

RMA FORM 5

porirua city

# Submission on publicly notified Proposed Porirua District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Porirua City Council

1. Submitter details:

Full Name	Last Reidy	First Phillip	
Company/Organisation <i>if applicable</i>	Light House Cinema Limited		
Contact Person <i>if different</i>			
Email Address for Service	phillip-reidy@xtra.co.nz		
Address	3 Paekakariki Hill Road		
	City Porirua	Postcode 5381	
Address for Service <i>if different</i>	Postal Address 119 Paekakariki Hill Road Porirua 5381	Courier Address	
Phone	Mobile 021 451 756	Home 04 234 8332	Work 04 234 8332

2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could  I could not   
gain an advantage in trade competition through this submission.  
(Please tick relevant box)

If **you could** gain an advantage in trade competition through this submission please complete point four below:

4. I am  I am not   
directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.  
(Please tick relevant box if applicable)

Note:

*If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.*

5. I wish  I do not wish   
 To be heard in support of my submission  
*(Please tick relevant box)*

6. I will  I will not   
 Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.  
*(Please tick relevant box)*

Please complete section below (insert additional boxes per provision you are submitting on):

<b>The specific provision of the proposal that my submission relates to:</b>
Refer Additional Information 1
<b>Do you: Support? Oppose? Amend?</b>
Refer Additional Information 1
<b>What decision are you seeking from Council? What action would you like: Retain? Amend? Add? Delete?</b>
Refer Additional Information 1

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**Reasons:**  
Refer 1.3

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## 1 Additional Information

### 1.1 Background and Introduction

Porirua City Council (PCC) is reviewing its Growth Strategy to guide how the City changes over the next 30 years. The Growth Strategy includes a review of the Northern Growth Area 2014 (NGA). Porirua City Council are looking to implement its Growth Strategy through its new District Plan. This document is a submission on Porirua's Proposed District Plan.

The Light House Cinema is located at the southern end of the Pauatahanui Village and operates as a specialist cinema and café providing a unique experience in an attractive and safe environment. The business opened in 2006 and has traded continuously since then.

The land and original building and land are owned by Porirua City, while the cinema and café improvements were undertaken by Light House Cinema.

This document briefly describes the land, the general parts of the Proposed District Plan the submitter wish to have amended, and gives reasons for the requested amendments.

### 1.2 The Land

Address	3 Paekakariki Hill Road Pauatahanui
Legal Description	Lot 2 DP 405016
Area	0.1316ha

### 1.3 Submission and Changes Sought

While in broad agreement with the objectives of the Settlement Zone (SETZ), the submitter **seeks** the following amendment to the document to better achieve the Purpose and Principles of the Resource Management Act 1991 (RMA):

1.3.1 Removal of the Natural Hazard (NH) risk overlays from the land or amendment to the Natural Hazard provisions, to provide a less restrictive planning framework for development within those overlay areas.

1.3.2 Removal of the Significant Amenity Landscape Area (SALA) from the land or amendment to the Natural Features and Landscape (NFL) provisions to provide a less restrictive planning framework for development within a SALA.

#### Reason

The Growth Strategy 2048 marks Pauatahanui as a Village and Proposed District Plan shows the area as a Settlement Zone with specific objectives and policies. The submitter wishes to see a broader approach taken to development of commercial activities in the Settlement Zone than the Natural Hazard and Significant Amenity Landscape Area provide for. This will allow better alignment with the objectives of the Growth Strategy 2048 and of the Settlement Zone in the Proposed District Plan.

Without limiting the general opposition in 1.3.1 and 1.3.2 above, the specific changes of the plan the submitter seeks are in the following table

Plan Provision	Support/ Oppose	Reason	Relief Sought
Part 2 – Natural Hazard: NH-P2 & NH-R8	Oppose	The policy approach to hazards in High Hazard Areas needs to reflect that good information and assessment may provide for development activities in those overlays.	<p>NH-P2 <del>Avoid</del> <u>Manage</u> the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay <u>unless where</u> it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option;</li> <li>2. The activity incorporates mitigation measures that demonstrate that risk to people’s life and wellbeing; and building damage is avoided <u>or mitigated</u>;</li> <li>3. People can safely evacuate the property during a natural hazard event; and</li> <li>4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity.</li> </ol> <p><del>NH-R8.1 Activity Status: Non-complying.</del> <u>Replace NH-R8 with a new restricted discretionary rule.</u></p>
Part 2 – Natural Environment Values	Oppose	The submitter opposes this section of the Proposed District Plan as it relates to SALA’s. If a SALA is to be identified within the District Plan, the provisions need to reflect that they exist within context of a growing city.	<p><i>Amend the provisions of the Natural Environment Values part of the plan to the following (or similar intent):</i></p> <p><b>NFL-02</b> <i>The identified characteristics and values of the Special</i></p>

		<p><i>Amenity Landscapes are maintained and, where practicable, enhanced <u>within context of growth of the City.</u></i></p> <p><b>NFL-P3</b>  <i>Except ... where it:</i></p> <ol style="list-style-type: none"> <li>1. <i>Avoids significant adverse effects ... Outstanding Natural Features and Landscapes <del>and SCHED 10 – Special Amenity Landscapes</del>; and</i></li> <li>2. <i>Can demonstrate ...</i> <ol style="list-style-type: none"> <li>e. <i>How buildings ...</i> <ol style="list-style-type: none"> <li>ii. <i>Maintain the identified characteristics and values in SCHED10 – Special Amenity Landscapes <u>within context of anticipated growth of the City;</u></i></li> </ol> </li> </ol> </li> </ol> <p><b>NFL-P5</b>  <i>Subdivision in the Rural Lifestyle Zone, <u>Settlement Zone, or a Precinct Area and within a Special Amenity Landscape</u></i></p> <p><i>Control subdivision in the Rural Lifestyle Zone, <u>Settlement Zone or a Precinct Area and within a Special Amenity Landscape to ensure that the size of any allotment and the location of a building platform:</u></i></p> <ol style="list-style-type: none"> <li>1. <i>Maintains the identified characteristics and values of the Special Amenity Landscape described in SCHED10 – Special Amenity Landscapes <u>within context of form and anticipated growth of the City.</u></i></li> </ol> <p><b>NFL-P5</b> <i>Subdivision in the Rural Lifestyle Zone, <u>Settlement Zone or Precinct Area within a Special Amenity Landscape</u></i></p>
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			<p>Control subdivision in the Rural Lifestyle Zone, Settlement Zone or Precinct Area within a Special Amenity Landscape to ensure that the size of any allotment and the location of a building platform:</p> <ol style="list-style-type: none"> <li>Maintains the identified characteristics and values of the Special Amenity Landscape described in SCHED10 – Special Amenity Landscapes, within context form of the City and anticipated growth;</li> </ol> <p><b>NFL-P6 Earthworks</b></p> <p><del>Only allow earthworks ...</del></p> <p><b>NFL-P8 Special Amenity Landscapes (in the coastal environment)</b></p> <p><del>Only allow subdivision ... having regard to:</del></p> <ol style="list-style-type: none"> <li>The compatibility of scale, location and design of built form with the identified characteristics and values within context form of the City and anticipated growth;</li> </ol> <p><b>NFL-R1 Earthworks or land disturbance within ... or Special Amenity Landscape</b></p> <p><del>All Zones 3. Activity Status: Non-complying.</del></p> <p><del>Delete this non-complying rule and replace it with a discretionary activity rule for Special Amenity Landscape Areas.</del></p> <p><del>NFL-R12 Any activity not otherwise listed as permitted, controlled, restricted, discretionary, discretionary or non-complying.</del></p>
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			<p><del>All zones 1. Activity Status: Non-complying</del></p> <p><del>Delete this non-complying rule and replace it with a discretionary activity rule for Special Amenity Landscape Areas.</del></p>
Part 4 Appendices and Schedules SCHED10 – Special Amenity Landscapes	Oppose	The submitter opposes this schedule of the Proposed District Plan as it relates to SALA's. If a SALA is to be identified within the District Plan, the provisions need to reflect that they exist within the context of a growing city.	Amend SCHED10 (SALA 001) as it relates to the SALA over the land to reflect the landscape values are within a broader context of a growing City.

Please return this form no later than **5pm on Friday 20 November 2020** to:

- Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY or
- email [dpreview@pcc.govt.nz](mailto:dpreview@pcc.govt.nz)

Signature of submitter  
(or person authorised  
to sign

on behalf of submitter):

G P Reidy  
Director

Light House Cinema Pauatahanui

Date: 20 November 2020

*A signature is not required if you make  
your submission by electronic means*