PA_{PFZ}-P2](#); and
- ~~a.~~b. [PA_{PFZ}-P7](#).

2. [Activity status: Discretionary](#)

[Where:](#)

a. [Compliance is not achieved with:](#)

- i. [PA_{PFZ}-R13-1](#).

PA_{PFZ}-S5 Setbacks from Other Boundaries

No [residential](#) building or [residential](#) structures may be located within:

- 1. 1m from a side boundary.
- 2. 3m from a rear boundary.

[No commercial building or commercial structure may be located within:](#)

- 3. [3m from a side boundary or rear boundary](#).

This standard does not apply to:

- ~~3.~~4. [Boundary fences or standalone walls;](#)
- ~~4.~~5. [Buildings that share a common wall along the boundary for the length of that common wall; or](#)
- ~~5.~~6. [Any building that is 8m or less in length along the affected boundary.](#)

This exemption for an accessory building or a principal building occurs once only per site.

Matters of discretion are restricted to:

- M1. Dominance and privacy effects on adjoining sites; and
- M2. Whether there are topographical or other site constraints that make compliance with the permitted standard impracticable.

PA_{PFZ}-S13 [Screening and landscaping of service areas, outdoor storage areas and parking areas](#)

1. [Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully screened by a fence or landscaping where it is visible from any:](#)

- a. [Public road;](#)
- b. [Other public space; and](#)
- c. [Directly adjoining residential site.](#)

<p>2. Any on-site parking area must:</p> <p>a. Be fully screened by a fence or landscaping from any directly adjoining residential site; and</p> <p>a.b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of a vehicle access to the site</p>	
<p>PA_{PFZ}-S14</p>	<p>Light Spill</p>
<p>Any vertical illuminance from the use of artificial lighting must not exceed the following vertical illuminance at the boundary of any residential site:</p> <p>1. 7.00am – 10.00pm: 25 Lux; and</p> <p>2. 10.00pm – 7.00am: 4 Lux.</p>	

~~154. PRECINCT D~~

[Section 15 Precinct D deleted in its entirety]

Reason

134. This responds to discussion at the hearing.

How this Change Achieves the Purpose of the RMA

135. This change provides a framework to ensure use and development provides for social, cultural and economic wellbeing but also responds appropriately to the environmental constraints of the site, including s6 matters.

Benefits including Opportunities for Economic Growth and Employment

136. The change increases certainty that opportunities for social, cultural and economic wellbeing can be realised on the site. Commercial development would provide directly for economic growth and employment. The change enables flexibility to avoid the potential for adverse effects on indigenous biodiversity including wetlands.

Costs

137. There may be a cost related to the loss of certainty of location.

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

138. [The change directly respond to risk around uncertain and insufficient information in relation the identification of natural wetlands, which could have significant consequences for the development of a commercial centre that would provide social, economic and cultural benefits.](#)

Efficiency and Effectiveness

139. [The efficiency of the recommended change is high because the benefits outweigh the costs.](#)
140. [The effectiveness of the recommended change is high because it contributes to the outcomes sought, i.e. development within environmental limits.](#)

Other Reasonably Practicable Options for Achieving the Objectives

141. [No other reasonably practicable options have been identified.](#)

PFZ Section 13 Precinct B

142. The Hearing Panel sought clarification about whether the character and density of Precinct B should be relative to that of Precinct A, as expressed in objectives. We consider that each Precinct should stand on its own and recommend changes (shown below). Character and density are managed through other provisions.

Recommended Changes and Section 32AA Evaluation

PB _{PFZ} -02	Character and amenity values of Precinct B
The scale, form and density of subdivision, use and development in Precinct B is characterised by:	
<ol style="list-style-type: none"> 1. A built form of predominantly single-storey and two-storey buildings, detached, semi-detached and terraced housing; 2. A lesser density of buildings than anticipated in Precinct A; 3. Landscaping and trees, especially on street frontages and within road corridors; and 4. High quality urban design and residential amenity. 	

Reason

143. [This responds to discussion at the hearing.](#)

How this Change Achieves the Purpose of the RMA

144. [This is a minor change to improve clarity.](#)

Benefits including Opportunities for Economic Growth and Employment

145. [There are no direct benefits associated with the change.](#)

Costs

146. [There are no direct costs associated with the change.](#)

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

147. [No risks around uncertain or insufficient information in relation to this matter have been identified.](#)

Efficiency and Effectiveness

148. [The efficiency of the recommended change is high because the benefits outweigh the costs.](#)

149. [The effectiveness of the recommended change is high because it contributes to the outcomes sought.](#)

Other Reasonably Practicable Options for Achieving the Objectives

150. [No other reasonably practicable options have been identified.](#)

PFZ Section 14 Precinct C

151. We do not recommend additional changes to this section as a result of the hearing.

PFZ Section 15 Precinct D

152. Please see *PFZ Section 12 Precinct A* (paragraph 130) for the explanation of the recommended deletion of Precinct D.

Other Matters

153. At the Hearing, Submitter 131 Te Rūnanga o Toa Rangatira expressed the desire to be involved in the naming of streets. The PCC street naming policy requires PCC approval of all new street names and requires consultation with Ngāti Toa over proposed street names.
154. There was discussion at the hearing about monitoring. PCC's monitoring obligations are set out in s35 of the Act. The Monitoring Chapter of the Operative District Plan continues to apply to PFZ. In addition, we have been advised that PCC is developing a monitoring strategy for the entire City. In our view the monitoring strategy will provide the appropriate opportunity to detail the involvement of Ngāti Toa and community stakeholders at plan monitoring level. At resource consent level, specific monitoring requirements will be set out in resource consent conditions.

DATED: 23 October 2020

Attachment 1: Mr Wilson's response

From: [David Wilson](#)
To: [Andrew Cumming](#); [Tom Anderson \(tom@incite.co.nz\)](#)
Subject: [EXTERNAL] Stormwater matters raised by PC18 hearing panel
Date: Monday, 19 October 2020 8:41:02 pm

I have been requested to provide comment on the difference between Water Sensitive Urban Design versus Water Sensitive Design and Kapiti Coast District Council's water supply demand management tanks

Water Sensitive Urban Design (WSUD) versus Water Sensitive Design (WSD)

Terms are used interchangeably in New Zealand, this is reflected in the GWRC pNRP which uses the term WSUD. The definition of WSUD in the pNRP notes that "The terms low impact design, low impact urban design and water sensitive design are often used synonymously with water sensitive urban design." PC18 adopted the term WSD so that PC18 aligns with the relevant design document which is the Wellington Water guideline document "Water Sensitive Design for Stormwater: Treatment Device Design Guideline". The Wellington Water document also refers to the Auckland Council's GD04 document "Water Sensitive Design for Stormwater" that also uses the term WSD.

KCDC's water supply demand tanks

The KCDC tanks are used for water supply demand management not stormwater volume control.

Tanks for water supply demand management are managed to be full (so they can be a reliable water source), while tanks for volume control are managed to be empty (so they can capture the rain that drains to them).

This difference in design is reflected by the fact the KCDC water supply demand management tanks are not permitted to be included in the calculations for any site stormwater management system.

Both types of tanks can be designed to provide resilience capacity, by providing a minimum volume in the invert of the tank that is topped up by a connection to the public water supply network.

Wellington Water do not require water supply demand management for the site. Please contact me if you require any additional information.

David Wilson
Principal Engineer/Director
The Urban Engineers
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Attachment 2: Mr Whittaker's memorandum

To:	Andrew Cumming / Tom Anderson Porirua City Council	From:	Stantec Wellington
File:	Plan Change 18 Hearing	Date:	October 20, 2020

Reference: Plan Change 18: Right of Reply – Transport Matters

This memorandum has been prepared to respond to transport matters raised at the hearing by Submitter #103 (Cawthorn).

The submitter raised concerns around the proposed PC18 road typologies which, in their view, do not align with design guides that are being developed in Auckland, including the 'Roads and Streets Framework' (**RASF**) and 'Urban Street and Road Design Guide' (**USARDG**). Specifically, the submitter has highlighted the following concerns with the proposed roading typologies:

- over-wide carriageways;
- inappropriate for cyclists to share the carriageway Road Type 1;
- shared paths not appropriate; and
- footpaths should be provided on both sides of all roads.

I have reviewed the documents indicated by the submitter and provide some commentary on the matters raised in turn, below.

'Roads and Streets Framework' and 'Urban Street and Road Design Guide'

The RASF¹ and USARDG are Auckland Transport documents that have been prepared as guidance on providing a "systematic and consistent methodology" to identify the different functions of roads and streets. Whilst being developed as a design response for the Auckland context, the USARDG describes itself as a document that is intended to help designers make decisions around tradeoffs for achieving desired outcomes. The USARDG includes a matrix of street sub-types based on 'movement' and 'place' hierarchies, and considers a number of core 'integrated street design' principles, including:

"Design flexibility is a fundamental tenet of the Guide, as street design requires new tools to achieve the city's priorities. Implementing designs that depart from convention, however, requires justification and duty of care. In practice it is easier to do business as usual than it is to develop designs that challenge norms..."

Delivering better street design requires a proactive culture of innovation, testing and documentation. Not only should street design be based upon extensive observation and benchmarking, but it should also be evidence-based, using the variety of datasets and metrics available...

Most major streets should have enough space to accommodate a form of public transport such as buses or light rail, in addition to offering vehicle access. Space for pedestrians must always be provided, in the form of a footpath or a shared street. Most streets should also be able to provide for cyclists. If one street cannot provide fully for all modes, then other nearby streets may provide the network functions for some modes with it. When the various modes of transport work together in interconnected networks, access to many destinations is provided."

Noting that Plimmerton Farm is very different to the Auckland context in terms of site topography and activity density, I note that in developing the road typologies in **TRpfz-S1** many of these key design principles have been adopted, in drawing from the current evidence based NZS4404 standards and then building on these to provide specific multi-modal provision that will deliver an appropriately interconnected network. By way of demonstrating these synergies, a comparison of the PC18 road types and relevant USARDG street typologies is provided below.

¹ Introduction (Pg.2) "The RASF provides a framework for thinking about the Place and Movement function and identifies their level of significance. It is not intended to provide solutions and does not provide definitive design guidance. Instead it is the first step in a process to identify the issues that must be addressed by a project."

Comparison of Road Typologies

In reviewing the USARDG road types, the two which I consider to be of most relevance to the PC18 context are the 'suburban area' and 'neighbourhood collector', which are discussed in turn below.

The 'suburban area' street within the USARDG is described as serving a low-density residential setting, and comprises a narrow two-way carriageway, indented parking, berms and footpaths. Key design principles are described as including *"the carriageway provides space for travelling along the street for motor vehicles and people on bicycles"*.

The typical 'access' road typologies adopted within the PC18 align well with this 'suburban area' street, in that they include a narrow 6m wide carriageway with appropriate lower speed environment, indented parking, footpaths and a mixture of berms, with cyclists generally accommodated in the carriageway. The 6m wide carriageway is essentially based on the required width for two opposing vehicles to pass each other safely, noting that street trees and in some instances vehicles utilizing the adjacent indented parallel parking would serve to visually narrow the carriageway further, resulting in opposing vehicles reducing their speed when passing. This is considered an appropriate outcome and does not preclude the introduction of other speeds management measures where suitable.

The USARDG describes 'Neighbourhood collector' roads as *"these streets connect quiet, local residential streets that connect neighbourhoods to one another"*. It notes a number of design principles which have been adopted historically that should be avoided, such as *"neighbourhood collector roads currently often feature (angled) parking on either side, wide traffic lanes, and a flush median. This type of over-designed geometry is unfitting of urban areas, and offers a great potential to be redesigned in a way that contributes to the functioning of the neighbourhood collector roads as important local destinations"*.

In this regard I note the cross section proposed for Road Type 1 (an example of which is shown in the photograph below) is very similar to that illustrated in the USARDG 'Neighbourhood collector' example (and avoids adopting any of the historic 'over-designed' principles noted above), in that it provides traffic lanes (at a width appropriate to accommodate buses), indented parallel parking, and dedicated pedestrian and off-road cycle provision (via the shared path). Except for where cyclists are accommodated off-road (further commentary on the Road Type 1 shared path provision is provided below), I do not consider these two road typologies are fundamentally different.



In summary, I consider there is strong correlation between the roading types adopted for PC18, which have taken account of multi-modal demand, topography, density and landscape amenity of the site, to deliver an

outcome that in my opinion is well aligned with the intent of a movement and place philosophy for road design envisaged by RASF and USARDG.

Provision for Cyclists and use of Shared Paths

The Waka Kotahi 'Cycling Standards and Guidance' sets out some useful context in terms of expectations around how cyclists are accommodated, noting that provision for cyclists within the carriageway shoulder is appropriate for 'enthused and confident riders'; for 'interested but concerned cyclists', provision of off-road provision is more appropriate. In this manner, the approach adopted within the roading typologies for PC18 has specifically captured both of these categories, in allowing for more confident cyclists to cycle in the shoulder, whilst separately providing for less confident cyclists within an off-road shared path.

With respect to shared paths, a number of guidance documents usefully provide pedestrian/cycle models to identify capacity and amenity levels, including the Austroads 'Cycling Aspects of Austroads Guides'² (and Fowler et al³). These models indicate a 3m wide shared path is appropriate to accommodate 'peak hour' demands of approximately 100 pedestrians and >100 cyclists, which is assessed as being more than sufficient to cater to the suburban demand anticipated to occur on the Plimmerton Farm collector roads (noting a second footpath is also available on these road types). A shared path status would carry with it an obligation on each path user, in much the same way as currently applies to the numerous shared path facilities in use around the Wellington region.

Footpath Provision

I note that in certain sections of the site it is likely that development will either be of very low density or will only be practicable on one side of the carriageway. In such cases I consider the provision of a second footpath would not always be required, and that consideration of the level of demand (relative to development density and layout) will need to be assessed at the time of Resource Consent to determine whether a footpath on one side, or both sides, is appropriate from the selection of typologies from **TRpfz-S1**.

Summary

Overall, I remain of the opinion that the roading typologies currently proposed within PC18 will provide a suitable outcome in terms of safely and efficiently accommodating the associated multi-modal demands generated at the site. Notwithstanding this, I acknowledge that some flexibility to capture design philosophy changes that could emerge through updates to the current 'NZS4404 Land Development and Subdivision Infrastructure 2010' and other industry guidelines, could be included to provide a mechanism through the PC18 Transport provisions to adopt such practices, particularly considering the long-term nature (15-years +) of development at Plimmerton Farm. In this manner, some changes to the wording of Transport Policy 2 (**TRplz-P2**) are proposed to enable this flexibility, and would provide Council with an opportunity to consider the appropriateness any new design principles through the 'discretionary' activity gateway for new roads and private ways, prior to granting consent.

James Whittaker
Principal Transportation Planner

² Austroads (2017) Cycling Aspects of Austroads Guides: Figure 7.2 and 7.3

³ Fowler, M. Lloyd, W. & Munro, C. 2010. Technical Paper Shared Path Widths. IPENZ Transportation Group Conference Christchurch. March 2010

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