

Submission- Porirua proposed district plan

James Mclaughlan (bubbles family trust)

Porirua City Council

20 NOV 2020

Customer Service

RMA FORM 5

Submission on publicly notified proposed porirua district plan

Organization-James Mclaughlan (bubbles family trust)

1. Background and introduction

Porirua city council 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. Porirua city council is looking to implement its Growth strategy through its new district plan.

The Mclaughlan property is north of the pauatahanui inlet and corner of Grays Road. The Mclaughlan family has been encouraging restoration of the inlet by adding new plantings along the edge of our property.

This document briefly describes the land the general parts of the proposed district plan the submitter wish to have amended and give reasons for the requested amendments.

2 The land

The land is located north of the pauatahanui inlet corner of Grays Road in Porirua.

Address 63 Paekakriki Hill Rd Pauatahanui

Legal description Lot 1 DP 78202

Area 6837m²

3. THE SUBMISSION AND CHANGES SOUGHT

The submitter **seeks** the following amendment to the document to better achieve the Purpose and Principles of the Resource Management Act 1991 (RMA):

- A. Amendment to the planning maps to provide an improved extent of the Rural Lifestyle Zone (RLZ) or Settlement Zone (SETZ) for its property;
- B. Amendment to the RLZ rules and standards to reinstate a 1ha minimum lot size and an average lot size of 2ha across the subdivision area;
- C. 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 subdivision and development within a SALA;
- D. 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 subdivision and development within those overlay areas.

***Reason:** the Growth Strategy 2048 and Proposed District Plan shows the area around the subject land as rural residential. The submitter wishes to enjoy the same amenity proposed by Council for the surrounding areas so not to be left as an 'island' of General Rural Zoned land. A 1ha minimum and 2ha average has been a feature of earlier versions of the draft District Plan and should be reinstated in the Proposed Plan. The NFL and NH provisions have the potential to 'taint' applications for subdivision and development envisaged by*

the Proposed District Plan and consistency in activity status and planning framework will better implement the objectives for the RLZ or Settlement Zone.

Without limiting the general opposition in A, B, C and D 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 Avoid Manage 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"> 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; 2. The activity incorporates mitigation measures that demonstrate that risk to people’s life and wellbeing; and building damage is <u>avoided or mitigated</u>; 3. People can safely evacuate the property during a natural hazard event; and 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. <p>NH-R8.1 Activity Status: Non-complying. Replace NH-R8 with a new restricted discretionary rule.</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>NFL-02 <i>The identified characteristics and values of the Special</i></p>

			<p>Amenity Landscapes are maintained and, where practicable, enhanced <u>within context of growth of the City.</u></p> <p>NFL-P3 Except ... where it:</p> <ol style="list-style-type: none">1. Avoids significant adverse effects ... Outstanding Natural Features and Landscapes and SCHED 10 - Special Amenity Landscapes; and2. Can demonstrate ...<ol style="list-style-type: none">e. How buildings ...<ol style="list-style-type: none">ii. Maintain the identified characteristics and values in SCHED10 - Special Amenity Landscapes <u>within context of anticipated growth of the City;</u> <p>NFL-P5 <u>Subdivision in the Rural Lifestyle Zone, Settlement Zone, or a Precinct Area and within a Special Amenity Landscape</u></p> <p>Control subdivision in the Rural Lifestyle Zone, <u>Settlement Zone or a Precinct Area and within a Special Amenity Landscape</u> to ensure that the size of any allotment and the location of a building platform:</p> <ol style="list-style-type: none">1. 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> <p>NFL-P5 Subdivision in the Rural Lifestyle Zone, <u>Settlement Zone or Precinct Area within a Special Amenity Landscape</u></p>
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		<p>Control subdivision in the Rural Lifestyle Zone, <u>Settlement Zone or Precinct Area</u> 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"> Maintains the identified characteristics and values of the Special Amenity Landscape described in SCHED10 – <u>Special Amenity Landscapes within context form of the City and anticipated growth;</u> <p>NFL-P6 Earthworks</p> <p>Only allow earthworks ...</p> <p>NFL-P8 Special Amenity Landscapes (in the coastal environment)</p> <p>Only allow subdivision ... having regard to:</p> <ol style="list-style-type: none"> The compatibility of scale, location and design of built form with the identified characteristics and values <u>within context form of the City and anticipated growth;</u> <p>NFL-R1 Earthworks or land disturbance within ... or Special Amenity Landscape</p> <p>All Zones 3. Activity Status: Non-complying</p> <p>Delete this non-complying rule and replace it with a <u>discretionary activity rule for Special Amenity Landscape Areas.</u></p> <p>NFL-R12 Any activity not otherwise listed as permitted, controlled, restricted discretionary, discretionary or non-complying</p>
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			<p>All zones 1. Activity Status:- Non-complying</p> <p><u>Delete this non-complying rule and replace it with a discretionary activity rule, or Special Amenity Landscape Areas.</u></p>
Part 2 – Subdivision	Oppose	<p>There will be situations where landform and natural features dictate the pattern of subdivision layout. The policy wording needs to reflect this.</p> <p>The removal of a 1ha minimum lot size in the RLZ will limit the ability of subdivision design for landscape values. A 1ha minimum lot size in the RLZ is an appropriate method for innovative subdivision design.</p>	<p>Amend the provisions of the subdivision part of the plan to the following (or similar intent):</p> <p>SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone</p> <p>Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to:</p> <ol style="list-style-type: none"> 1. Enabling cluster development, where it ensures the retention of a large balance lot; 2. Discouraging the layout of lots in a linear pattern along roads; <p>SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>21ha and an average allotment size of 2ha across the subdivision site.</u></p>
Part 3 – Area Specific Matters Rural Lifestyle Zone – entire chapter	Support in part.	<p>The RLZ will provide for opportunities for people to live in a rural setting but within a small allotment size. The submitter requests the RLZ retained but extended in accordance with the submitters plan.</p>	<p>Retain the RLZ and extend it to the submitters land.</p>
Part 4 Appendices and Schedules SCHED10 – Special Amenity Landscapes	Oppose	<p>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</p>	<p>Amend SCHED10 (SALA001) as it relates to the SALA over the land to reflect the landscape values are within a broader context of a growing City.</p>

		reflect that they exist within context of a growing city.	
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In general, there is an opportunity to master plan land for the benefit of Council and stakeholders with an interest in Te Awarua-o-Porirua Harbour (Pauatahanui Arm). We consider the opportunity to manage large areas of the Harbour catchment through a subdivision is a strategic decision in line with the overall intent of the Growth Strategy. Potential outcomes can include catchment protection, environmental enhancement through planting, and controls on future land use to manage landscape values. These matters should be implemented in the Proposed District Plan.