

Porirua's Proposed District Plan 2020

Submission on Porirua's Proposed District Plan

To - Environment and City Planning Team

Date received 24/09/2020

Submission Reference Number #25

Wishes to be heard? No

Is willing to present a joint case? No

Could gain an advantage in trade competition in making this submission? No

Directly affected by an effect of the subject matter of the submission? Yes

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Submission points

Point 25.1

Support / Support in part / Oppose

Oppose

Section: GRZ - General Residential Zone

Sub-section: Rules

Provision

GRZ-R23 Habitable buildings and structures near the Gas Transmission Pipeline Corridor

1. Activity status: **Restricted discretionary**

Where:

- a. Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and
- b. Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network.

Matters of discretion are restricted to:

1. The matters in INF-P25.

Notification:

- An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.

- When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, Porirua City Council will give specific consideration to any adverse effects on First Gas Ltd.

Submission

First Gas has an easement that is 6m on either side of its transmission pipelines. It is therefore unreasonable to specify a distance of 10m from the pipeline corridor in GRZ-R23 unless there are specific reasons to do so at particular locations (the usual practice worldwide for such restrictions is to relate the required distance for restricted activities to the diameter of the gas pipeline at each location, rather than to specify a fixed distance at all locations).

Relief sought

I submit that the distance specified in GRZ-R23 should be the same as half the easement width unless the size of the gas pipeline is large enough to warrant a larger distance on safety grounds, in which case First Gas should widen its easement through the normal commercial processes.

Point 25.2

Support / Support in part / Oppose

Oppose

Section: ECO - Ecosystems and Indigenous Biodiversity

Sub-section: Rules

Provision

ECO-R1 	Removal of indigenous vegetation within a Significant Natural Area
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <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 represented by deadwood, diseased or dying vegetation and ECO-S1 is complied with; ii. Ensure the safe and efficient operation of any formed public road, rail corridor or access, where removal is limited to within the formed width of the road, rail corridor or access; iii. Enable the maintenance of buildings where the removal of indigenous vegetation is limited to within 3m from the external wall or roof of a building; iv. Maintain, upgrade or create new public walking or cycling tracks up to 2.5m in width undertaken by Porirua City Council or its approved contractor in accordance with the Porirua City Council Track Standards Manual (Version 1.2, 2014) and where no tree with a trunk greater than 15cm in diameter (measured 1.4m above ground) is removed; v. Construct new perimeter fences for stock or pest animal exclusion from areas or maintenance of existing fences provided the area of trimming or removal of any vegetation does not exceed 2m in width; vi. Enable necessary flood protection or natural hazard control where undertaken by a Statutory Agency or their nominated contractors or agents on their behalf as part of natural hazard mitigation works; vii. Comply with section 43 of the Fire and Emergency Act 2017; or viii. Enable tangata whenua to exercise customary harvesting.

Submission

The wording of ECO-R1 is much more restrictive than the previous provisions for removal of indigenous vegetation within a SNA (previously a SVS). For a start, the previous permitted activity to remove vegetation within 4m of a building has been reduced to 3m. This imposes a totally unreasonable restriction on the amount of natural light that can enter a building (we are talking about

big trees like kanuka, which have a large canopy). Secondly, it imposes a much more significant fire risk and in fact contravenes FENZ's own guidance on a fire perimeter around a building even more than previously (10m is their recommendation). Thirdly, the previous wording was "Trimming or removal of indigenous vegetation **including overhanging branches or canopy** that is within 4.0 metres from the walls of a...building" (my emphasis). By no longer making it clear that the distance specified is from overhanging branches or canopy, it may be interpreted as being the distance to the trunk of a tree, in which case the branches or canopy will be touching the building in the case of large indigenous trees.

Relief sought

I submit that the previous permitted distance from a building to remove indigenous vegetation should remain at the very least at 4m, and the wording should continue to make it clear that the distance specified refers to the distance including to any overhanging branches or canopy