

FTAA-2603-1181

Under the Fast-track Approvals Act 2024

In the matter of Mt Welcome, Pukerua Bay

By Pukerua Property Group Limited Partnership

16 October 2026

PO Box 2402 Wellington

Introduction

1. I am providing this statement on behalf of Porirua City Council (**PCC**) in response to the Applicant's response to Minute 18 and the directions in Minute 21 of the Panel dated 6 October 2026. My experience and expertise are set out in the Planning Report dated 31 July 2026 (**Planning Report**) provided as part of PCC's comments under section 53.
2. I have considered the Applicant's alternative proposal (as included in its response to Minute 18 dated 5 October 2026), engaged with other relevant PCC officers, and reviewed the updated conditions of consent provided by the Applicant on 8 October 2026.
3. My comments are limited to the matters previously raised by, and within the functions of, PCC. I have not addressed topics that will be addressed by other parties, including Tiaki Wai (wastewater and stormwater modelling, capacity, and mitigation requirements) and Greater Wellington Regional Council (freshwater ecology and offsetting) (**GWRC**).
4. As with my Planning Report, this response has been prepared in accordance with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. My employer PCC has authorised me to prepare it in accordance with the Code.
5. Unless I state otherwise, the opinions I express are within my area of expertise and I have not omitted to consider material facts that might alter or detract from the opinions that I express.

Summary of response

6. The Applicant's alternative proposal and updated conditions of consent provided in response to Minutes 18 and 21 have not addressed the concerns previously raised in relation to stormwater management.

7. In particular:

- (a) the Scheme Plans continue to show stormwater detention pond embankments remaining within land proposed to vest to PCC. PCC cannot accept such land as it is no longer responsible for providing stormwater services;
- (b) the updated Scheme Plans continue to contain some stormwater infrastructure in reserves, which will prevent transfer to Tiaki Wai; and
- (c) service connections to reserves remain unaddressed.

8. The proposed wastewater infrastructure and conditions provided as part of the Applicant's response to Minutes 18 and 21 would also continue to result in increases in overflows predicted in the 1 and 2-year ARI events as stated in 'Appendix A4 – Updated wastewater hydraulic modelling report', even at the reduced allotment trigger of 200 lots. This remains contrary to Porirua District Plan policy THWT-P3. These wastewater overflows may have a significant adverse effect on the health of Te Awarua-o-Porirua.

Concerns previously raised by PCC

9. In my Planning Report I raised a number of concerns in relation to three waters infrastructure. Section 6.4 of that report addresses subdivision design, with section 6.4.4 specifically addressing three waters infrastructure, including:

- (a) retention wetland embankments;
- (b) Tiaki Wai being a separate entity (including reserve classification, separate allotments and access);
- (c) easements for overland flow paths; and

(d) service connections to reserves.

10. Stormwater asset and underlying land ownership was also discussed at the Panel's conference on stormwater matters, at which I reiterated that, having discussed the matter with relevant officers from PCC's Parks and Transport team, it was very unlikely that land containing stormwater assets (apart from roads used as infrastructure corridors), in particular stormwater detention pond embankments, would be accepted as vesting in Porirua City.
11. Minute 18 sought further information from the Applicant regarding the functionality of stormwater management given the proposal included retention wetlands providing "both ecological mitigation/offsetting and stormwater management in the same footprint", including discussion of the ownership concerns raised by Tiaki Wai and PCC, and:

Discussion of options to separate ownership and management of ecological mitigation and offsetting areas, from areas managed for stormwater purposes, and what implications that has for the functionality and adequacy of both. The Panel suggests that the applicant consider if broader redesign options might be more viable and sustainable than 'carving-up' the areas of the site already allocated for these purposes.

12. The Panel also recorded that, apart from the ownership issues, it was extremely concerned with the configuration then proposed by the Applicant, which has the potential to give rise to significant adverse effects.
13. As indicated in the Applicant's memorandum as part of its response to Minute 18, PCC representatives met with the Applicant, together with representatives of Tiaki Wai and GWRC, to discuss the stormwater management issues, including ownership. At that meeting, PCC staff explained that PCC cannot accept the vesting of any land if it is for stormwater purposes, because PCC no longer has responsibility for

providing stormwater services. This has direct implications for PCC's ability to manage and fund maintenance of the assets.

The Applicant's alternative proposal

14. The alternative proposal in the Applicant's response to Minute 18 appears to largely change the shape of the proposed stormwater management allotments. In effect, the 'drainage reserve' allotments of the previous Scheme Plan have been reduced in size to cover only the area of the 'stormwater detention ponds' as fee simple lots, while the surrounding land has been included in the adjoining recreational reserve land.
15. New wetland offsetting areas are proposed within Lot 5003, but no separate stormwater detention areas have been provided. It also appears that the area of the gullies that are to become the stormwater detention ponds are now to be filled to create flat bottoms, although this is not shown on any revised earthworks plans.
16. I note that this approach appears to be the sort of 'carving up' referred to in Minute 18 by the Panel, and that the Applicant does not appear to have considered broader redesign options.

How the proposal addresses the concerns of Porirua City Council

17. I continue to have significant concerns regarding the stormwater management proposed for the development under the alternative proposal and the updated conditions. While the addition of on-lot stormwater detention tanks is likely to be a positive step (though may not achieve the extent of outcomes sought by Tiaki Wai) along with identification of easements for overland flow paths, it appears that the Applicant has not recognised or responded to the primary concerns I previously expressed in my Planning Report.

18. The matters raised in my Planning Report are addressed in the table below by reference to the alternative proposal and updated conditions.

AREA OF CONCERN	COMMENTS
Stormwater detention pond embankments	The stormwater detention embankments remain within the areas proposed to be vested to PCC. These proposed assets are for stormwater management and should not be vested to PCC. The Applicant has not addressed earlier comments on this matter. The revised Stormwater Management Plan states: <i>the land vesting in Tiaki Wai extends to the 1% AEP water level and includes the bunds, inlet and outlet structures, spillway and 4m maintenance access.</i> Contrary to this statement, the revised scheme plans show the 'bunds' as being within the land proposed to be vested to Porirua City as recreation reserve, rather than transferred to Tiaki Wai. There is therefore an inconsistency between the revised Stormwater Management Plan and what is shown on the revised scheme plans. It is not clear what is being proposed.
Tiaki Wai is a separate entity (including reserve classification, separate allotments and access)	The revised scheme plans now show the allotments previously identified as drainage reserves as "Fee Simple Lot (For Drainage) To Be Owned By Tiaki Wai Limited". This is reflected in section 8 of the updated Stormwater Management Plan. However, based on the latest available version provided by the Applicant on 4 June, the corresponding section 9.6 of the Civil Infrastructure Report has not been updated, creating inconsistencies between the application documents. As both are listed in the proposed general condition for the

	development to be 'in general accordance' with, consistency is required across the documents. Some raingardens previously shown within road reserve have now been provided with separate allotments (such as new Lot 1326). However, others remain located within reserve areas without separate allotments (e.g. RG-24). A full review of the scheme plan is needed to ensure all stormwater assets to be transferred to Tiaki Wai are provided with separate allotments.
Easements for overland flow paths	Easements for overland flow paths are now included on the revised scheme plans granted to Tiaki Wai. I have not been able to review these in detail in the time available, but at face value this appears to be a positive step.
Service connections to reserves	No updated infrastructure plans have been provided. While the conditions agreed in the Planners' JWS included requirements for water and wastewater connections to parks, the revised proposed conditions do not address this matter in relation to stormwater (or telecommunications). The Stormwater Management Plan assumes 0% imperviousness in recreational reserves. Without clear plans of the proposed parks and reserves provided, the assumption needs to be that all service connections will be required to those allotments.

Revised consent conditions

- 19.** The proposed changes to the district conditions in the alternative proposal amend:

- (a) the references to 'retention wetlands' to 'stormwater detention ponds';
- (b) the number of residential allotments created before wastewater modelling is required to be rerun; and
- (c) requirements for rainwater tanks on residential allotments.

20. These changes are minimal and reflect the limited extent of design changes put forward by the Applicant in the alternative proposal. As such, these do not address the concerns previously raised by PCC in relation to stormwater management.

Updated wastewater modelling and conditions

21. While not addressed in paragraphs 15 to 19 of Minute 18, the Applicant has provided additional information on wastewater infrastructure in the Updated Wastewater Hydraulic Modelling Report that formed part of its response to Minute 18.

22. The revised condition D81 has been updated to refer to 200 residential lots before the wastewater capacity model needs to be rerun, reduced from 301. However, the updated modelling shows that 200 allotments will still result in increases in overflows in the 1 and 2-year ARI event.

23. The relevant policy in the Porirua District Plan, THWT-P3, reads:

THWT-P3 Three Waters Network capacity

Where the level of service of the reticulated water supply, reticulated wastewater and stormwater management networks is insufficient to service the proposed use or development only allow use and development when it can be demonstrated that:

- 1. It incorporates measures that appropriately mitigate any adverse effects on the Three Waters Network and meet the performance*

criteria of the Wellington Water Regional Standard for Water Services May 2019; and

- 2. It will not result in increased flood risk, increased wastewater overflows, or reduced water pressure in the reticulated water network.*

- 24.** Based on the Applicant's own modelling, the proposed initial development of 200 allotments, without further wastewater mitigation, is contrary to this policy. I understand that the Porirua District Plan provisions are not required to be applied by the Panel; however, the adverse environmental and cultural effects of discharges of wastewater from increased overflows could be significant. This scale of the adverse effects of increase wastewater overflows does not appear to have been assessed by the Applicant in the application.
- 25.** The focus of the Porirua District Plan on the health of the harbour is addressed by strategic objectives NE-O4 and NE-O5, which seek no further degradation of Te Awarua-o-Porirua Harbour and its catchment. More broadly, the joint efforts to improve the health of the harbour is explained in Te Wai Ora o Parirua – Porirua Harbour Accord. Additionally, Porirua City has recently invested approximately \$97 million in the central wastewater storage tank to reduce wet weather wastewater overflows. Increases in wastewater overflows as a result of the proposed development may jeopardise the achievement of the aspirations expressed in the Porirua District Plan and Te Wai Ora o Parirua, along with negating reductions achieved by significant Council investments to date.
- 26.** I also note that the first sentence of the updated proposed condition D81 still refers to 301 allotments.

Dated: 16 October 2026

Rory Smeaton

Principal Policy Planner