

**IN THE MATTER**

of the Resource  
Management Act 1991

**AND**

**IN THE MATTER**

of Hearing of Submissions  
and Further Submissions  
on the Proposed Porirua  
District Plan

**Minute 26 – Stream 4 Hearing Follow Up (2)**

1. As foreshadowed in Minute 25, the Hearing Panel has reviewed its notes of the Stream 4 hearing that concluded on 15 February and has identified a number of questions/issues which it requests that Council address as part of its written reply. As with previous streams, the Council is of course free to reply on any issue it deems fit.
2. The particular issues/questions the Hearing Panel have identified are as follows:
  1. As regards Amateur Radio provisions:
    - (a) Assuming the MDRS is incorporated into the PDP pursuant to Section 77G of the Act by variation before the Hearing Panel delivers its decisions on submissions, what relevance (if any) does that have to determining the appropriate standards applying to YAGI aerials. In particular, will it set up a permitted baseline, or something akin to that in relation to height limits?
  2. As regards Earthworks provisions:
    - (a) What caselaw was the Section 42A author referring to at paragraph 248 of his report?
    - (b) What explanation can the Section 42A author provide for the difference in arial triggers applying to earthworks in the Open Space and Recreation Zone compared to the Commercial Zones that have a 400m<sup>2</sup> standard?

3. As regards the Three Waters provisions:
  - (a) What is the relative cost to retrofit water metres compared to installing them on potable water supplies at time of installation?
  - (b) Is there scope and merit to widen the focus of the provisions in the Three Waters Chapter to more directly address the adverse effect of poor infrastructure (particularly stormwater infiltration into the wastewater system and inadequate wastewater system capacity) on 'mauri' as an appropriate response to the concerns expressed by Ngāti Toa and the requirements of the NPSFM to give effect to Te Mana o te Wai? If so, what changes to the Three Waters Chapter would Council recommend in that regard?
4. As regards Renewable Electricity Generation provisions:
  - (a) To what extent do the standards in this Chapter preclude the use of 'off-the-shelf' domestic wind turbines on residential properties as a permitted activity under the PDP? If the answer is that domestic wind turbines cannot practicably be utilised on residential properties, is that result consistent with the NPSREG 2011?
5. As regards the Noise Chapter (and its inter-relationship with the Infrastructure Chapter):
  - (a) Can Council please provide a copy of the conditions on the designations for state highways and rail infrastructure within Porirua District relating to production of noise and vibration, and/or requiring mitigation of same. If there are none, please advise that too;
  - (b) Is a realistic possibility of an existing activity being constrained a critical element of a reverse sensitivity effect, as contended by Kāinga Ora ? If so, what evidence is there before us of such a possibility arising in future either in relation to the State Highway Network or the North Island Main Trunk Line?
  - (c) Ms Williams (for Kāinga Ora) estimated that 1368 land parcels were affected by the recommended setbacks from the State Highway Corridor. Mr Boffa separately gave evidence of his calculation of some 1667 buildings within 100 metres of either the

State Highway Network or the Rail Corridor. Can Council verify these figures? Further, if possible can they be broken down to identify in respect of each of the State Highway Network and the Rail Corridor:

- (i) How many land parcels are located within the recommended setbacks?
- (ii) How many buildings are already located within those setbacks? And what proportion of those buildings are residential in character?
- (iii) How many of those existing buildings/residential buildings are located within 30 metres of the State Highway Network or the Rail Corridor?
- (iv) How many land parcels within the proposed setbacks have not been built on and what proportion of those land parcels are currently the subject of a Residential Zoning?
- (v) Please also provide A3 plans showing the location of the parcels/buildings identified as above

**Note:** The Hearing Panel are looking for a sense of the scale of the issues being addressed rather than absolute precision. They would be happy to receive Council Officers' best estimate based on inspection of aerial photos of the District, subject to whatever qualifications the Officers deem appropriate.

- (d) Can Mr Lloyd please comment on Mr Boffa's evidence that the 70dB specified by the acoustic experts as being the appropriate assumed noise generated on the Rail Network for the purposes of the Rules is based on data derived from two freight trains passing per hour in South Taranaki and that the comparable figure in Porirua, given Mr Lloyd's evidence of 10.5 freight trains per day on the Rail Network, should be both different and lower.
- (e) If there is a vibration limit specified, what should it be, and why?
- (f) Does there need to be a link between the Noise Chapter (especially the rules) and the PDP maps?

- (g) If the PDP maps do not show the recommended noise setbacks from State Highways and the Rail corridor correctly, what amendments are required to them?
- 6. As regards Transport provisions:
  - (a) Can the Council Reporting Officer please explain the inter-relationship between mobility access standards and the gradient/minimum width standards specified in the chapter?
- 7. As regards Infrastructure provisions:
  - (a) Can Council please provide a A3 colour copy of the planning map showing the Plimmerton Farm area, the adjacent State Highway and the PDP Zones;
  - (b) Can the Council Reporting Officer please address the consistency of the position he recommended in his Section 42A Report as regards provisions addressing indigenous biodiversity outside SNAs with Ms Sweetman's reply evidence provided in Stream 2, identifying any recommended further changes he wishes to make as a result;
  - (c) Do the Plan PDP provisions require amendment to provide greater clarity as to the difference between an upgrade and development of different infrastructure? If so, what amendments does the Section 42A author recommend?
  - (d) Is it appropriate for the PDP to seek to preserve Transpower Limited's physical access to the National Grid?
  - (e) What is the basis for the 20 metre vegetation clearance standard within SNAs as regards the maintenance of walkways and shared pathways?
- 8. More generally, is the date/version of all plans referred to (eg Waka Kotahi guidance documents, Wellington Regional Land Transport, Wellington Public Transport Plan, Wellington Water Service agreements) specified? If not please provide same?

**Dated 18 February 2022**

A handwritten signature in blue ink, consisting of a large, stylized 'T' followed by a horizontal line and a vertical line extending downwards.

**Trevor Robinson  
Chair  
For the Proposed Porirua District Plan Hearings Panel**