

Porirua District Plan HS1 27 September 2021

Tēnā koutou katoa
Good morning everyone

Thank you for the opportunity to present to this hearing today. I'm speaking to our submission 218 (Note 1) on behalf of the Plimmerton Residents' Association.

Today I'll just be addressing one point that falls under Hearing Stream One, OverArching matters.

This point is the notification to affected property owners and residents of the significant zoning changes planned. All the more important with the curved ball thrown by the substantive Kainga Ora submission which, if accepted by PCC and the panel, would be a game changer for established communities in our city.

Please note, none of our comments that follow are in any way a criticism of council officers. We do understand there is a legal process to be followed and that PCC has certainly put a huge amount of effort into public engagement.

In our submission we asked that residents be properly informed of the changes proposed that would affect their own or neighbouring properties.

We note that the PCC planner agrees with our submission in this regard, as stated in the Section 42A report: Part A Overarching Report (9.9.2, 9.9.3) (Refer Note 2 below).

We do not disagree with the planner's view that the requirements of consulting with the community and ratepayers have been met through general publicity and community engagement activities.

We do not disagree that attempts have been made to contact every ratepayer in Porirua, and that a general letter was sent out to all ratepayers advising of the DP review.

We do however believe that where significant changes are proposed under a DP review, such as rezoning, that the individual property owners affected by such changes should be advised of the specific impact on their property.

So how effective was this consultation and engagement?

PCC submissions website describes the response as "a great response", but an analysis of the original submissions received might suggest otherwise.

274 submissions were received. An informal assessment shows 98 seem to be either duplicates, multiples or from organisations. That leaves 176 from individual Porirua residents or households, around 1% of the 17,883 occupied private dwellings reported in the 2018 census for Porirua City as a whole and just 0.3% of the residents recorded at the same time. (Note 3)

Of these, and of direct relevance to our submission, there were 29 submissions received from individual residents/households in our catchment of Plimmerton /Camborne (1572 dwellings in 2018 census/ 4,155 people). Effectively 1.8% of dwellings if we assume just one submission per household. (Note 3)



Is that “a great response”?

Of the 29 submissions in our area:

- 15 (over 50%) submit on the assignment of SNA’s on their land - several express complaints about the notification process. (Note 4).
- 5 are concerned about coastal and natural hazard designations for their properties (Note 4)
- 8 are concerned with zoning changes (Note 4)

As an aside, we note that residents have expressed a range of views in their submissions.

The main concern here is the lack of response to proposed zoning changes from those whose properties are directly affected. We have no way of knowing if lack of response equates to acceptance of the DP, to lack of awareness, to apathy, or perhaps to frustration with the complex process.

While we accept that PCC provided general public notice of the PDP in the media we still believe individual property owners need to be informed of the specific changes proposed to their own zoning and that of immediate neighbours.

It should not be difficult to do this, given that individual properties have been assigned to a particular zone and it is only those properties affected that need to be contacted.

In fact, our understanding is that property owners affected by the “environmental values” of SNA’s, high value landscapes and notable trees were contacted individually with specific information about their property, so there is a precedent for this. (Note 5 Porirua Draft 2020 District Plan Engagement, March 2020)

Maybe this direct approach to property owners explains why over 50% of submissions from Plimmerton/Camborne relate to SNA’s?

Furthermore while only 70-75 residential properties in Plimmerton/Camborne were affected by the MRZ zoning change proposed in council’s PDP sent out for consultation, the position changed significantly with Kainga Ora’s submission. If Kainga Ora’s proposals for HRZ and MRZ are accepted by PCC, zoning would change for a much greater number of properties.

We note that there was some general publicity regarding Kainga Ora’s submission and the opportunity to make further submissions, but the magnitude of what has been proposed by Kainga Ora should require individual notification to those affected and the opportunity to comment. It is basically a new DP, and, I would argue, could require a whole new round of consultation.

In closing, there’s a one in 10 year opportunity for Porirua City residents to comment or change things in the DP review. It’s really important that residents and property owners have an effective voice in this process.

Thanks for the opportunity to present to you today.



Notes

Note 1: Excerpts from original submission 218 from Plimmerton Residents' Association:

“We are also concerned that residents are not being properly informed under the Proposed District Plan regarding zone changes affecting their own or neighbouring properties. We ask that for all zone reclassifications PCC contact the affected landowners and their immediate neighbours directly to advise them of the change, the implications of the zone change, and give them a chance to submit /comment directly. The Proposed District Plan should include the process for rezoning properties and the notification and consultation required.”

....

“We ask that for all zone reclassifications the Proposed District Plan should include the process for assessing re-zoning requests and the required public notification/consultation. PCC should be required to contact the affected landowners and their immediate neighbours directly to advise them of the change, the implications of the zone change, and give them a chance to submit /comment directly. The public notification given of the Proposed District Plan Consultation in August was very general and affected residents were not alerted to changes specifically relating to their property. An example of this is the planned rezoning of rural land at 10A The Track (DP 86437) to enable a five lot subdivision. This subdivision will directly impact on the residents of Corlett Road as access for earthworks, construction and future landowners will be via that narrow cul de sac but neither the current residents nor an immediate neighbour on The Track have been notified of this significant change. We also note that the property borders the Taupō Swamp Outstanding Natural Feature and Landscape (ONFL002) and we wish to see that any development requires appropriate mitigation in place to ensure it is protected.”

Note 2: Excerpt from Section 42A report: Part A Overarching Report and our response:

9.9.2 Assessment

181. I agree with submissions from Plimmerton Residents' Association Inc and Gary Lewis that residents in areas affected by rezoning proposals should be consulted with and have the opportunity to provide input. I consider that this has occurred for all rezoning proposals in the PDP in accordance with the requirements of Schedule 1, and best practice pre-notification engagement.

Response: We do not disagree with this statement.

182. Schedule 1 of the RMA provides the ultimate requirements for consultation on a plan change to rezone property. This includes sending a public notice to “every ratepayer for the area of the territorial authority where that person, in the territorial authority’s opinion, is likely to be directly affected by the proposed plan”. As part of the notification of the PDP, every ratepayer in Porirua was written to, as well as occupiers of homes. Therefore, the immediate neighbours of 10A the Track and Eastern Porirua would have received direct notification unless there was an issue with the postal process, including if there is an error in the postal address in the Council rating database.

Response: We do not dispute that the immediate neighbours of 10A The Track would have received the notification described above. However it would seem that every ratepayer in Porirua received the same general notification letter and the specific changes pertinent to the ratepayer’s individual property were not highlighted in any way.

183. The rezoning of 10A the Track and Eastern Porirua was considered as part of the Growth Strategy 2048. Consultation on the Growth Strategy was undertaken in



accordance with the Local Government Act 2002, including an extensive public engagement campaign, and a submissions process.

Response: We do not disagree with this statement.

184. Furthermore, as outlined in the Overview to s32 evaluation, there was a significant prenotification engagement programme. This included engagement on a full draft of the District Plan in 2019, with associated media campaign, and public meetings with residents and special interest groups.

Response: We do not disagree with this statement.

185. In response to the submission from Ema Pomare, the PDP was developed in partnership with Ngāti Toa, and the Council was guided by their advice on the best means of engaging with Māori. For future plan changes this database will be considered as a means of communication in consultation with TROTR.

Response: Not applicable to our submission.

186. I do not consider that any amendments to the PDP are required.

Response: The issue we raise regarding notification is not necessarily what is contained in the PDP but how individual property owners have been contacted regarding the changes that could directly impact on their property.

9.9.3 Recommendations

187. I recommend that the submissions from Plimmerton Residents' Association Inc [218.2], Ema Pomare [219.1], Gary Lewis [248.3], be accepted in part.

Note 3: 2018 Census, Statistics NZ

Porirua :

Population: 56,559

Occupied private dwellings: 17,883

Plimmerton/Camborne:

Population: 4,155 (Plimmerton 2,142 Camborne 2,013)

Occupied private dwellings: 1,572 (Plimmerton 843 Camborne 729)

Note 4: Submissions from Plimmerton/Camborne residents

SNA's: Submissions 4, 19, 24, 57, 112-115, 163, 165, 169, 173, 176, 193, 198, 213, 215, 220

Coastal & natural hazards: Submissions 29, 58, 148, 158-60, 195

Zoning: Submissions 49, 101, 107, 118, 184, 194, 207, 241

Note 5: Excerpt from Porirua Draft District Plan Engagement Report (March 2020), p7

"In June 2018 all landowners affected by the above environmental values were sent letters and maps, with an open invitation to have a visit from relevant technical experts and a Council planner. Community drop-in sessions were also held in various suburbs. Council conducted many site visits between June 2018 and December 2019 at the request of landowners. This was important to ensure that the mapping and assessment of these areas was as up to date and as accurate as possible. Changes to some of the mapping was made based on these site visits."

