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Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Greater Wellington Regional Council (GWRC)
Contact person (if follow-up is required)	Kirsty van Reenen s 9(2)(a)
	Shaun Andrewartha s 9(2)(a)
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Eastern Porirua Regeneration Project- Infrastructure Works
General comment – potential benefits	<p>Wastewater overflows and leaks into streams/rivers and the coastal marine area have significant adverse effects on the environment and are an issue in Porirua City. The proposed wastewater trunk main renewal is a positive project in this regard.</p> <p>Stormwater quality is also a significant issue in urban areas. The proposed wetland may have positive effects on stormwater quality for the area (although no detail has been provided on any potential water quality treatment in the documentation).</p>
General comment – significant issues	There is insufficient detail to understand the full effects of the proposal, however, GWRC does not see any significant issues based on the information that has been provided.
Is Fast-track appropriate?	Click or tap here to indicate whether it would be more appropriate for the project, or part of the project, to go through RMA consenting or designation processes. Please state reasons.
Environmental compliance history	<p>Kainga Ora – None</p> <p>Porirua City Council – The application document sets out the details of two prosecutions, one against Wellington Water Limited (WWL) and the other against Porirua City Council (PCC). These details are correct.</p> <p>GWRC has a large number of compliance and enforcement documents relating to WWL and PCC resource consents. A summary of these from recent years can be provided if required.</p>
Iwi and iwi authorities	Te Runanga o Toa Rangatira Incorporated
Relationship agreements under the RMA	None
Insert responses to other specific requests in the	1. How could this project positively or negatively affect Kenepuru Stream?

Minister's letter (if applicable)

2. How could this project positively or negatively affect Porirua Harbour?

During the short term (i.e. during construction) the proposed works will have negative effects on the ecological values of Kenepuru Stream and Porirua Harbour due to discharges of sediment from bulk earthworks and streamworks. The scale of these effects needs to be assessed by an ecologist(s) and submitted as part of the application.

Over the long term the proposal is likely to result in positive effects on Kenepuru Stream and Porirua Harbour as a result of a reduction in wastewater discharging from leaks in old infrastructure. There is also potential positive effects over the long term as a result of attenuation and treatment of contaminants by the proposed wetland prior to water discharging to the stream/harbour. The degree of any attenuation and treatment provided by the wetland and therefore whether there will be a benefit to the stream and harbour needs to be assessed in the application by an appropriately qualified person.

3. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing RMA consenting processes rather than the processes in the Act?

No

4. If the project progresses to the expert consenting panel, are there any groups that the expert consenting panel should invite to provide comments on the application?

Greater Wellington Regional Council (Environmental Regulation and Flood Protection departments)

Te Runanga o Toa Rangatira Incorporated

Porirua Harbour and Catchment Community Trust (Porirua Harbour Trust)

Department of Conservation

5. If the project progresses to the expert consenting panel, are there any technical reports that you would request the applicant provide with their consent application?

- An ecological assessment prepared by a suitably qualified and experienced practitioner which assesses the effects of the proposed works on both freshwater and coastal water including inanga spawning.
- An Erosion and Sediment Control Plan consistent with GWRC Erosion and Sediment Control guidelines.
- An assessment by a flooding engineer on the changes to flooding effects as a result of the works as well as an assessment of erosion and scour effects as a result of any structures within the stream.
- An assessment by a suitably qualified and experienced practitioner on the design of the proposed wetland and effects on water quantity and quality.
- If any works are required on contaminated sites, an assessment by a contaminated land practitioner of the effects of those works (i.e. discharges from contaminated sites) and how these can be mitigated.
- If dewatering is required near any buildings or infrastructure, a technical assessment on settlement effects.
- A Cultural Impact Assessment

6. Do the applicants have any past or current breaches/notices of litigation related to environmental regulatory compliance that you are aware of?

	<p>See above regarding two prosecutions, one against PCC and one against WWL. GWRC have a large number of compliance reports and enforcement documents (advice letters, formal warnings, abatement notices, infringement notices) relating to PCC and WWL consents. Details of these from recent years can be provided if required.</p>
<p>Other considerations</p>	<p>From the information provided it appears the proposed sewer renewal may require work on a contaminated site (SLUR 2652). If this is the case, GWRC's contaminated land rules in the regional plans need to be considered and additional resource consents may be required.</p> <p>It looks like the applicant has not adequately assessed all the relevant regional plan rules and confirmed all regional consent requirements. For example, dewatering is likely to be required for the sewer main replacement and the construction of the reservoir. This may require a water permit (take) and discharge permit. The applicant has also suggested that consent for stormwater discharges under Rule 53 is required, but this is unlikely. GWRC can assist in confirming what regional rules apply and therefore what consents are required.</p>

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

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Local authority providing comment	Porirua City Council
Contact person (if follow-up is required)	Nicola Etheridge
	General Manager, Policy, Planning and Regulatory Services
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Eastern Porirua Regeneration Programme – Infrastructure Works
General comment – potential benefits	<p>Porirua City Council is a joint applicant to the application. On this basis the Council considers that the proposed projects are appropriate to proceed using the Fast-Track Consenting Process to the extent that they relate to three critical infrastructure projects that will support growth in the east, associated with both the Eastern Porirua Regeneration Programme and other privately-owned land.</p> <p>The need to improve existing wastewater and stormwater networks, and water quality were identified as key priorities by the community during public engagement undertaken by Kāinga Ora.</p> <p>The three proposed infrastructure projects are located on Porirua City Council-owned land (or land anticipated to be vested with Council).</p>
General comment – significant issues	No comment.
Is Fast-track appropriate?	<p>Yes. Porirua City Council, as joint applicant to the COVID-19 Fast Track Consent application fully supports the ability of the project (i.e. the three specified infrastructure projects) to make use of the alternative fast track consenting framework enabled by the COVID-19 Fast Track Consenting Act 2020. The COVID-19 Fast Track Consenting framework provides the opportunity for all relevant resource consent applications to be considered together (i.e. consents required from both Porirua City Council and Greater Wellington Regional Council). This will ensure all information relevant to the wider regulatory process is considered as a whole, while also providing a streamlined and efficient process, which is necessary to expedite the works. While the Council does not see the existing RMA consenting process as inhibiting the ability of the project to successfully obtain resource consent, the Council sees merit in the efficiencies that can be gained through the Fast Track process.</p>

<p>Environmental compliance history</p>	<p>The application accurately records known historic breaches but for completeness Porirua City Council has been prosecuted twice in relation to breaches of consent at its wastewater treatment plant:</p> <ul style="list-style-type: none"> • 12 June 2014 - Wellington Regional Council v Porirua City Council ref: CRI-2014-091-769. Discharge of contaminant to water at Rukutane Point, Titahi Bay, Wellington. • 13 September 2019 – Wellington Regional Council v Wellington Water ref: CRI-2019-091-000710. Discharge of contaminant namely activated sludge into the water at Rukutane Point, Titahi Bay, Wellington, on or about 6 October 2018.
<p>Iwi and iwi authorities</p>	<p>Ngāti Toa Rangatira (Te Rūnanga O Toa Rangatira)</p>
<p>Relationship agreements under the RMA</p>	<p>Porirua City Council and Ngāti Toa Rangatira have a strategic partnership agreement, which was signed in November 2017.</p>
<p>Insert responses to other specific requests in the Minister’s letter (if applicable)</p>	<p>1. How do these infrastructure projects align with other infrastructure projects currently being carried out, or being planned for Porirua City? The three proposed infrastructure projects are fully articulated and considered in the Council’s Draft 21-51 Long Term Plan. As such, they align with other infrastructure projects currently being carried out and being planned for Porirua City.</p> <p>2. How does this project support urban growth not associated with the Eastern Porirua Regeneration Programme? The construction of the three proposed projects will facilitate additional growth that sits outside of the specific Eastern Porirua Regeneration Programme.</p> <p>The Porirua City Council Proposed District Plan was notified in August 2020 and proposes to rezone not only land owned by Kāinga Ora but also privately-owned land in the east to enable medium density development (through a new medium density zone). The three proposed infrastructure projects are necessary to support this intensification. The rezoning forms part of Council’s response to projected population growth and associated housing demand.</p> <p>3. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the Act? No. Porirua City Council, as joint applicant to the COVID-19 Fast Track Consent application fully supports the ability of the project (i.e. the three identified infrastructure projects) to make use of the alternative fast track consenting framework enabled by the COVID-19 Fast Track Consenting Act 2020. The COVID-19 Fast Track Consenting framework provides the opportunity for all relevant resource consent applications to be considered together (i.e. consents required from both Porirua City Council and Greater Wellington Regional Council). This will ensure all information relevant to the wider regulatory process is considered as a whole, while also providing a streamlined and efficient process, which is necessary to expedite the works. While the Council does not see the existing RMA consenting process as inhibiting the ability of the project to successfully obtain resource consent, the Council sees merit in the efficiencies that can be gained through the Fast Track process.</p> <p>4. Do the applicants have any past or current breaches/notices or litigation related to environmental regulatory compliance that you are aware of? The application accurately records known historic breaches but for completeness Porirua City Council has been prosecuted twice in relation to its wastewater treatment plant:</p> <ul style="list-style-type: none"> • 12 June 2014 - Wellington Regional Council v Porirua City Council ref: CRI-2014-091-769. Discharge of contaminant to water at Rukutane Point, Titahi Bay, Wellington.

	<ul style="list-style-type: none"> 13 September 2019 – Wellington Regional Council v Wellington Water ref: CRI-2019-091-000710. Discharge of contaminant namely activated sludge into the water at Rukutane Point, Titahi Bay, Wellington, on or about 6 October 2018. <p>5. If the project progresses to the expert consenting panel, are there any technical reports that you would request the applicant provide in their consent application?</p> <ul style="list-style-type: none"> Expert Ecological Assessments that specifically address effects on the Porirua Stream and Kenepuru Stream, and the Significant Natural Areas within Bothamley Park and Cannons Creek Park. Expert Contamination Assessments. A Traffic Impact Assessment and Traffic Management Plans. Earthworks Management Plans. A Cultural Impact Assessment. <p>In addition, the following technical reports would be anticipated to ensure that the scale of the projects and the integration with the wider plans for Eastern Porirua are understood.</p> <ul style="list-style-type: none"> Masterplan of Bothamley Park and the adjacent Cannons Creek Park to ensure integration of the Bothamley Park Wastewater Trunk main upgrade and the Cannons Creek Wetland with the wider improvements being considered for the park such as ecological enhancement, cycleways, recreation facilities, CPTED and safety upgrades and improved access. Much of this work has already been undertaken by Kainga Ora. Assessment of Environmental Effects. Sufficient work has been undertaken through modelling and investigation to demonstrate that both the Bothamley Park Wastewater Trunk main upgrade and the Cannons Creek Wetland projects will have significant positive impacts on the reduction of contaminants into the streams and harbour as well as a reduction in stream erosion. However, an assessment of construction effects has not yet been undertaken. Much of this work can be managed through standard construction mitigation measures however these should be reviewed and planned for. Future development and population assessment. The sizing of all three pieces of infrastructure will need to consider future development within the area to ensure that they are appropriately sized. Porirua City Council has much of this information. <p>6. If the project progresses to the expert consenting panel, are there any groups that the expert consenting panel should invite to provide comments on the application?</p> <ul style="list-style-type: none"> Greater Wellington Regional Council Porirua City Council Wellington Water (as advisors to Porirua City Council) Ngāti Toa Rangatira Porirua Harbour Trust Ranui Residents Association Creeksiders (Cannons Creek) Residents Association Aotea Residents Association.
Other considerations	None.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Your ref: 2020-B-07194

Liz Moncrieff
Acting Director, Natural and Built Systems
Ministry for the Environment
fasttrackconsenting@mfe.govt.nz

19 October 2020

Tēnā koe Liz

Re: Covid-19 Recovery (Fast-Track Consenting) Act 2020 – Eastern Porirua Regeneration Project – Infrastructure Works

Wellington Water Ltd manage the three waters networks on behalf of our client councils including Porirua City Council. Wellington Water supports the application for fast-track consenting of the enabling infrastructure for the Eastern Porirua Regeneration Project.

As outlined in the business case presented to the Cabinet Social Wellbeing Committee (May 2019), Eastern Porirua is a community in need. These needs include better, healthier and more affordable housing, improved outcomes in education, social services and community infrastructure. The business case identified the urgent need for investment in infrastructure to improve the environment and support the ongoing construction employment benefits of the re-development of Eastern Porirua.

Over the last year Wellington Water has worked with Porirua City Council and Kāinga Ora to develop a masterplan for the three waters (stormwater, wastewater and water supply) in Eastern Porirua. The masterplan identifies, at an asset level, the renewals and upgrades required to deliver on the outcomes identified in the business case as well as much needed water quality, safety and resilience improvements.

Three trunk upgrades have been identified as enabling works that unlock the first tranche of the redevelopment while also providing the foundation for further upgrades to support future phases of the project. These three upgrades are those identified in the application for fast-track consenting.

Wellington Water is supportive of this application for the following reasons:

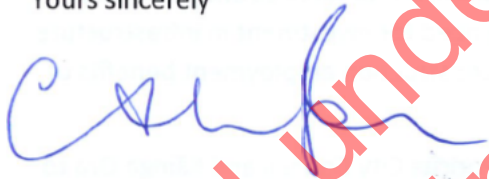
- The water supply reservoir, wetland and wastewater upgrades are needed urgently. In addition to unlocking the regeneration and intensification of the area there are

existing issues with poor water quality, flooding, water supply security and capacity. The benefits of these upgrades will extend to the whole community.

- These projects promote employment. In addition to unlocking widespread and multi-disciplinary development in Eastern Porirua these projects will immediately require the engagement of professional and construction skillsets to design and build the infrastructure. Furthermore the wetland and wastewater trunk upgrades will provide ongoing employment associated with maintenance of the enhanced Bothamley Park in which they are located.
- These projects integrate with broader strategies for Porirua including the Te Awarua-o-Porirua Harbour and Catchment Strategy. The wetland and wastewater upgrade will improve water quality and make it safer to swim in the stream and harbour. The reservoir upgrade integrates with Wellington Water's strategy to increase the resilience of the infrastructure supporting our communities. Our engagement with Ngāti Toa has confirmed the need to address the frequent wastewater overflows into Kenepuru Stream thereby enhancing its mauri.

Wellington Water will continue its ongoing support of the Eastern Porirua Redevelopment Project and encourage the fast-track consenting of these vital pieces of infrastructure.

Yours sincerely



Colin Crampton
Chief Executive
Wellington Water Ltd
s 9(2)(a)

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This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Organisation providing comment	Waka Kotahi New Zealand Transport Agency
Contact person (if follow-up is required)	Jenni Fitzgerald
	s 9(2)(a)
	s 9(2)(a)

Comment form

Please use the table below to comment on the application.

Project name	Eastern Porirua Regeneration Project – Infrastructure Works
General comment	Waka Kotahi supports the proposal in-principle, as it will provide enabling water infrastructure for the Eastern Porirua Regeneration Project and thereby assisting in improving outcomes for the Eastern Porirua community and more generally for the district and region in terms of addressing the shortage of housing regionally.
Other considerations	<p>Waka Kotahi has an interest in the works both as it affects State Highway 1 and as a planner and investor in land transport infrastructure. We are working with Kāinga Ora and Porirua City Council on planning for the transport infrastructure across the Eastern Porirua area and the wider district. We note that support for this proposal does not necessarily mean that we support other development that this consent may enable through increased capacity in the water system.</p> <p>In relation to State Highway 1, Waka Kotahi will continue to have an ongoing interest as an affected party for the proposal. Noting that the level of effect is difficult to ascertain at the moment; we understand trenching of State Highway 1 will not be an option considered.</p> <p>We note that this application is solely focused on water infrastructure but there may be opportunities to carry out the works (eg earthworks) in such a way as to enable future transport improvements. The most likely example is in relation to the Bottomley Park location where improvements to the walking and cycling infrastructure are envisaged. For clarity, Waka Kotahi is not leading the development of the cycling infrastructure here but would likely be asked to co-invest. We would support the inclusion of these works.</p>
[Insert specific requests for comment]	n/a