

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson

Mark St Clair

David McMahon

Julia Williams

SUBJECT:

**Proposed Porirua District Plan: Subdivision
(excluding urban zones)**

PREPARED BY:

Rory Smeaton, Senior Policy Planner

REPORT DATED:

14 April 2022

DATE OF HEARING:

16 May 2022

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies and rules of the Proposed Porirua District Plan (PDP) as they apply to the SUB-Subdivision chapter. This specifically excludes those submissions on SUB-O2, SUB-P5 clauses 2 and 3, and SUB-S1 that apply specifically to Urban Zones.¹ The report outlines recommendations in response to the issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on the SUB-Subdivision chapter. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
 - Minimum allotment size in the RLZ - Rural Lifestyle Zone;
 - Provision of esplanade reserves;
 - Subdivision in the FUZ - Future Urban Zone;
 - Provision for unit title subdivision;
 - Reverse sensitivity and the Radio New Zealand site in Titahi Bay; and
 - Specific issues relating to objectives, policies, rules and standards.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. The SUB-Subdivision chapter is also subject to some consequential amendments arising from submissions to the whole of the PDP and other chapters, particularly in relation to transport provisions in the INF – Infrastructure and TR – Transport chapters.
5. I have recommended some changes to the PDP provisions to address matters raised in submissions and these are summarised below:
 - Wording amendments to SUB-O2 to broaden the objective and be clearer in relation to Three Waters networks;
 - Cross-referencing the policy in the INF-Infrastructure chapter which addresses reverse sensitivity (INF-P5) in SUB-P1;
 - Strengthening the wording in SUB-P4;
 - Clarifying that SUB-R4 is the correct rule for unit title subdivision;
 - Amending the activity status for subdivision in a Special Amenity Landscape (SAL) in the RLZ – Rural Lifestyle Zone which does not meet the five hectare minimum allotment size;
 - Combining SUB-R8 and SUB-R9 into one rule and including a notification preclusion statement;

¹ The PDP defines urban zones as, “means the following zones: a. City Centre Zone; b. General Industrial Zone; c. General Residential Zone; d. Hospital Zone; e. Large Format Retail Zone; f. Local Centre Zone; g. Medium Density Residential Zone; h. Mixed Use Zone; i. Neighbourhood Centres Zone; and j. Sport and Recreation Zone.”

- Clarifying the applicability of SUB-R10;
 - Requiring subdivisions which contain a significant natural area (SNA) to show any access and infrastructure connections outside of the SNA;
 - Better enabling allotments for access and infrastructure within the National Grid Corridor, and including notification preclusion statements, in SUB-R15;
 - Clarifying references to TR-Transport and INF-Infrastructure standards in SUB-S2 and SUB-S3;
 - Providing for telecommunication network connections other than fibre optic outside of urban zones, and requiring land for infrastructure to be set aside at the time of subdivision, in SUB-S7;
 - Clarifying the applicability of SUB-S8 to allotments which contain a river wider than three metres; and
 - Making other minor amendments.
6. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
7. For the reasons set out in the Section 32AA evaluation and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

8. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 and Table 2 below:

Table 1: Abbreviations

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Porirua City Council
the Operative Plan/ODP	Operative Porirua District Plan 1999
the Proposed Plan/PDP	Proposed Porirua District Plan 2020
GWRC	Greater Wellington Regional Council
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality 2004
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for Electricity Transmission Activities 2009
NES-FW	National Environmental Standards for Freshwater 2020
NE-SMA	National Environmental Standards for Marine Aquaculture 2020
NES-PF	National Environmental Standards for Plantation Forestry 2017
NES-SDW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NZCPS	New Zealand Coastal Policy Statement 2010
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
RLTP	Wellington Regional Land Transport Plan 2021
RPS	Wellington Regional Policy Statement 2013
SAL	Special Amenity Landscape
SNA	Significant Natural Area

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga

House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
Kāinga Ora	Kāinga Ora – Homes and Communities
KLP	Kenepuru Limited Partnership
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telcos	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

9. In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

10. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the SUB-Subdivision chapter (excluding urban zones), and to recommend possible amendments to the PDP in response to those submissions.
11. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (the RMA-EHS) gained Royal assent on 20 December 2021. A variation to the PDP is to be notified to give effect to the RMA-EHS and the requirements of the NPS-UD. This variation will include a range of amendments to the PDP provisions for Urban Zones. As such, submissions on SUB – Subdivision provisions that are specific to urban zones are not addressed in this report. These will be taken into account through the preparation of the variation, and considered alongside submissions on the variation at that hearing.
12. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant strategic objectives, objectives, policies, and rules as they apply to the SUB – Subdivision in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
13. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
14. In preparing this report the author has had regard to recommendations made in other related s42A reports.
15. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
16. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

1.2 Author

17. My name is Rory Smeaton. My qualifications and experience are set out in Appendix E of this report.
18. My role in preparing this report is that of an expert planner.
19. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for the INF-Infrastructure, AR-Amateur Radio, REG-Renewable Electricity Generation, and SIGN-Signs chapters. I also authored the Section 32 Evaluation Report for the Noise and Light topic, and assisted in the preparation of the Section 32 Evaluation Report for the TR-Transport chapter.

20. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
21. The scope of my evidence relates to the SUB-Subdivision chapter. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
22. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
23. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Submissions not considered

24. As the future variation to give effect to the NPS-UD and implement the RMA-EHS will address subdivision within urban zones as set out in section 2.2 below, there are submissions on the SUB – Subdivision chapter that are not considered further in this report. Those submissions relate to provisions which specifically address urban zones, as defined in the PDP, and are set out in Table 3 below.

Table 3: Submissions on Urban Zones deferred to the NPS-UD variation

Provision	Submissions deferred	
	Submission reference	Submission summary
SUB-O2	Wellington Electricity Lines Limited [85.34]	Seeks that the objective is amended to include all infrastructure.
	Porirua City Council [11.57]	Seeks that the objective is amended to remove the focus on the 'sufficient capacity' of the three waters network and instead refer to Council standards.
SUB-P5 clauses 2 and 3	John Carrad [231.19]	Seeks prefacing clause two with the word 'generally' and including a sentence providing for alternative infrastructure solutions that meet 'similar levels of performance'.
	Pukerua Property Group Limited [242.8]	
	The Neil Group Limited and Gray Family [241.17]	
	Kāinga Ora [81.444]	Seeks deletion of the reference to the Wellington Water's Regional Water Standard May 2019 in clause 3, stating that the infrastructure, transport and three waters chapters manage the performance standards for infrastructure.
	Survey + Spatial New Zealand [72.13]	Identifies an issue in that the policy is used as assessment criteria for rules when standards are not met, which creates a circular situation as the standards refer to the same standards.
SUB-S1	Survey + Spatial New Zealand [72.11]	Seeks the minimum allotment size and shape factors set out in SUB-Table 1 should be reduced to

Provision	Submissions deferred	
	Submission reference	Submission summary
		300 square metres and 8 metres by 12 metres respectively for the General Residential Zone, and 200 square metres and 8 metres by 10 metres respectively for the Medium Density Residential Zone. The submitter states that this should be done to encourage a greater level of development consistent with the National Policy Statement on Urban Development.
	Kenepuru Limited Partnership [59.10]	Seeks the minimum allotment size and shape factors set out in SUB-Table 1 be reduced to 250 square metres and 7 metres by 15 metres respectively for the Medium Density Residential Zone. The submitter notes that the standards are not conducive to good medium density design, with many medium density dwellings being long and narrow. The submitter questions the need for a minimum allotment size, with the requirement being able to be the need to accommodate dwellings that meet the other standards for residential units in the zone.
	Porirua City Council [11.62]	Seeks that the wording of the standard and the table be amended to shift the requirement for the minimum shape factor to be clear of specified areas to the standard itself rather than the table, for this to include infrastructure and other easements.

25. These submission points will be considered through the development of the variation. Once the variation is notified, the submitters will have an opportunity to submit again on any amendments proposed.

1.4 Key Issues in Contention

26. A number of submissions and further submissions were received on the provisions of the SUB-Subdivision chapter. The submissions received were diverse and sought a range of outcomes; including for example both smaller and larger minimum allotment sizes in the Rural Lifestyle Zone.
27. I consider the following to be the key issues in contention in the chapter:
- Minimum allotment size in the RLZ - Rural Lifestyle Zone;
 - Provision of esplanade reserves;
 - Subdivision in the FUZ - Future Urban Zone;
 - Provision for unit title subdivision;
 - Reverse sensitivity and the Radio New Zealand site in Titahi Bay; and

- Specific issues relating to objectives, policies, rules and standards.

28. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

29. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this chapter.

2 Statutory Considerations

2.1 Resource Management Act 1991

30. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- section 74 Matters to be considered by territorial authority; and
 - section 75 Contents of district plans.
31. As set out in the Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Subdivision. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A.

2.2 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

32. The RMA-EHS gained Royal assent on 20 December 2021.
33. In relation to subdivision, the RMA-EHS includes subdivision of land in the list of related provisions to which an Intensification Planning Instrument (IPI) may amend or include to give effect to the NPS-UD and incorporate the Medium Density Residential Standards (MDRS). Additionally, Schedule 1 of the RMA-EHS includes the following provisions:

2A Subdivision as controlled activity

Subdivision requirements must (subject to section 106) provide for as a controlled activity the subdivision of land for the purpose of the construction and use of residential units in accordance with clauses 2 and 3.

[...]

4 Certain notification requirements precluded

(3) Public and limited notifications of an application for a subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of residential units described in subclause (1) or (2).

[...]

Subdivision requirements

5 General subdivision requirements

Any subdivision provisions (including rules and standards) must be consistent with the level of development permitted under the other clauses of this schedule, and provide for subdivision applications as a controlled activity.

6 Further rules about subdivision requirements

Without limiting clause 5, there must be no minimum lot size, shape size, or other size-related subdivision requirements for the following:

(a) any allotment with an existing residential unit, if—

(i) either the subdivision does not increase the degree of any non-compliance with the density standards in the district plan (once incorporated as required by section 77F) or land use consent has been granted; and

(ii) no vacant allotments are created:

(b) any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently if the applicant for the resource consent can demonstrate that—

(i) it is practicable to construct on every allotment within the proposed subdivision, as a permitted activity, a residential unit; and

(ii) each residential unit complies with the density standards in the district plan (once incorporated as required by section 77F); and

(iii) no vacant allotments are created.

7 Rules about common walls

For the purposes of clause 6(a)(i), if a subdivision is proposed between residential units that share a common wall, the requirements as to height in relation to boundary in the district plan (once incorporated as required in section 77F) do not apply along the length of the common wall.

34. The PDP already largely meets the requirements of the RMA-EHS for the purposes of subdivision:

- Other than within certain overlays, the SUB – Subdivision chapter enables subdivision as a controlled activity where relevant standards are met and therefore gives effect to clause 2A;
- SUB-R4 enables subdivision around existing lawfully established buildings or buildings approved or part of a resource consent application where no vacant allotments are created, and does not require compliance with SUB-S1 which sets a minimum allotment size and shape. SUB-R4 therefore gives effect to clause 6; and
- The height in relation to boundary standards in the zone chapters include an exemption for multi-unit housing residential units and retirement villages so that the height in relation to boundary standard only applies at the external boundary of the site. This exemption therefore gives effect to clause 7.

35. Clauses 4 and 5 relating to notification preclusion and general subdivision requirements will be considered through the variation required to give effect to the NPS-UD.

2.3 Section 32AA

36. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

37. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the SUB-Subdivision chapter is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

2.4 Trade Competition

38. No consideration of trade competition has been given with respect to the SUB-Subdivision.
39. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

40. There were approximately 183 original submission points received on the SUB - Subdivision chapter. Additionally, 81 further submissions are addressed within the report.
41. Common themes that have arisen from the submissions as follows:
- The minimum allotment size within the RLZ - Rural Lifestyle Zone, with a number of submissions seeking that a minimum of one hectare and an average of two hectares be set in the standards, rather than the current two hectare minimum. Other submissions seek a larger minimum allotment size be set;
 - The requirement for esplanade reserves, their width and location, and whether they can be substituted with esplanade strips;
 - The requirements for subdivision of land within the FUZ - Future Urban Zone;
 - Provision for unit title subdivision;
 - Reverse sensitivity and the Radio New Zealand site in Titahi Bay; and
 - Provision specific submission points requesting changes to the wording of objectives, policies, rules and standards.

3.1.1 Report Structure

42. Submissions on the SUB-Subdivision chapter raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
43. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
44. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.
45. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.
46. This report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1.

3.1.2 Format for Consideration of Submissions

47. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:
- Matters raised by submitters;
 - Assessment;
 - Summary of recommendations; and
 - Section 32AA assessment.
48. The recommended amendments to the relevant chapter are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.
49. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
50. Note that there are further submissions that support submissions in their entirety:
- The further submission from Forest and Bird [FS52] supports the submission from the Director-General of Conservation [126], Queen Elizabeth II National Trust [216] and GWRC [137] in their entirety; and
 - The further submission from Queen Elizabeth II National Trust [FS06] supports the submission from Director-General of Conservation [126] and Forest and Bird [225] in their entirety.
51. In these cases, recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.

3.2 General Submissions

3.2.1 Matters raised by submitters

52. Kenneth Betteridge [240.1] seeks that the subdivision rules be amended to provide greater flexibility to provide more natural sizes to fit with natural features and land use, for the reason that there will be a change in the population, and long term planning is needed to meet the new projections.

3.2.2 Assessment

53. The submitter has not provided any specific amendments sought, or evidence or evaluation that an amendment would be more appropriate than the notified provisions. This makes the scope of any amendments to give effect to the decision sought very difficult to determine.
54. However, I note that at a very general level, I disagree with the submitter that the rules need to be amended to provide for greater flexibility. The submitter's point is addressed in the Section 32 Evaluation Report Part 2 – Subdivision, which identifies that the subdivision provisions in the PDP are more flexible than those in the ODP.
55. The rules as proposed in the PDP are generally more flexible than the ODP as, outside of overlays, they largely enable subdivision as a controlled activity when the relevant standards are met. This

also provides greater certainty for landowners. Matters to consider when these standards are not met are set out in the policies.

3.2.3 Summary of recommendations

56. I recommend for the reasons given in the assessment, that the submission from Kenneth Betteridge [240.1] be **rejected**.
57. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.3 Minimum allotment size in the RLZ – Rural Lifestyle Zone

3.3.1 Matters raised by submitters

58. There were 22 submissions on the minimum allotment size in the RLZ - Rural Lifestyle Zone, including the following:
 - Use of an average allotment size mechanism;
 - Reducing the minimum allotment size; and
 - Increasing the minimum allotment size.
59. Nigel Walsh [33.1], Anita and Fraser Press [253.2, 253.17], Graham and Janet Reidy [234.2], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.8], Trustees of the Blue Cottage Trust [210.7], Ron Lucas [140.1], Graham and Janet Reidy [234.17], Jason Alder [232.8], Quest Projects Limited [233.17], James Mclaughlan [237.17], John Carrad [231.18], and Carolyn Vasta and Carole Reus [230.9] all requested that the minimum allotment size be amended to provide for a minimum of one hectare, with an average allotment size of two hectares. A range of reasons are provided; stating that an earlier draft of the PDP provided for the averaging of allotments, noting that it will provide greater opportunity for rural living for Porirua residents; stating that the one-hectare minimum and two-hectare average would better allow for landscape values of natural landform and features to be taken into account in subdivision design.
60. Craig Parker [54.1] seeks the provisions allow for an averaging across the larger lot using a ratio as a mechanism for determining minimum allotment size, stating that this will provide a more flexible approach which will better fit with the context of the site.
61. Bill McGavin [42.2, 42.4] and Terence Price [22.1] seek that the minimum allotment size be decreased to one hectare. No reasons are given for the decisions sought.
62. John and Shirley Cameron [196.1] seek the minimum allotment size for properties off Motukaraka Point Road be increased to three hectares. The reasons given relate to the soil conditions, rural amenity, heritage values and lack of servicing.
63. Jalna Wilkins [40.1] seeks that the minimum allotment size be increased to 3.5 hectares, stating that proposed two-hectare limit is too small and will not protect the rurality and open green space.

64. Waka Kotahi [82.140] seeks that the minimum allotment size be amended to five hectares, stating that the reason for the larger minimum allotment size is due to the location of a significant portion of the zone away from the urban periphery, resulting in reliance on private vehicles for transport, difficulty in assessing cumulative impacts, misalignment with the Porirua Growth Strategy 2048, and reliance on the State Highway network impacting on the ability to effectively deliver the safety outcomes and improve the level of service on these routes.
65. Jill Weeks [255.1] and Jill and Andrew Weeks [254.2] seek reconsideration of changing the minimum allotment size from the existing five hectare minimum, stating a range of reasons including an insignificant impact on housing supply, and adverse effects on primary production capacity, supporting infrastructure, and the rural nature of the area, particularly Motukaraka Point.

3.3.2 Assessment

3.3.2.1 RLZ - Rural Lifestyle Zone overview

66. The overall area of the RLZ - Rural Lifestyle Zone is approximately 2,535.3 hectares, being approximately 13.9 percent of the area of Porirua City. A large proportion of the RLZ - Rural Lifestyle Zone is located to the northeast of the Pāuatahanui Inlet roughly following the alignments of Paekākāriki Hill Road and Flightys Road, around the northern growth area south of Pukerua Bay, east of Hongoeka, and another smaller area to the west of the Porirua Scenic Reserve, as shown in Figure 1 below.
67. There are currently approximately 354 parcels that may have the potential to be developed² within (or partially within) the Rural Lifestyle Zone, with a total land area of approximately 2,018 hectares making up approximately 11.5 percent of the district.³ This results in a mean parcel size within the Rural Lifestyle Zone of approximately 5.7 hectares. However, there are a number of smaller properties within the zone area, resulting in a median parcel size of just over five hectares.

² This number is the total number of parcels (463) minus Rail, Road and Hydro parcels, and any that have statutory actions identified.

³ This is the area of those parcels within the RLZ. In approximately 58 cases, parcels may be 'split zoned', in which case only the area of the RLZ within the parcel has been counted.

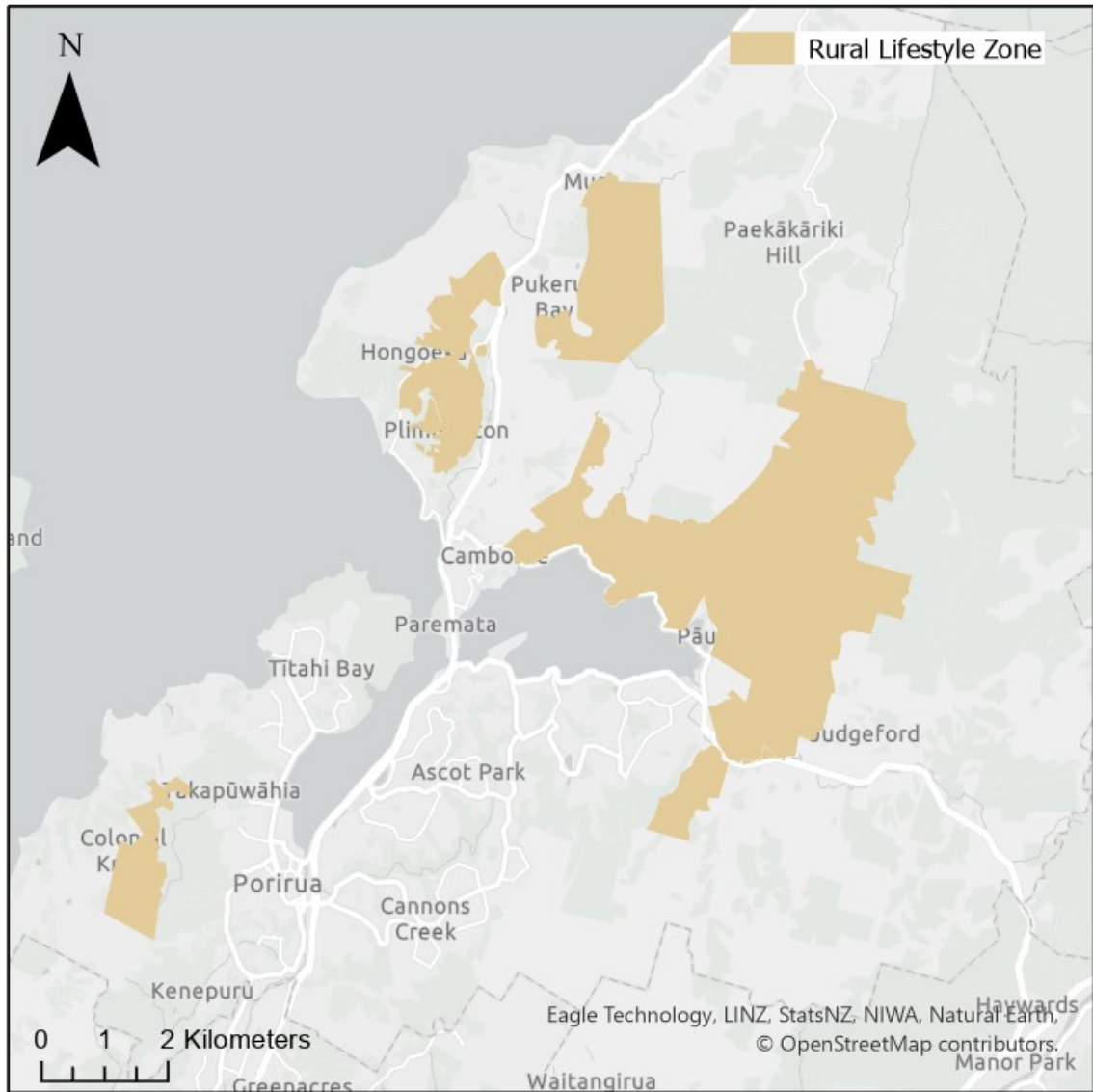


Figure 1: RLZ - Rural Lifestyle Zone

68. The size distribution of existing allotments within the Rural Lifestyle Zone is shown in Figure 2 below.

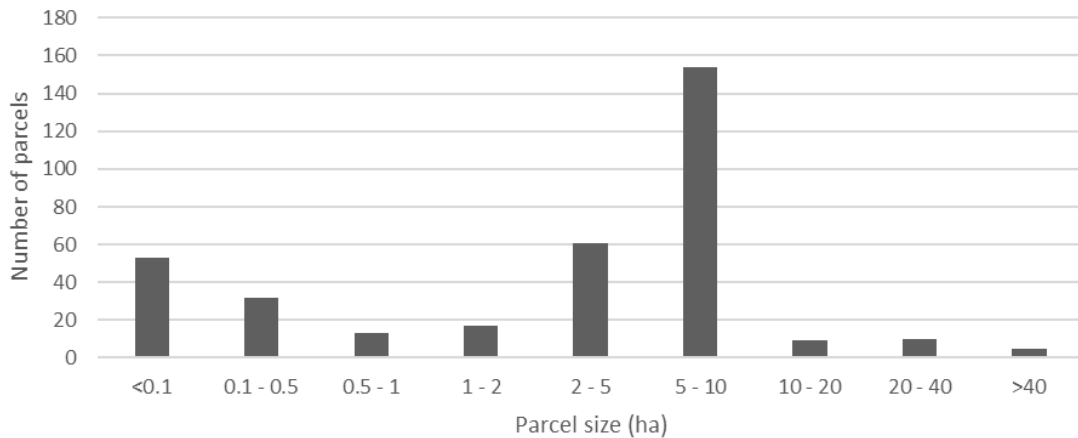


Figure 2: Parcel size distribution in the RLZ

69. The size distribution of parcels in the Rural Lifestyle Zone is therefore predominantly in the five-to-ten-hectare range.
70. I note that Policy 56 of the RPS is particularly relevant to the subdivision of land in rural areas, which states:

Policy 56: Managing development in rural areas – consideration

When considering an application for a resource consent or a change, variation or review of a district plan, in rural areas (as at March 2009), particular regard shall be given to whether:

(a) the proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals;

(b) the proposal will reduce aesthetic and open space values in rural areas between and around settlements;

(c) the proposal's location, design or density will minimise demand for non-renewable energy resources; and

(d) the proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development; or

(e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.

71. This policy was considered in section 4.12 of the Section 32 Report Part 2: Subdivision.

3.3.2.2 Average allotment size mechanism

72. A number of submitters have sought that the SUB – Subdivision chapter provide for subdivision of allotments within the Rural Lifestyle Zone with an average allotment size of two hectares, and minimum of one hectare (identified in paragraphs 59 and 60 above).
73. I note that the document 'Porirua City Council Rural-Residential Zoning Options'⁴ recommended an average allotment size of two hectares, and minimum of one hectare. However, this document also recommended a restricted discretionary activity status for subdivision within the RLZ – Rural Lifestyle Zone. The PDP provides for subdivision within the RLZ – Rural Lifestyle Zone as a controlled activity, with a two-hectare minimum allotment size set out in SUB-S1.
74. While I acknowledge the common reason put forward that an averaging mechanism would enable more flexibility in subdivision design is generally correct, I consider that providing for an average allotment size of two hectares with a one-hectare minimum allotment size, as requested, would likely result in multi-stage subdivisions occurring to maximise the number of new allotments. For example, as described in the Section 32 Evaluation Report Part 2 – Subdivision, this could occur where a five-hectare block is subdivided first into two allotments, one being one hectare and the other being four hectares. A second subsequent subdivision of the new four-hectare lot into two, two-hectare allotments could then occur, resulting in three total allotments.

⁴ Land Matters, 2020, Porirua City Council Rural-Residential Zoning Options

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75. The averaging mechanism therefore provides an additional allotment, compared to a requirement for two-hectare minimum allotment size, with no averaging mechanism. I agree with the analysis presented in the Section 32 Evaluation Report Part 2 – Subdivision that finds this to be a negative consequence of the averaging mechanism. I do not consider this to be an efficient way to subdivide land and would be a perverse outcome of the requested decision.
76. This negative consequence of the averaging mechanism has particular risks due to the nature of the existing parcel size distribution in the Rural Lifestyle Zone as presented in Figure 2 above. Approximately 98 parcels in the Rural Lifestyle Zone (around 28 percent) are between five and six hectares in size. These are shown spatially in relation to the wider city in the map presented in Figure 3 below. Approximately a third of these parcels are only just over five hectares in size (i.e. between five and 5.1 hectares). It is this size of existing parcel that presents the greatest risk of multi-stage subdivision as described above, as the creation of an additional allotment provides a potentially significant financial return compared to subdivision of larger existing allotments which would result in a higher number of allotments without resorting to the multi-stage approach. It is important to note that the multi-stage approach could also be used for larger lots, potentially resulting in clusters of one-hectare allotments; however, the additional transactional costs of achieving this would be a bigger barrier and therefore I consider the risk is lower, as it would likely be simpler to put forward one subdivision application with a more restrictive activity status.
77. If these allotments between five and six hectares in area were all to be subdivided using the multi-stage method described above, this would result in approximately an additional 100 one-hectare allotments distributed within the areas identified in Figure 3 below.⁵

⁵ Note that the calculations used to inform this analysis excluded allotments which were exactly 6ha in size or above.

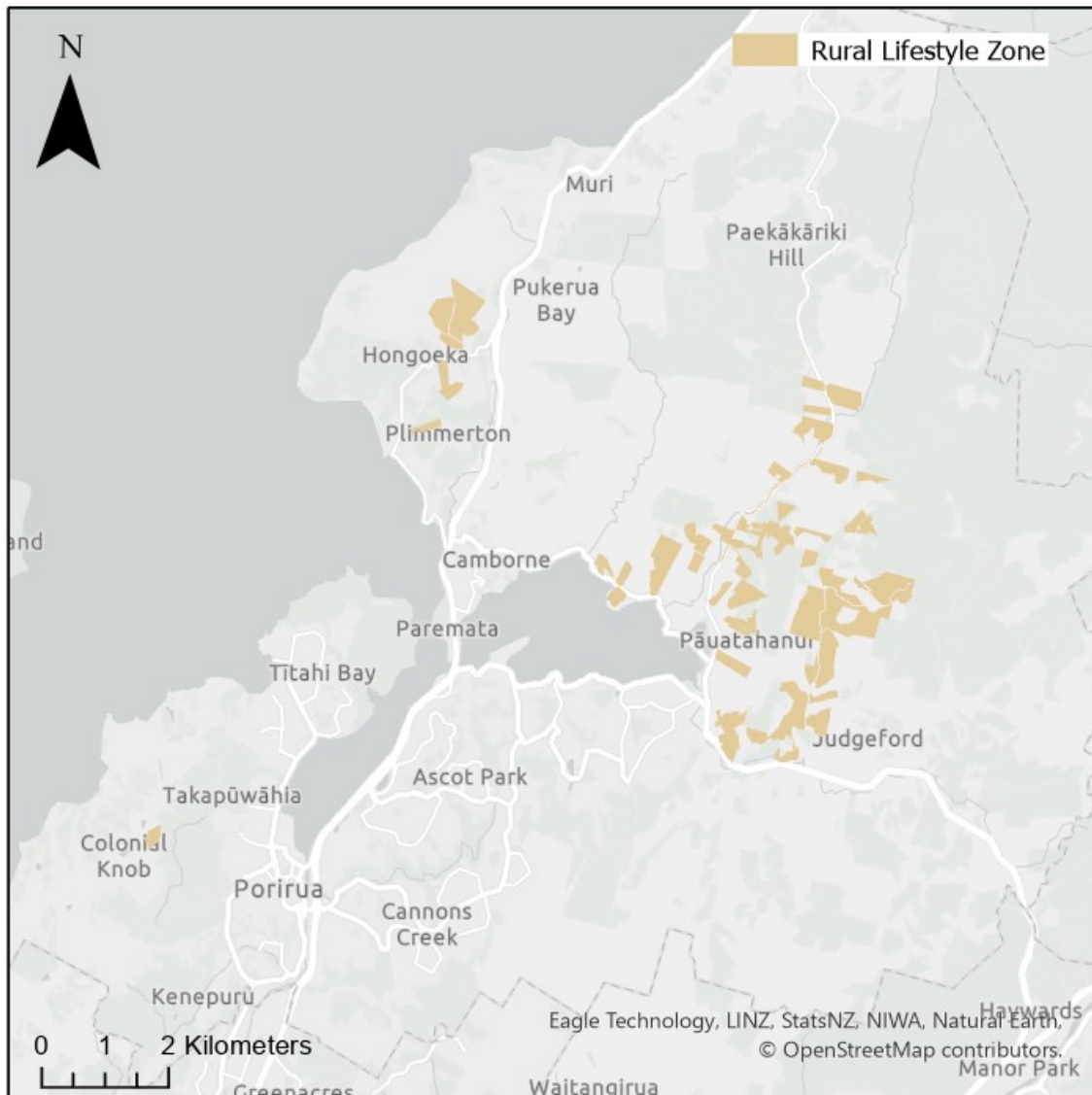


Figure 3: Parcels between 5 and 6 hectares in size in the RLZ

78. The map in Figure 3 shows these allotments are predominantly located in the area of Airlie Road, Paekākāriki Hill Road, and Flightys Road / Fernhill Drive. The report 'PCC Rural Road Assessment'⁶ assessed these roads, and whether they would be able to accommodate the additional traffic generated from rural residential development. This report considered the existing carriageway formation, traffic volumes, road safety, and forecast additional rural residential development and connection to the external primary network. It also considered the impact of the opening of the Transmission Gully motorway, which would redistribute traffic on the network, and the safety improvements to State Highway 58.
79. The PCC Rural Road Assessment report noted that Airlie Road, Paekākāriki Hill Road and Flightys Road were assessed against a forecast additional lot yield of 55 lots, 172 lots and 116 lots respectively (343 lots in total). The additional potential yield of approximately 100 allotments from the requested one-hectare minimum/two-hectare average could therefore represent a

⁶ Stantec, 2020, PCC Rural Road Assessment

significant additional demand on these roads that has not been assessed. No submitters have provided evidence supporting the request showing that these roads would be able to accommodate this additional traffic volume.

80. Additionally, the PDP provides for subdivisions where a vacant allotment does not meet the minimum lot size in SUB-S1 as a discretionary activity. This allows for the potential effects to be considered, including consideration of the matters under SUB-P1 and SUB-P9, and a resource consent granted if the subdivision is appropriate. This therefore provides an appropriate consent pathway for under-sized allotments.
81. I also note that, while the PDP as notified does use an averaging mechanism for subdivision within the Settlement Zone (minimum allotment size of 3,000 square metres with a 1 hectare minimum average), this affects only approximately 36 allotments. Of these existing allotments, only five are greater than two hectares, and approximately 24 are already less than 3,000 square metres in size. As such, the potential for adverse effects from the multi-stage subdivision approach described above is very low.
82. Therefore, overall, I consider that the requested one-hectare minimum with a two-hectare average in the RLZ – Rural Lifestyle Zone is not an appropriate subdivision allotment size mechanism.

3.3.2.3 Smaller minimum allotment size

83. The submissions which sought smaller minimum allotment size specified a requested minimum allotment area of one hectare.
84. As noted in the Section 32 Evaluation Report Part 2 – Subdivision, a two-hectare minimum was selected because it ensures the zone's character and amenity values are maintained, including a continued low density of residential development. RLZ-O2 sets out these character and amenity values, stating:

RLZ-O2 Character and amenity values of Rural Lifestyle Zone

The predominant character and amenity values of the Rural Lifestyle Zone are maintained, which include:

- 1. Low-density residential living on rural lifestyle blocks and small-scale primary production;*
- 2. A diversity of topography and land quality, including open space, rolling/rugged terrain, and vegetated landscapes interspersed by farm buildings, structures and residential units; and*
- 3. A general absence of urban infrastructure.*

85. I note that the section 42A report for the Rural Zones prepared by Mr Torrey McDonnell does not recommend any amendments to this objective.
86. As shown in Figure 2 above, approximately 115 existing parcels in the Rural Lifestyle Zone (around 32 percent) are below two hectares in size; however, while being a significant proportion of the number of allotments in the zone, being small in area these make up a relatively small cumulative area of the zone. Additionally, a number of these are located in clusters on Motukaraka Point and along The Track, reducing the overall impact on the character and amenity of the wider zone area.

87. Using the same calculation as used for the theoretical yield above, a minimum lot size of one hectare could theoretically yield an additional 1,631 additional allotments in the Rural Lifestyle Zone. This is significantly higher than the estimate used in the report 'PCC Rural Road Assessment', which assumed a total of 756 additional lots from rural residential subdivision. As such, there may also be a real risk from additional traffic volumes on the rural roads providing access to these additional allotments.
88. As noted above, the PDP provides a consent pathway as a discretionary activity for consideration of under-sized allotments created through subdivisions.
89. Therefore, I consider that reducing the minimum allotment size to one hectare would risk the character and amenity values of the zone being eroded, may present a significant risk in terms of rural road capacity and related traffic safety effects, and would not be appropriate.

3.3.2.4 Larger minimum allotment size

90. Waka Kotahi [82.140] and Jill Weeks [255.1] and Jill and Andrew Weeks [254.2] seek a five-hectare minimum allotment size in the Rural Lifestyle Zone. Jalna Wilkins [40.1] seeks a 3.5 hectare minimum.
91. I note that, contrary to what is included in the reasons put forward in the submissions, the current minimum allotment size in the ODP's Rural Zone is a minimum of 40 hectares as a controlled activity, with a minimum 5 hectare size as a discretionary activity.
92. In relation to the reasons put forward by Waka Kotahi [82.140], the Section 32 Evaluation Report Part 2 – Rural Zones considered the rural road environment, stating that, '[t]he suitability of transportation infrastructure is a key constraint on development in the rural area'. The report 'PCC Rural Road Assessment', as discussed above, was used to inform the location of the Rural Lifestyle Zone areas. The submitter, while raising concerns regarding cumulative effects and reliance on single occupancy private use vehicles on the State Highway network, has not provided any evidence to contradict the evaluation in the Rural Road Assessment Report that rural residential development in these areas is appropriate from a transport network perspective. As such, I do not consider that the arguments of the submitter are valid.
93. In relation to the concerns raised by Jill Weeks [255.1], Jill and Andrew Weeks [254.2] and Jalna Wilkins [40.1] about the amenity and rural nature of the Rural Lifestyle Zone area, as discussed in the Section 32 Report Part 2 – Subdivision the two-hectare minimum allotment size was specifically selected because it would protect rural character. Proposed subdivisions which meet this minimum allotment size will still be required to gain resource consent as a controlled activity. The relevant matters of control include the matters listed in SUB-P1, which relevantly includes providing for subdivision where it results in allotments that, '[r]eflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone'. As identified above the relevant objective of the zone includes '[l]ow-density residential living on rural lifestyle blocks and small-scale primary production' as the predominant character and amenity values of the Rural Lifestyle Zone.
94. In relation to the opposition expressed by Jill and Andrew Weeks [254.2], while the submission reasons relate primarily to reduced setbacks in the Motukaraka Point area, the decision sought relates to the minimum allotment size. The minimum allotment size is not of particular relevance in the Motukaraka Point area, as only one existing allotment is larger than two hectares (Lot 2

DP 52378), and that allotment also has overlays identified on it which would make subdivision a restricted discretionary activity.

95. Specifically in relation to the requested five-hectare minimum allotment size, as identified in Figure 2 above, only approximately 24 of the existing parcels within the zone are more than 10 hectares in size (noting that 10 hectares is the minimum area required to subdivide where the minimum allotment size is five hectares). These allotments are identified spatially in Figure 4 below. While these allotments have a total cumulative area of approximately 806 hectares, which would equate to a potential yield of approximately an additional 137 allotments if subdivided at a five hectare minimum, due to the variable sizes of these allotments, the actual potential yield is only approximately an additional 124 allotments.
96. Similarly, a minimum allotment size of 3.5 hectares, as sought by Jalna Wilkins [40.1], requiring a minimum seven-hectare parent lot, would result in a theoretical yield of only 196 additional allotments in the Rural Lifestyle Zone.

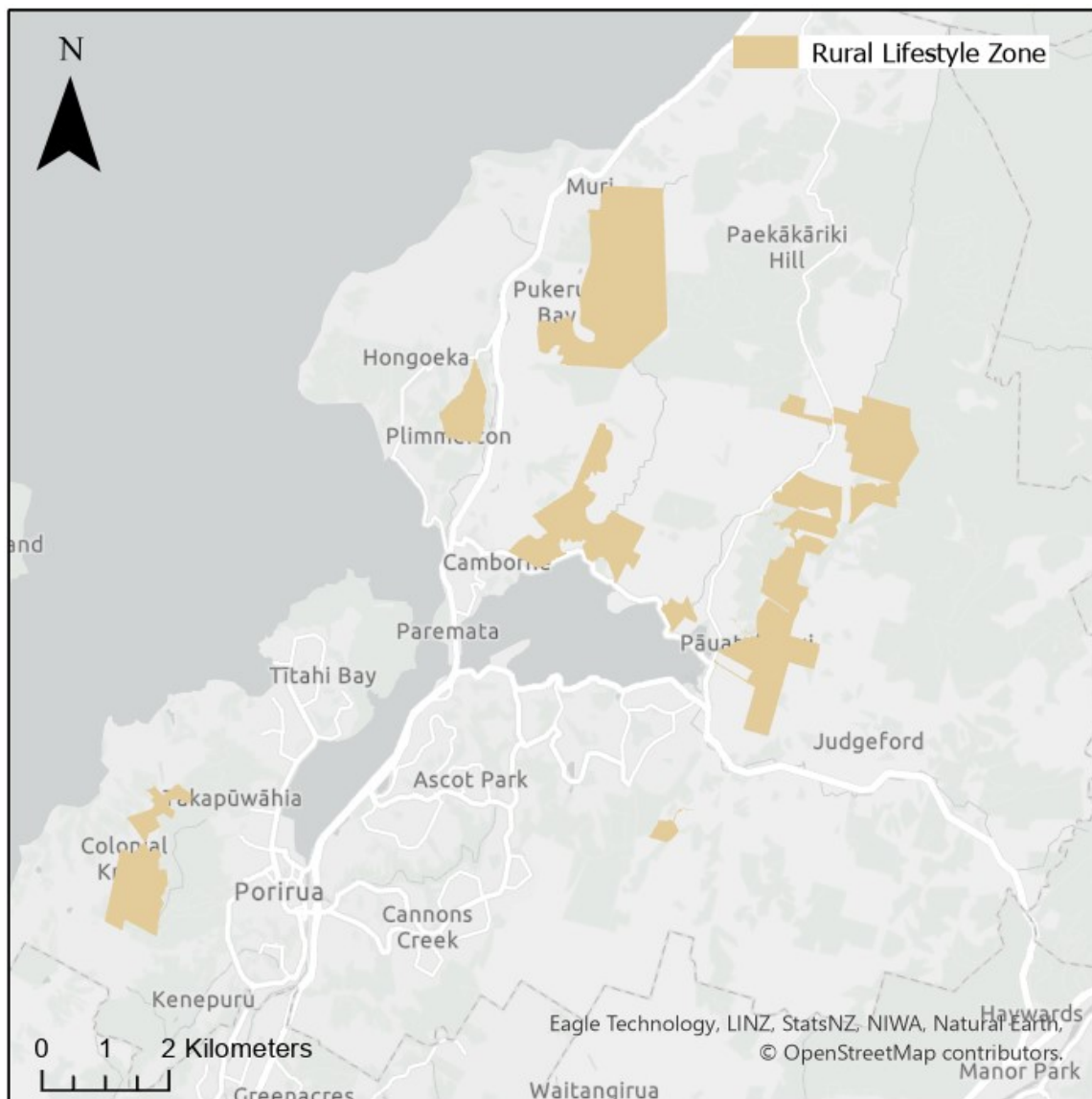


Figure 4: Parcels greater than 10 hectares in area in the RLZ

97. For comparison, the potential theoretical yield of the various scenarios discussed in the sections above are presented in Table 4 below. Note that these estimates rely on a relatively basic calculation, with no land area provision assumed for matters such as infrastructure or vehicle access or consideration of overlays that may affect subdivision such as SNAs, and therefore provides only a relative comparison of the various minimum allotment sizes sought by submitters rather than actual anticipated yields.

Table 4: Theoretical yields from different minimum subdivision allotment size

Scenario	Theoretical Yield (additional allotments)
Reduced minimum allotment size (1ha)	1,631
1ha minimum with 2ha average	725 ⁷
Proposed District Plan (2ha)	625
Increased minimum allotment size (3.5ha)	196
Increased minimum allotment size (5ha)	124

98. As shown in Table 4, using the same calculation as used for the theoretical yields above, the minimum lot size of two hectares proposed in the PDP could theoretically yield an additional 625 additional allotments in the Rural Lifestyle Zone. This is roughly comparable with the estimate used in the Rural Road Assessment report which assumed a total of 756 additional lots.
99. The larger minimum allotment sizes proposed would likely result in a significant reduction in the theoretical potential yield of additional allotments within the Rural Lifestyle Zone, with the requested five hectare minimum resulting in an approximate reduction of 500 allotments.
100. Additionally, I note that the theoretical yields above are based on the maximum potential additional allotments if all existing allotments of sufficient size were subdivided through the controlled activity status rule, meeting the minimum allotment size standard. This is unlikely to occur, as only a proportion of landowners will seek subdivision of their land and there are a range of other constraints on subdivision that have not been taken into account as discussed earlier.
101. I therefore consider that increasing the minimum allotment size would significantly constrain the supply of lifestyle living environments, which would not be consistent with the strategic direction RE-O2.
102. Overall, I therefore consider that the requested increase in the minimum allotment size in the Rural Lifestyle Zone is not appropriate as it would significantly constrain the availability of lifestyle living environments in the future, while also not providing any significant benefits in terms of transport network safety and efficiency, or the area's amenity and character values.

3.3.3 Summary of recommendations

103. I recommend for the reasons given in the assessment, that the submissions from Nigel Walsh [33.1], Anita and Fraser Press [253.2, 253.17], Graham and Janet Reidy [234.2], Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust [211.8], Trustees of the Blue Cottage Trust [210.7], Ron Lucas [140.1], Graham and Janet Reidy [234.17], Jason Alder [232.8], Quest

⁷ This estimate only includes additional allotments from multi-stage subdivision generated from allotments within the 5-6 hectare range and is therefore may be a significant underestimation.

Projects Limited [233.17], James Mclaughlan [237.17], John Carrad [231.18], and Carolyn Vasta and Carole Reus [230.9], Craig Parker [54.1], Bill McGavin [42.2, 42.4], Terence Price [22.1], John and Shirley Cameron [196.1], Jalna Wilkins [40.1], Waka Kotahi [82.140], Jill Weeks [255.1] and Jill and Andrew Weeks [254.2] be **rejected**.

104. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 Esplanade Reserves

3.4.1 *General esplanade reserve submissions*

3.4.1.1 *Matters raised by submitters*

105. Two submissions raised general matters relating to esplanade reserves, including the following:

- Ron Lucas [139.1, 139.2, 139.3] states that SUB-S8 should allow the provision of esplanade strips in lieu of the creation of esplanade reserves as a discretionary activity;
- Ron Lucas [139.4] also suggests that Council develop a policy on the width of esplanade reserves and/or strips in relation to the Pāuatahanui and Horokiri Streams; and
- Diane Strugnell [71.5] seeks that SUB-P12 be amended to remove the word 'only' from the start of the policy. The reasons for this are stated as including the impracticality of the resulting esplanade reserve areas, which are not contiguous and create issues for their management by Council and adjacent landowners. Esplanade strips are stated as being more practical.

106. The reasons given by Ron Lucas for all submission points [139.1, 139.2, 139.3 and 139.4] is to enable sensible subdivision within the Rural Lifestyle Zone.

3.4.1.2 *Assessment*

107. In relation to the submission points from Ron Lucas [139.1, 139.2, 139.3] I note that non-compliance with SUB-S8 results in the requirement for a resource consent for subdivision being elevated from a controlled activity to a discretionary activity under SUB-R3-5⁸ or SUB-R4-3⁹. This allows consideration of the matters listed in SUB-P12, which sets out criteria for the provision of esplanade strips instead of reserves. Therefore, the PDP already sets out a framework for the provision of esplanade strips in lieu of reserves as a discretionary activity, as sought by the submitter, and no amendments are required.

108. In relation to the submission from Ron Lucas [139.4] suggesting that Council develop a policy on the width of esplanade reserves and/or strips in relation to the Pāuatahanui and Horokiri Streams, I consider that this could be a useful addition to the PDP in the future to assist in providing consistent riparian access areas along rivers and stream in Porirua. This type of approach has been used in other plans, including the Christchurch District Plan where certain

⁸ Where vacant allotments are created

⁹ Where the subdivision is around existing lawfully established buildings or buildings approved or part of a resource consent application and no vacant allotments are created

waterbodies are identified in a schedule with a set width of esplanade reserve or strip required, and this may differ along the length or sides of the waterbody. However, this approach would require a substantial amount of additional work to be undertaken to develop such a schedule for Porirua. Until such work could be undertaken, I consider that the minimum of a 20 metre esplanade reserve under SUB-S8 provides adequate provision for such areas under the PDP.

109. In relation to the submission from Diane Strugnell [71.5], as discussed above non-compliance with SUB-S8 allows for consideration of an esplanade strip instead of a reserve as a discretionary activity. I do not consider that the removal of the word 'Only' from the start of SUB-P12 achieves the apparent outcome sought by the submitter, which is to enable esplanade strips in lieu of reserves. I consider that the criteria in SUB-P12 provides a robust framework under which to consider the provision of an esplanade strip in lieu of a reserve, or a reduction or waiver in the width or provision of any esplanade reserve or esplanade strip, to achieve the purposes of esplanade reserves and esplanade strips set out in section 229 of the RMA. As such, I consider that no amendments are necessary.

3.4.1.3 *Summary of recommendations*

110. I recommend that the submissions from Ron Lucas [139.1, 139.2, 139.3] be **accepted in part**, noting that no changes are required to the PDP as a result; and

111. I recommend that the submissions from Ron Lucas [139.4] and Diane Strugnell [71.5] be **rejected**.

3.4.2 **SUB-S8**

3.4.2.1 *Matters raised by submitters*

112. Two submissions raised matters specifically related to the wording of the requirements for esplanade reserves in SUB-S8. The matters raised are:

- Robyn Smith [168.93] raises that the standard uses the word 'adjoins'. The submitter states that it could be argued that the standard does not apply to situations where the river flows through, or the line of MHWS crosses through, the land being subdivided. An amendment to the standard is sought which would include the phrase "where any part of the land adjoins or encompasses"; and
- Linda Dale [247.16] raises an issue in that the coastal area is often built up to the seaward boundary. The submitter states subdivision is commonly sought to create an empty section behind an original building, and that this is difficult to do with a mandatory 20 metre esplanade reserve as this is often where current buildings are located. The submitter requests that the standard be amended to require an esplanade reserve of up to 20 metres wide, rather than 20 metres being a minimum as currently worded.

3.4.2.2 *Assessment*

113. In relation to the submission from Robyn Smith [168.93], I agree that the wording of SUB-S8 is deficient in that it only refers to the creation of esplanade reserves where subdivision creates one or more sites less than 4ha which 'adjoins' the line of MHWS or the bank of a river whose bed has an average width of 3m or more.

114. The wording of relevant rule clauses for the creation of new allotments includes, '[w]here the site shares a boundary with, *or contains*, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8.'¹⁰ (emphasis added). While this clearly indicates that the creation of allotments which contain the bank of a river whose bed has an average width of 3m or more are also subject to the standard, I consider that the wording of SUB-S8 should be amended to avoid any interpretation or implementation issues. I consider that this can be achieved by amending clause SUB-S8-1.b to also refer to where the river flows through or adjoins an allotment.
115. In relation to the submission from Linda Dale [247.16], while subdivision of existing allotments along the coastal edge may be proposed which would result in some existing buildings being within the area of an esplanade reserve of 20 metres width as required by SUB-S8, I do not agree that this necessitates the requested amendment to change the wording of the standard for esplanade reserves to being 'up to 20m wide'.
116. I consider that the requested wording is inappropriate, as it would allow for any width of esplanade reserve 'up to 20m wide' to be proposed in subdivision applications, and still meet the standard. In effect, it does not set a minimum standard at all. It would also result in subdivision applications which propose esplanade reserves greater than 20 metres in width to be non-compliant with the standard, which is contrary to the outcomes sought through SUB-O3.
117. The consequences of not complying with SUB-S8 in relation to resource consent requirements are discussed above. As noted, I consider that the requirement for a resource consent as a discretionary activity provides an appropriate and proportionate consideration of the actual and potential effects of subdivision proposals which do not meet the standard set out in SUB-S8.
118. I note that the standard should refer to 'allotments' rather than sites, to be consistent with section 230 of the RMA. I consider that this amendment can be made under Clause 16 of Schedule 1 of the RMA as a minor amendment.

3.4.2.3 Summary of recommendations

119. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** standard SUB-S8 as set out below and in section Appendix A;

SUB-S8	Esplanade Reserve	
All zones	1. Any subdivision involving the creation of one or more sites allotments less than 4ha which adjoins: <ol style="list-style-type: none"> The line of MHWS; or The bank of a river whose bed has an average width of 3m or more where the river flows through or adjoins an allotment [...]	There are no matters of discretion for this standard.

¹⁰ SUB-R3-1.b and SUB-R4-1.b

120. I recommend that the submissions from Robyn Smith [168.93] be **accepted in part**.

121. I recommend that the submissions from Linda Dale [247.16] be **rejected**.

3.4.2.4 Section 32AA evaluation

122. In my opinion, the amendment to SUB-S8 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The amendment will clarify the applicability of the standard to certain situations where rivers flow through a site, and will make this consistent with other provisions in the PDP. Consequently, the amendment will have interpretative, and therefore administrative, benefits, and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.5 Subdivision in the FUZ – Future Urban Zone

123. The provisions for the FUZ - Future Urban Zone in the SUB-Subdivision chapter include SUB-O4 and SUB-P7. SUB-R1-7, SUB-R3-8, SUB-R4-6 and SUB-R5-7 all specifically relate to subdivision of land in the FUZ - Future Urban Zone and make this a non-complying activity where the minimum allotment size is not achieved.

3.5.1 SUB-O4

3.5.1.1 Matters raised by submitters

124. There were six submissions on the objective for subdivision in the FUZ – Future Urban Zone, including the following:

- Enabling flexibility for funding and investment;
- Enabling servicing of new allotments where the impact on existing infrastructure is minimised; and
- Removing reference to Judgeford Hills in the objective.

125. The Neil Group Limited and Gray Family [241.16], Pukerua Property Group Limited [242.7] and John Carrad [231.16] seek amendments to the objective to provide for subdivision within the FUZ – Future Urban Zone which supports investment in new urban development. The submitters' reasons include that there is a need to provide for flexibility for investment and funding options for landowners and developers, and to allow for servicing of allotments where the impact on current infrastructure can be minimised.

126. Waka Kotahi [82.133] seeks deletion of the reference to Judgeford Hills in the objective, stating that this is for reasons outlined in its submission on the FUZ - Future Urban Zone.

127. I note that while Judgeford Environmental Protection Society Incorporated [246.4] also submitted on the objective, the decision sought is not relevant to the objective, and is dealt with in the FUZ-Future Urban Zone section 42A report.

3.5.1.2 Assessment

128. In relation to the submissions from The Neil Group Limited and Gray Family [241.16], Pukerua Property Group Limited [242.7] and John Carrad [231.16], the amendments sought would change the intent of the objective from preventing fragmentation of land within the FUZ - Future Urban Zone, to essentially seeking subdivision in the FUZ – Future Urban Zone for servicing of residential development where it 'support[s] investment and funding of new urban development'.
129. I consider that these amendments would be contrary to the intent of the objective, which is to give effect to strategic direction UFD-O1, 'Porirua grows in a planned, compact and structured way'. SUB-O4 gives effect to UFD-O1 by seeking that the fragmentation of land through subdivision does not compromise the intended future use of the area. These objectives in the PDP give effect to the RPS, which at Policy 55 states that particular regard shall be given to whether a structure plan has been prepared for urban development beyond the region's urban areas (as at March 2009). By seeking to allow for subdivision, as sought in the submissions, and taking into consideration the consequential amendments to the cascade of policies, rules and standards that give effect to this objective, there is a high likelihood that uncoordinated development would occur within the FUZ - Future Urban Zone area.
130. I do not consider that the reasons given by the submitters, that flexibility for investment and funding is needed, are well-founded. The purpose of the FUZ - Future Urban Zone is to identify future urban growth areas. The process for re-zoning of the FUZ - Future Urban Zone areas to urban zones is through a Structure Plan in accordance with Appendix 11 – Future Urban Zone Structure Plan Guidance. This process may be developer-led, or Council-led. Proceeding with small, piecemeal development prior to this process on the basis of providing for investment and funding for future development is likely to be counterproductive.
131. Additionally, the position put forward that servicing can be provided 'where the impact on current infrastructure can be minimised', is also contrary to the intent of the objective. A significant advantage of taking a structured, planned approach to urban development is the ability to plan and provide for the infrastructure services to support that development. The amendments sought would enable the status quo of uncoordinated, piecemeal development which leads to increasing pressure on existing infrastructure.
132. I note that the wording sought would also appear to be contrary to clauses (d) and (e) of Policy 56 of the RPS. That policy states that for development in rural areas, particular regard shall be given to whether a proposal is consistent with the relevant city or district council growth and/or development framework or strategy that addresses future rural development, and in the absence of a growth framework or strategy, whether the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity. The FUZ - Future Urban Zone is not defined as an urban zone, and therefore is considered to be rural. As the growth framework set up by the FUZ – Future Urban Zone and structure planning process is reliant on the rezoning of any FUZ - Future Urban Zone area prior to urban development occurring in that area, urban development occurring within the FUZ - Future Urban Zone before that is in place would appear to be inconsistent with the framework, and therefore clause (d). Additionally, the wording of 'minimising' the impact on existing infrastructure would not seem to be consistent with clause (d), as minimising the impact may still result in the exceedance of the existing capacity.
133. I therefore consider that the amendments sought by The Neil Group Limited and Gray Family [241.16], Pukerua Property Group Limited [242.7] and John Carrad [231.16] to SUB-O4 are not

appropriate. I note that the submitters have also sought provision for urban development as a discretionary activity in the FUZ – Future Urban Zone. This is addressed in the section 42A report for the FUZ - Future Urban Zone.

134. Additionally, the wider submissions from Waka Kotahi [82.133] are also assessed in the section 42A report for the FUZ - Future Urban Zone. That report recommends that Judgeford Hills remains zoned Future Urban as proposed in the PDP. Consequently, the reference to Judgeford Hills in SUB-O4 should not be removed.

3.5.1.3 *Summary of recommendations*

135. I recommend for the reasons given in the assessment, that the submissions from The Neil Group Limited and Gray Family [241.16], Pukerua Property Group Limited [242.7] and John Carrad [231.16] and Waka Kotahi [82.133], be **rejected**.

3.5.2 **SUB-P7**

3.5.2.1 *Matters raised by submitters*

136. The Neil Group Limited and Gray Family [241.18], Pukerua Property Group Limited [242.9] and John Carrad [231.20] seek amendments to SUB-P7 to change the wording to 'manage' rather than 'avoid', and introduce wording to clause four to allow for subdivision that requires significant infrastructure development where that infrastructure is 'otherwise provided for within the development and/or contributed to through fair funding'. The reasons for these amendments are stated as being that the policy is rigid and can be improved through provision of flexibility.

3.5.2.2 *Assessment*

137. The submissions follow the submissions on SUB-O4 from the same submitters, assessed in section 3.5.1 above.

138. As noted above, the submitters seek to change the wording of the policy to 'manage' subdivision rather than 'avoid'. The term 'manage' has no defined meaning under RMA caselaw; however, HSNO Act caselaw comments that 'manage' can mean many things, such as prevent, reduce or avoid. Therefore, I consider that, due to its broad meaning, the term 'manage' is not a useful direction. I consider that 'avoid' is a better term, specifically in the case of SUB-P7, as the clauses included in the policy set out specific circumstances where subdivision would result in significant adverse effects on the future use of the FUZ – Future Urban Zone or on surrounding land uses, and therefore should be prevented from occurring.

139. Additionally, the sought inclusion of the phrase 'does not occur' at the end of the introductory sentence of the policy would seem to effectively result in an 'avoid' policy in any case. The purpose of the amendments sought in relation to the implementation of the policy is therefore questionable, particularly as they would result in a less clear and directive policy.

140. In relation to the amendment sought to clause two of the policy, I also consider that this is not appropriate, as it would result in a less clear and directive policy. The wording includes the phrase 'contributed to through fair funding'. The meaning of this phrase is extremely unclear. As with the amendments sought to SUB-O4 assessed above, it appears that the intention is to provide for the status quo of uncoordinated, piecemeal development through enabling development

within the FUZ - Future Urban Zone in advance of re-zoning through a structure plan process. As noted above, this approach can lead to increasing pressure on existing infrastructure.

141. The amendments sought may also be inconsistent with Policy 55 of the RPS, as they would effectively provide for urban development beyond the existing urban area in advance of a structure plan being prepared.

3.5.2.3 Summary of recommendations

142. I recommend for the reasons given in the assessment, that the submissions from The Neil Group Limited and Gray Family [241.18], Pukerua Property Group Limited [242.9] and John Carrad [231.20] be **rejected**.

3.5.3 Rules and standards

3.5.3.1 Matters raised by submitters

143. The submissions from Victoria and Nick Coad [162.2], Sandra Johnston [89.3], Graham Twist [93.3], Derek and Kristine Thompson [90.3], Magdalena Conradie [44.2] and John Hungerford [76.2] all sought that the restrictions on subdivision for the Judgeford Flats FUZ – Future Urban Zone remain until such time as there is a Structure Plan developed and publicly consulted on. No specific reasons are provided for this position.

144. The Neil Group Limited and Gray Family [241.19 and 241.20], Pukerua Property Group Limited [242.10 and 242.11] and John Carrad [231.21 and 231.22] seek the rules and standards for the FUZ – Future Urban Zone to match the GRUZ – General Rural Zone, with deletion of non-complying activities and replacement with discretionary activity rules. The submitters state that non-complying activity rules and standards requiring a 40-hectare minimum allotment size is restrictive and will not encourage necessary investment for development funding.

3.5.3.2 Assessment

145. SUB-R1-7, SUB-R3-8, SUB-R4-6 and SUB-R5-7 all specifically relate to subdivision of land in the Future Urban Zone and make this a non-complying activity where the minimum allotment size of 40 hectares, as set out in SUB-S1, is not achieved. This gives effect to SUB-P7, particularly clause 6 of that policy, which is to avoid '[f]ragmentation of sites in a manner that may compromise the appropriate form or nature of future urban development'.

146. In relation to the submissions identified in paragraph 143 above, the FUZ – Future Urban Zone in Judgeford Flats is located approximately 400 metres on either side of the Paremata-Haywards Road (State Highway 58), between Murphys Road and Flightys Road in the west, and includes the Judgeford Golf Course in the east. The zone is approximately 93.5 hectares in area and made up of 20 parcels. As set out in strategic objective CEI-O8, it is intended that the area will provide for primarily industrial development.

147. In relation to the submissions from The Neil Group Limited and Gray Family [241.19 and 241.20], Pukerua Property Group Limited [242.10 and 242.11] and John Carrad [231.21 and 231.22], the non-complying activity status of rules relating to the FUZ – Future Urban Zone, I agree that the non-complying activity status is restrictive; that is the intention. However, there will be a future structure plan process which will lead to re-zoning of the FUZ – Future Urban Zone to urban

zones, therefore enabling urban development to occur in a coordinated, efficient and structured way.

148. As assessed above, the submissions from the same submitters also seek to amend SUB-O4 and SUB-P7, with similar reasoning to that provided for the amendments sought to the subdivision rules. These amendments, cumulatively, would appear to be sought to enable subdivision and servicing of allotments within the FUZ - Future Urban Zone prior to the structure plan and re-zoning process taking place. As noted above, this is contrary to the intention of the FUZ - Future Urban Zone and the direction set out in the RPS for urban development of land outside of the existing urban area.
149. I therefore agree with the submissions identified in paragraph 143 above that the restrictions on subdivision in the FUZ - Future Urban Zone, being any subdivision that would result in an allotment less than 40 hectares in area triggering resource consent as a non-complying activity, should remain until such time as a Structure Plan is developed and adopted, and a plan change results in re-zoning of the area in accordance with that Structure Plan. This will ensure that SUB-O4 is achieved and it is consistent with Policy 55 of the RPS.
150. Consequently, and for the same reasons, I disagree with the amendments sought by The Neil Group Limited and Gray Family [241.20], Pukerua Property Group Limited [242.11] and John Carrad [231.22]. I consider that those amendments would not give effect to UFD-O1 or SUB-O4 of the PDP, or Objective 22 and Policy 55 of the RPS.

3.5.3.3 *Summary of recommendations*

151. I recommend for the reasons given in the assessment, that the submissions from Victoria and Nick Coad [162.2], Sandra Johnston [89.3], Graham Twist [93.3], Derek and Kristine Thompson [90.3], Magdalena Conradie [44.2] and John Hungerford [76.2] be **accepted**.
152. I recommend for the reasons given in the assessment, that the submissions from The Neil Group Limited and Gray Family [241.19 and 241.20], Pukerua Property Group Limited [242.10 and 242.11] and John Carrad [231.21 and 231.22] be **rejected**.

3.6 Unit title subdivisions

3.6.1 *Matters raised by submitters*

153. Survey+Spatial [72.10 and 72.3] seeks clarification that unit title subdivision does not fall under SUB-R3 but is controlled by SUB-R4. The submitter also seeks that a provision be included in relation to SUB-R4 that SUB-S1 does not apply to a unit title subdivision.

3.6.2 *Assessment*

154. I agree with the submitter that there is a lack of clarity regarding the applicability of SUB-R4 to unit title subdivisions. SUB-R4 is the logical rule to apply to unit title subdivisions. I consider that this can be rectified by amending the rule heading to include unit title subdivision.
155. However, I disagree with the submitter that a provision is required stating that SUB-S1 does not apply to unit title subdivisions. SUB-S1 is not included in the list of relevant standards under SUB-R4-1.a. Therefore, I consider that it is quite clear that the standard is not relevant to the rule, and no additional statements regarding its applicability are required.

3.6.3 Summary of recommendations

156. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-R4 as set out below and in Appendix A;

SUB-R4	<u>Unit title subdivision and</u> subdivision of land around existing lawfully established buildings (excluding accessory buildings) or buildings (excluding accessory buildings) approved or part of a resource consent application and no vacant allotments are created
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157. I recommend that the submission from Survey+Spatial [72.10] be **accepted**; and

158. I recommend that the submission from Survey+Spatial [72.3] be **accepted in part**.

159. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.4 Section 32AA evaluation

160. In my opinion, the amendment to SUB-R4 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The amendment will clarify the applicability of the rule to unit title subdivisions. Consequently, the amendment will provide greater certainty for plan users, and the rule as a whole will be more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.7 Radio New Zealand reverse sensitivity

3.7.1 Matters raised by submitters

161. RNZ [121.28] seeks that that a new rule requiring any proposed subdivision within 500 metres of RNZ's facilities to be limited notified to RNZ, for the reason that there is the potential for reverse sensitivity effects that may impact on its ability to continue operating its existing facilities.

3.7.2 Assessment

162. The Radio New Zealand transmission facilities are located on Whitireia Peninsula within the wider Whitireia Park area. The closest radio transmission mast is approximately 200 metres from the edge of the GRZ – General Residential Zone properties on Owhiti Street. There is a cluster of buildings associated with the facility approximately 100 metres east of the mast. The second mast is approximately 500 metres from any residentially zoned allotments.

163. The residential area in Titahi Bay to the south of the Radio New Zealand transmission facilities is a suburban area, with relatively large allotment sizes. A number of sites which may fall within the 500-metre radius of the proposed provision contain multi-unit residential development.

164. The submitter identifies the potential reverse sensitivity effects from the location of new activity close to the transmitter facilities as being generated by interference with electronic devices from the transmission of radio waves, and noise from the operation of back-up generators.

165. I note that noise from electricity generators supplying infrastructure is addressed by INF-R20 within the INF-Infrastructure chapter.

166. The submitter seeks that a new rule be included, providing the below as an example:

Where a proposed subdivision activity falls within 500 metres of an existing radiocommunication transmitter site, the Council will notify the operator of that site of the proposal (regardless of whether the Council considers that the effects of the proposal will be minor).

167. I do not consider that such a rule would be appropriate. The submitter has not defined the extent of the 'radiocommunication transmitter site'. If taken to be the transmission mast site itself, there would be a moderate number of sites that would be captured. However, if taken to be the designation extent of the transmission site (RNZ-O1), the proposed rule would capture large swathes of Titahi Bay. This creates a significant level of uncertainty as to the potential impacts of the proposed provision.

168. The submitter has not requested an elevation of the activity status where a site is within the 500-metre radius. As such, as a controlled activity, it is questionable as to what would be achieved through notification of a subdivision consent application to RNZ. I note that SUB-P1, which is referred to for matters of control, contains the following matter:

Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner;

169. This matter would be considered through the resource consent process for any proposed subdivision. The Radio New Zealand facilities are defined as regionally significant infrastructure. As such, I consider that there is already sufficient scope to consider the potential reverse sensitivity effects on the transmission site.

3.7.3 Summary of recommendations

170. I recommend for the reasons given in the assessment, that the submissions from Radio New Zealand Limited [121.28] be **rejected**.

171. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.8 Objectives

3.8.1 SUB-O1

3.8.1.1 Matters raised by submitters

172. Two submissions seek amendments to SUB-O1 to recognise integration with infrastructure.

173. Waka Kotahi [82.131] seeks that an additional clause be added to include that subdivision can connect to a transport network with sufficient and safe capacity. The reasons given include that

subdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity to cater for additional allotments.

174. Radio New Zealand Limited [121.25] seeks that an additional clause be added to include that reverse sensitivity effects on regionally significant infrastructure are to be avoided. The submitter states that subdivision close its existing facilities creates reverse sensitivity effects that may compromise the ability to operate its facilities, particularly if land is being used for sensitive activities.

3.8.1.2 Assessment

175. The reasons for the additional clause sought by Waka Kotahi [82.131] includes stating that, '[s]ubdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity to cater for additional allotments'. The objective already includes the clause '[m]aintain the safety and efficiency of the transport network'. While the additional clause sought includes a greater emphasis on the capacity of the transport network being sufficient, it would seem to be superfluous where the effects of connection of new development to a network which lacks sufficient capacity would relate to the safety of the network, as this is already addressed by the existing clause. Therefore, I do not consider that this amendment is necessary.

176. Similarly, I do not consider that the additional clause sought by Radio New Zealand Limited [121.25] is necessary, as the protection of regionally significant infrastructure is covered comprehensively by INF-O2 in the INF-Infrastructure chapter. That objective directly gives effect to Policy 8 of the RPS. Additionally, reverse sensitivity is addressed implicitly by the existing clause in SUB-O1, '[p]rovide for the health and wellbeing of communities'.

3.8.1.3 Summary of recommendations

177. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.131] and Radio New Zealand Limited [121.25] be **rejected**.

178. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9 Policies

3.9.1 SUB-P1

3.9.1.1 Matters raised by submitters

179. Four submissions raised infrastructure-related matters, including the following:

- Broadening the scope of consideration of effects on regionally significant infrastructure; and
- Water Sensitive Urban Design principles.

180. Waka Kotahi [82.134] seeks that clause four of the policy be amended to include the phrase 'or located near', stating that subdivisions located off side roads are putting pressure on state highway intersections resulting in adverse effects upon the safety and efficiency of the state highway network.

181. PCC [11.58] seeks that clause four include the phrase 'and the matters in INF-P5' and the end of the clause, stating that there is a need to cross-reference to this policy to ensure the matters are addressed in resource consent processes.
182. RNZ [121.26] seeks an additional clause for the avoidance of reverse sensitivity effects on regionally significant infrastructure.
183. Greater Wellington Regional Council [137.57] seeks an additional clause to include Water Sensitive Urban Design principles and allowing for space for stormwater quality management systems.

3.9.1.2 Assessment

184. In relation to the amendment sought by Waka Kotahi [82.134], I note that the use of the term 'adjacent' was considered in the Right of Reply for Hearing Stream 4 which stated the understanding of its meaning being close to, but not necessarily adjoining another site. In relation to this, the Quality Planning website states that:

The term adjacent has a common meaning which is "close to, but not necessarily adjoining another site". The term adjacent has also been defined by the Courts as lying near or close; adjoining; continuous; bordering; not necessarily touching".¹¹

185. As such, I consider the additional wording sought by Waka Kotahi [82.134] is not necessary, as the term 'adjacent' encompasses the intended meaning sought by the submitter.
186. I agree with the amendment sought by Porirua City Council [11.58] that a cross-reference to INF-P5 included at clause four of the policy would benefit plan users. INF-P5 sets out a comprehensive list of matters to be considered in relation to effects from subdivision, use and development on regionally significant infrastructure and therefore provides further direction for the implementation of SUB-P1-4; however, its location in the INF-Infrastructure chapter means that plan users may not be aware of its contents. A cross-reference provides a simple and effective method for ensuring plan users are aware of the policy. For these reasons, I also consider that the inclusion of the cross-reference addresses the matter raised by Radio New Zealand Limited [121.26].
187. In relation to the submission from Greater Wellington Regional Council [137.57], the inclusion of water sensitive urban design principles was a matter addressed by the Section 32 Evaluation Report Part 2 – Subdivision. I agree with the evaluation set out in that report that the quality of stormwater discharges is a regional council matter and that the PNRP contains rules regarding the quality of stormwater discharges. I therefore consider that the inclusion of a clause requiring that subdivision design incorporate the design principles of Water Sensitive Urban Design, including allowing for space for stormwater quality management systems, is not appropriate for this policy. SUB-P1 sets up rules and standards for subdivisions. The submitter has not suggested any supporting amendments to implement a policy clause relating to water sensitive urban design. I do note, however, that the chapter refers to the Wellington Water Regional Standard for Water Services May 2019, which includes a section on water sensitive design and provides reference to guidance documents for various design phases.

¹¹ Quality Planning, 2017, To notify or not to notify, Accessed on 8 August 2021, Available from: <https://www.qualityplanning.org.nz/index.php/node/566>

3.9.1.3 Summary of recommendations

188. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-P1 as set out below and in Appendix A;

SUB-P1	Creation of allotments
Provide for subdivision where it results in allotments that: [...]	
4. Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner, <u>and the matters in INF-P5</u> ;	
[...]	

189. I recommend that the submission from Porirua City Council [11.58] be **accepted**.

190. I recommend that the submission from Radio New Zealand Limited [121.26] be **accepted in part**.

191. I recommend that the submission from Greater Wellington Regional Council [137.57] be **rejected**.

192. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.1.4 Section 32AA evaluation

193. In my opinion, the amendment to SUB-P1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The amendment will provide a clear link for the consideration of all subdivision resource consent applications to INF-P5. Consequently, the amended policy will ensure that the relevant matters in INF-P5 will be taken into account and are more efficient and effective than the notified provisions in achieving the objectives of the PDP specifically INF-O2.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.9.2 SUB-P4

3.9.2.1 Matters raised by submitters

194. Four submissions raised transport-related matters, including the following:

- Developers' contributions to the cost of infrastructure upgrades that are a result of growth;
- Requirement for sufficient capacity to achieve safe access onto the state highway network from subdivision;
- Stronger wording for requiring connections within and between communities, and a variety of travel modes;

- More flexibility for designs; and
- Removal of reference to a minimum design standard.

195. Waka Kotahi [82.136] seeks amendments to remove the phrases '[w]here opportunities exist' and '[w]here consistent with the zone' in clauses two and three respectively; including wording requiring sufficient capacity for state highways as part of clause 4; and introducing a new clause requiring developers to fund consequential upgrades to transport infrastructure. The reasons for these amendments include that growth as a result of subdivision is putting pressure on state highway intersections resulting in Waka Kotahi bearing the cost of intersection upgrades; subdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity; and the wording of clauses two and three needs to be strengthened to reflect that transport network connections and providing a variety of travels modes should be required by all subdivisions.

196. KLP [59.6] and Carrus Corporation Ltd [68.20] request an amendment to include the phrase 'or any appropriate alternative' in relation to design standards for roads and vehicle access. The submitters state that the requirement to meet minimum design standards within the wording of the policy means that if a proposal does not meet the standards, it will be contrary to the policy.

197. Survey+Spatial [72.15] seeks removal of the phrase 'meet minimum design standard', stating that there is no such thing as a minimum design standard and that design of roads and vehicle access should either meet a specified standard or be subject to specific design.

3.9.2.2 Assessment

198. In relation to the amendment sought by Waka Kotahi [82.136] to clause two of the policy to remove the phrase '[w]here opportunities exist', I note that this clause assists in giving effect to Objective 22 and Policies 54 and 57 of the RPS. Specifically, the 'Connections' element of the region's urban design principles, and clause (b) of Policy 57 'connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas', are relevant. The UFD - Urban Form and Development strategic directions are also relevant, particularly UFD-O3, UFD-O5 and UFD-O6.

199. The Wellington Regional Land Transport Plan 2021 (RLTP) was released in June 2021, post notification of the PDP. The RLTP sets out objectives and policies, investment priorities and a regional programme relevant to SUB-P4. Specifically, the RLTP includes the following objective and policy:

Objective 2: Transport and land use are integrated to support compact urban form, liveable places and a strong regional economy

Policies

[...]

2.6. Advocate for transport infrastructure in new developments that is designed to enable safe, connected and attractive walking, cycling, micro-mobility and public transport services, and is consistent with relevant best-practice guidance.

200. Taking into consideration the direction from these higher order objectives and policies, and the recent RLTP, I agree with the submitter that the wording of clause two of SUB-P4 should be strengthened, as providing for connectivity throughout the transport network is a clear priority.

Currently the policy does not provide a clear requirement, or provide guidance on how it should be implemented. As such, I consider that removing the phrase '[w]here opportunities exist' and amending this to state 'where new roads are proposed' is appropriate. This will provide greater clarity as to the scale of development to which the policy clause will apply, and integrate with the recommended amendments to the INF – Infrastructure chapter through the section 42A report relating to no-exit roads and associated pedestrian and cycling connections.

201. Similarly, I also consider that removing the phrase '[w]here consistent with the zone', sought by Waka Kotahi [82.136], is also appropriate. This clause assists in giving effect to Policy 57 clauses (c) and (d) of the RPS and relates to a number of the objectives and policies in the RLTP.¹² The modal mix and level of provision for different travel modes may differ throughout the City and zone area; however, providing for a variety of travel modes in itself is not dependent on the zone. Additionally, the clause also includes the phrase 'reflect the purpose, character and amenity values of the zone', and as such the preface that providing for a variety of travel modes that is 'consistent with the zone' is superfluous.
202. The discussion on the submission from Waka Kotahi [82.131] on SUB-O1 in section 3.8.1 above is also relevant to the requested amendment to clause four sought by Waka Kotahi [82.136], relating to sufficient capacity of the state highway network. Similarly, I consider that where a proposed development seeking access to the state highway network would exceed the operational capacity of the road, this would have safety and efficiency effects, and therefore these aspects would already be covered by the current wording of the policy. However, I agree that it would be beneficial for the policy to provide additional guidance in respect to the matters that will need to be considered, including the capacity of the road. As such, I consider that it would be appropriate to include additional wording stating that the capacity of the network should be taken into account.
203. I do not consider it appropriate to include an additional clause relating to funding of infrastructure upgrades required as a result of subdivision and development, as sought by Waka Kotahi [82.136]. The requirement for and timing of upgrades to existing infrastructure is a complex matter. It is often the cumulative effects of dispersed activities that may result in the need for upgrades to occur to provide additional capacity, and therefore there may not be the ability to identify an individual development as the reason for a necessary upgrade. The zoning pattern included in the PDP was based on the Growth Strategy 2048, and technical assessments of the roading network which took into account the capacity of the network.
204. Additionally, I note that the PDP does not include any provisions relating to financial contributions, and as such resource consent conditions requiring a financial contribution would not be able to meet the requirement of section 108(10)(b). Further to this, financial contributions can only be required for works and services undertaken by the Council or which can be undertaken by the applicant. Financial or development contributions could not be taken for work to be undertaken by Waka Kotahi, as it has its own funding sources.
205. I do note that a condition precedent which stipulates a development cannot occur until another activity has occurred is valid.¹³ This provides a method of deferring developments which

¹² Including, for example, policies 1.4, 1.5, 2.3, 2.5 and 2.6.

¹³ See the discussion at paras. [70] to [78] in *Lysaght v Whakatane District Council* [2021] NZHC 68

otherwise would be acceptable, until such time as, for example, identified necessary development or upgrade of the transport network has been undertaken. As such, in the event that a development is proposed where the effects on the transport network are such that the activity would not be acceptable until an identified upgrade is completed, the Council could grant the consent with a condition specifying that the activity cannot commence until that upgrade is completed.

206. In relation to the submissions from KLP [59.6] and Carrus Corporation Ltd [68.20], I do not consider that the addition of the phrase 'or any appropriate alternative' is necessary. Non-compliance with SUB-S2 results in consideration of the matters of discretion which include '[t]he suitability of any alternative design options'. Similarly, non-compliance with SUB-S3 results in consideration of the clauses in INF-P14 as the matters of discretion. Additionally, including the requested wording at a policy level would introduce issues, as 'any appropriate alternative' leaves open the question as to what is appropriate. I consider that it is more appropriate to set out the criteria for consideration of alternative proposals through the matters of discretion

207. In relation to the submission from Survey+Spatial [72.15], I do not consider that the phrase 'meet minimum design standards to' should be removed, as this sets up the inclusion of SUB-S2 and SUB-3, which in turn refer to TR-Transport and INF-Infrastructure standards. As discussed above, where these standards are not met the PDP sets out clear criteria for consideration of alternative proposals.

3.9.2.3 Summary of recommendations

208. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-P4 as set out below and in Appendix A;

SUB-P4	Functioning of the transport network
Provide for subdivision where it maintains the safe and efficient functioning of the transport network by:	
<ol style="list-style-type: none"> 1. Ensuring roads and any vehicle access to sites meet minimum design standards to allow for safe and efficient traffic movements and can safely accommodate the intended number of users; 2. Where new roads are proposed opportunities exist, including transport network connections within and between communities; 3. Where consistent with the zone, providing for a variety of travel modes that reflect the purpose, character and amenity values of the zone, including walking, cycling and access to public transport; and 4. Achieving safe and efficient access onto and from state highways, taking into account the capacity of the network. 	

209. I recommend that the submission from Waka Kotahi [82.136] be **accepted in part**.

210. I recommend that the submissions from KLP [59.6], Carrus Corporation Ltd [68.20] and Survey+Spatial [72.15] be **rejected**.

211. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.2.4 Section 32AA evaluation

212. In my opinion, the amendments to SUB-P4 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will ensure that connections within and between communities and a variety of travel modes are provided for through subdivision design, consistent with INF-O4. Connections to State Highways will also be appropriately managed. Consequently, they better articulate the management of subdivision to achieve transport related objectives and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.9.3 SUB-P5

3.9.3.1 Matters raised by submitters

213. Ten submissions raised infrastructure-related matters, including the following:

- Flexibility for alternative and innovative infrastructure design and provision;
- Specific reference to the three waters standard and removal of reference to capacity;
- Reverse sensitivity;
- Ensuring new subdivisions meet conditions of Wellington Water Limited's discharge consents and the requirements of the PNRP; and
- Deletion of reference to the Wellington Water Regional Water Standard May 2019.

214. Carrus Corporation Ltd [68.21] and KLP [59.7] seek an amendment to include additional wording providing for appropriate alternative infrastructure design. The reasons given are that where the standards cannot be met, the proposal would be contrary to the policy, and that wording should allow for more flexibility and designs that are fit for purpose for the environments.

215. Porirua City Council [11.59] seeks in clause one inclusion of specific reference to the three water networks and deletion of the reference to capacity, stating that this will better give effect to SUB-O2.

216. Radio New Zealand Limited [121.27] seeks an additional clause relating to avoiding reverse sensitivity effects on network utilities and infrastructure. The submitter references its submission on SUB-O1 for reasons which states that subdivision close its existing facilities creates reverse sensitivity effects that may compromise the ability to operate its facilities, particularly if land is being used for sensitive activities.

217. Greater Wellington Regional Council [137.58] seeks additions to clause three and four, respectively, for subdivisions to meet conditions on relevant discharge consents held by Wellington Water Ltd, and for wastewater or stormwater discharges to meet the requirements of the PNRP. No substantive reasons are given.

3.9.3.2 Assessment

218. In relation to the submissions from Carrus Corporation Ltd [68.21] and KLP [59.7], this matter was addressed in the section 42A report for the THWT – Three Waters chapter in Hearing Stream 4. Similar to the response in that report, the levels of service in the Regional Standard for Water

Services referenced in the chapter's standards act as the standards to be met, while the performance criteria act as matters of discretion under THWT-P3 where the levels of service are not met. This provides sufficient flexibility in design, while ensuring that minimum performance outcomes are met.

219. As discussed in section 3.8.1 above, additional wording relating to reverse sensitivity is not required as this is addressed comprehensively in the INF-Infrastructure chapter. Additionally, the cross-reference recommended in 3.9.1 above will ensure those provisions are considered through subdivision consent process. As such the amendment sought by Radio New Zealand Limited [121.27] is not necessary.
220. The amendments sought by Greater Wellington Regional Council [137.58] are not appropriate, particularly in relation to the policy framework. In my opinion it would not be appropriate to include a requirement within a planning document to comply with a resource consent held by a third party. It is up to Wellington Water to ensure that the conditions of its consent are complied with. In relation to reference to the PNRP, while other district plans may refer to relevant regional plans in stating that certain activities may need to comply with those documents, I consider that such a statement is superfluous as any person undertaking an activity must do so in compliance with the relevant regional plan or a resource consent; it is not the role of a district plan to alert people to this fact.
221. I agree with the amendment sought by Porirua City Council [11.59]. Specific standards are not set for all infrastructure, for example electricity and telecommunication connections, as these are determined by the relevant network providers, and are also addressed separately by clause five (telecommunications and power supply) and SUB-P4 (transport network). Additionally, reference to Council standards consequently sets performance standards for a development proposal through the Wellington Water Regional Standard for Water Services May 2019.

3.9.3.3 Summary of recommendations

222. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend SUB-P5** as set out below and in Appendix A;

SUB-P5	Integration with infrastructure
<p>Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ol style="list-style-type: none"> 1. Ensuring infrastructure meets Council standards <u>for the provision of water supply, wastewater and stormwater management and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone</u>, and is in place at the time of allotment creation; 2. Ensuring that subdivisions in Urban Zones, Settlement Zone and Māori Purpose Zone (Hongoeka) are hydraulically neutral; 3. Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional <u>Standard for Water Services Standard</u> May 2019; 4. Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and 5. Ensuring telecommunications and power supply is provided to all allotments. 	

223. I recommend that the submission from Waka Kotahi [82.136] be **accepted in part**.

224. I recommend that the submissions from KLP [59.6], Carrus Corporation Ltd [68.20], Greater Wellington Regional Council [137.58] and Survey+Spatial [72.15] be **rejected**.

225. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.9.3.4 Section 32AA evaluation

226. In my opinion, the amendments to SUB-P5 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will provide greater clarity as to the applicability of 'Council standards' in clause one. Consequently, they will provide greater certainty to plan users, and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.9.4 SUB-P9

3.9.4.1 Matters raised by submitters

227. Anita and Fraser Press [253.16], James Mclaughlan [237.16], Graham and Janet Reidy [234.16], Carolyn Vasta and Carole Reus [230.8], Quest Projects Limited [233.16], Jason Alder [232.7] and John Carrad [231.17] all seek the deletion of clause two of the policy relating to discouraging the linear layout of lots along roads. The reasons given for this position is that there will be situations where landform and natural features dictate the pattern of subdivision layout.

3.9.4.2 Assessment

228. I recognise that there are a number of factors that will influence subdivision design, including the natural landform and features as stated by the submitters, and other features or values of the particular site. However, clause two of SUB-P9 is included as a matter to give particular regard as linear patterns of lots along roads can result in a number of adverse outcomes for subdivision within the rural zones, including:

- Not taking into account existing natural features, landforms and contours – Linear subdivision patterns along roads are more likely to be a rectilinear pattern imposed on the landscape, with little regard for the existing feature of the site.
- Multiple vehicle crossings along the road – Greater numbers of vehicle crossings can adversely affect the safety and efficiency of the road network, particularly in rural environments, due to greater frequency of potential conflict points. By discouraging linear subdivision along roads, the policy clause works in conjunction with clause one, which encourages cluster development. Cluster development would encourage use of shared vehicle accesses and crossings, reducing the number of vehicle crossing points required;

- The dispersal of potential buildings across the landscape – A linear subdivision design along a road is more likely to result in the built form being dispersed across those allotments. This can adversely affect the landscape character of the rural environment, with a greater overall impact than a clustered development; and
- Regularity of defined land boundaries and use – A regular, linear land use pattern is more urban in character, particularly where fences and other structures or land uses visually define the allotment boundaries.

229. Therefore, I consider that clause two of SUB-P9 will provide overall benefits to the assessment of subdivision proposals in the rural zones.

3.9.4.3 Summary of recommendations

230. I recommend for the reasons given in the assessment, that the submissions from Anita and Fraser Press [253.16], James McLaughlan [237.16], Graham and Janet Reidy [234.16], Carolyn Vasta and Carole Reus [230.8], Quest Projects Limited [233.16], Jason Alder [232.7] and John Carrad [231.17] be **rejected**.

3.10 Rules

3.10.1 SUB-R1

3.10.1.1 Matters raised by submitters

231. Kāinga Ora [81.452] seeks clear non-notification clauses for restricted discretionary activity status subdivision. No specific reasons are given.

3.10.1.2 Assessment

232. I consider that a subdivision requiring resource consent under the restricted discretionary rule SUB-R1-2, which is required when a proposed boundary adjustment does not comply with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7, poses a risk that adverse effects will be experienced in the wider environment, and therefore notification preclusion is not appropriate.

233. For example; non-compliance with the standard for stormwater disposal (SUB-S6) may have significant adverse effects for the surrounding area as well as impacts on flood risk in the wider environment, and non-compliance with the access (SUB-S2) and connections to roads (SUB-S3) has the potential to have significant adverse effects on the safety and efficiency of the transport network.

234. Similarly, non-compliance with the minimum allotment size set out in SUB-Table 1 in the Māori Purpose Zone (Hongoeka), a restricted discretionary activity under SUB-R1-3, may have significant adverse effects on the character and amenity values of the zone.

235. In this case the provisions for notification set out in sections 95A – 95F of the RMA provide an appropriate test for determining whether notification is required. As such, I disagree with the submitter that notification preclusion statements should be included for restricted discretionary activity status subdivision under SUB-R1.

3.10.1.3 Summary of recommendations

236. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.452] be **rejected**.
237. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.2 SUB-R2

3.10.2.1 Matters raised by submitters

238. Kāinga Ora [81.453] seeks escalation to restricted discretionary activity if compliance cannot be achieved with the relevant standards, including SUB-S1, and for a non-notification clause to be included for SUB-R2-2. The submitter states that requiring consideration of a subdivision to update a cross lease plan that does not meet minimum allotment size as a discretionary activity is overly restrictive.

3.10.2.2 Assessment

239. For the same reasons discussed in section 3.10.1 above in relation to SUB-R1, I consider that a subdivision requiring resource consent under the restricted discretionary rule SUB-R2-2, which is required when a proposed cross lease title update does not comply with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7, poses a risk that adverse effects will be experienced in the wider environment, and therefore notification preclusion is not appropriate.
240. In relation to non-compliance with SUB-S1 resulting in a discretionary activity under SUB-R2-3, I note that the controlled activity rule enables updates where the existing non-compliance with the standards is not increased. The discretionary activity status gives effect to SUB-P3.

3.10.2.3 Summary of recommendations

241. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.453] be **rejected**.

3.10.3 SUB-R3

3.10.3.1 Matters raised by submitters

242. Kāinga Ora [81.454] seeks notification preclusion statements be included relating to both public and limited notification of restricted discretionary activities under SUB-R3-2 and SUB-R3-3.
243. Waka Kotahi [82.139] seeks amendments to clarify what activity status applies to each zone, stating that it is not clear. The submitter provides an example, being that a restricted discretionary activity status applies to all zones under SUB-R3-2 where compliance is not achieved with the matters listed, then under SUB-R3-3 it refers to a restricted discretionary activity status for just Residential and Māori Purpose (Hongoeka) Zones.

3.10.3.2 Assessment

244. I consider that notification preclusion clauses for SUB-R3-2 and SUB-R3-3, as sought by Kāinga Ora [81.454] are not appropriate for the same reasons as discussed in section 3.10.1 above.

245. In relation to the submission from Waka Kotahi [82.139], I do not consider that any amendments are required to clarify the rule. The example provided by Waka Kotahi does not represent an error in the rule formulation. This is because SUB-R3-2 relates to subdivision in any zone where compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7. SUB-R3-3, in contrast, relates to non-compliance with SUB-S1 (minimum allotment size) in the Residential Zones and Māori Purpose Zone (Hongoeka). Non-compliance with SUB-S1 in other zones is addressed by SUB-R3-4, 6, 7 and 8.

3.10.3.3 Summary of recommendations

246. I recommend for the reasons given in the assessment, that the submissions from Kāinga Ora [81.454] and Waka Kotahi [82.139] be **rejected**.

247. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.4 SUB-R4

3.10.4.1 Matters raised by submitters

248. Kāinga Ora [81.455] seeks that notification preclusion be included relating to both public and limited notification of restricted discretionary activities under SUB-R4-2.

3.10.4.2 Assessment

249. I consider that the notification preclusion clause for SUB-R4-2, as sought by Kāinga Ora [81.455], is not appropriate for the same reasons as discussed in section 3.10.1 above.

3.10.4.3 Summary of recommendations

250. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.455] be **rejected**.

3.10.5 SUB-R6

3.10.5.1 Matters raised by submitters

251. Kāinga Ora [81.457] seeks that notification preclusion be included relating to both public and limited notification of restricted discretionary activities under SUB-R6-2. No reasons are given for this. The submitter also seeks removal of the reference to overlay in relation to the natural hazard maps, with the reasons given being the dynamic nature of flood risks and the propensity for flooding hazard profiles to change.

3.10.5.2 Assessment

252. I consider that a notification preclusion clause for SUB-R6-2, as sought by Kāinga Ora [81.454], is not appropriate for the same reasons as discussed in section 3.10.1 above.

253. The submitter's wider submissions on the removal of the word 'overlay' in relation to flood hazards is assessed in the section 42A report for the NH-Natural Hazards chapter. I agree with the recommendations set out in that report, and consequently find that the rule heading should not be amended to remove the reference to the flood hazard areas as 'overlays'.

3.10.5.3 Summary of recommendations

254. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.457] be **rejected**.
255. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.6 SUB-R7

3.10.6.1 Matters raised by submitters

256. James Mclaughlan [237.5] seeks amendment to the subdivision provisions relating to natural features and landscapes to provide a less restrictive planning framework. The reasons given for this are that the provisions have the potential to 'taint' applications for subdivision and development envisaged by the PDP and that consistency in activity status and planning framework would better implement the objectives for the RLZ – Residential Lifestyle Zone or SETZ – Settlement Zone.
257. Porirua City Council [11.60] seeks a new rule for non-compliance with SUB-R7-1.b as a restricted discretionary activity, and consequent renumbering. The submitter states that a breach of SUB-R7-1.b escalates to discretionary, and the intent as described in the Section 32 Evaluation Report Part 2 - Natural Features and Landscapes was to escalate to restricted discretionary. The submitter states that these changes more appropriately implement the objectives and policies for subdivision within a Special Amenity Landscape.

3.10.6.2 Assessment

258. I agree with the submission from Porirua City Council [11.60]. SUB-R7-1 includes a note stating that the rule applies in addition to SUB-R1 to SUB-R5. As such, a minimum allotment size applies under SUB-S1 of two hectares for subdivision within the Rural Lifestyle Zone. Non-compliance with that standard generally results in a discretionary activity status under the relevant rules. It is therefore conceivable that a subdivision proposal breaching the five hectare minimum in SUB-R7-1.b, resulting in discretionary activity status, would further reduce the size of the allotments below the wider two-hectare minimum, as there would be no further elevation in terms of activity status. There would be little incentive to meet the two-hectare minimum, when the discretionary activity status has already been triggered.
259. By elevating to a restricted discretionary activity status rule when the five-hectare minimum allotment size is breached, there remains an incentive to not further reduce the proposed allotment size below two-hectares. NFL-P5 sets out specific criteria for subdivision within a Special Amenity Landscape within the Rural Lifestyle Zone, and therefore addresses the relevant effects of a breach of the five-hectare minimum, which can be considered through the consent process. I therefore consider that it is therefore appropriate that non-compliance with SUB-R7-1.b be elevated to a new restricted discretionary rule.
260. I note that the amendments recommended above are specific to the RLZ – Rural Lifestyle Zone, and therefore do not assist the submission from James Mclaughlan [237.5]. That submission does not set out any specific amendments sought other than requesting a 'less restrictive' planning framework.

261. Within all zones (other than the RLZ – Rural Lifestyle Zone) if a proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone, then subdivision within a Special Amenity Landscape is a restricted discretionary activity. This is the lowest activity status where a consent can be refused. This elevates to discretionary where the condition relating to building platforms cannot be met. I do not consider that a less restrictive activity status would be appropriate, as this may compromise the achievement of the objectives relating to Special Amenity Landscapes.

3.10.6.3 Summary of recommendations

262. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-R7 as set out below and in Appendix A;

SUB-R7	Subdivision within a Special Amenity Landscape
[...]	<p><u>Rural Lifestyle Zone</u></p> <p>3. Activity status: <u>Restricted discretionary</u></p> <p>Where:</p> <p>a. <u>Compliance is not achieved with SUB-R7-1.b.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>The matters of discretion of any infringed standard;</u> 2. <u>The matters in SUB-P1;</u> 3. <u>The matters in SUB-P3;</u> 4. <u>The matters in SUB-P4;</u> 5. <u>The matters in SUB-P5;</u> 6. <u>The matters in NFL-P5.</u>
[...]	<p>All zones</p> <p>35. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R7-1.b, SUB-R7-1.c or SUB-R7-3.a.</p>

263. I recommend that the submission from Porirua City Council [11.60] be **accepted**.

264. I recommend that the submission from James Mclaughlan [237.5] be **rejected**.

265. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.6.4 Section 32AA evaluation

266. In my opinion, the amendments to SUB-R7 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will enable appropriate subdivision within Special Amenity Landscapes within the RLZ – Rural Lifestyle Zone through a restricted discretionary rather than full discretionary activity status. Consequently, they will provide greater certainty for applicants, and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.

- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.7 SUB-R8 and SUB-R9

3.10.7.1 Matters raised by submitters

267. Three submissions raised natural hazards-related matters, including the following:

- Removal of the reference to natural hazard maps as overlays;
- Notification preclusion;
- Combining SUB-R8 and SUB-R9;
- Removal of the non-complying activity status rule; and
- Amendment to provide less restrictive planning framework within the natural hazard overlays.

268. Kāinga Ora [81.459 and 81.460] seeks removal of the reference to natural hazard maps as overlays; notification preclusion for SUB-R8-1; and combining SUB-R8 and SUB-R9 with deletion of SUB-R9. The submitter notes that subdivision and land use development in the City Centre will be particularly constrained by this rule framework.

269. KLP [59.8 and 59.9] seek the removal of the non-complying activity status rules, stating that it is a 'blunt instrument' and risks can be managed with a discretionary activity status.

270. Carolyn Vasta and Carole Reus [230.5] seek amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas. The reasons given are that the provisions have the potential to 'taint' applications for subdivision and development envisaged by the PDP.

3.10.7.2 Assessment

271. I consider that a notification preclusion clause for SUB-R8-1, as sought by Kāinga Ora [81.459], is appropriate. However, this should only preclude public notification. The assessment of a resource consent under this rule will rely on technical expert inputs, and any information provided through public submissions would likely be of little relevance. However, limited notification to adjacent landowners may be appropriate, due to potential for effects to be experienced on adjoining land, particularly in relation to displacement of floodwater and for detailed information on the extent of flooding in high rainfall events.

272. The submitter's wider submissions on the removal of the word 'overlay' in relation to flood hazards is assessed in the section 42A report for the NH-Natural Hazards chapter. I agree with the recommendations set out in that report, and consequently find that the rule heading should not be amended to remove the reference to the flood hazard areas as 'overlays'.

273. In relation to the integration of SUB-R8 and SUB-R9 as sought by Kāinga Ora [81.459 and 81.460], I consider that this is also appropriate. Other than the references in the headings to Potentially-Hazard-Sensitive Activities (SUB-R8) and Hazard-Sensitive Activities (SUB-R9), the rules are identical. Therefore, I consider that it would be more efficient to integrate the two rules, with

reference to both Potentially-Hazard-Sensitive Activities and Hazard-Sensitive Activities in the heading.

274. In relation to the submissions from KLP [59.8 and 59.9] and Carolyn Vasta and Carole Reus [230.5], I consider that the framework for subdivision within the natural hazard overlays is appropriate, including the use of the non-complying activity status rules. This framework provides a risk-based approach to natural hazards and gives effect to a matter of national importance in section 6 of the RMA, being '(h) the management of significant risks from natural hazards'. I note that, specific to the submission from KLP [59.8 and 59.9], the non-complying rules apply to Potentially-Hazard-Sensitive Activities and Hazard-Sensitive Activities within High Hazard Areas. This is consistent with the approach set out in the NH-Natural Hazards chapter. As such, I do not consider that it would be appropriate to set a discretionary activity status for these rules.

275. I note that both SUB-R8-1 and SUB-R9-1 refer to NH-P3 as matters of discretion. This reference is incorrect, as NH-P3 relates to Medium Hazard Areas. The correct reference is NH-P4, as that policy relates to Low Hazard Areas. I consider that this amendment can be made under Clause 16 of Schedule 1, given that SUB-R8-1.a specifically requires the subdivision to have building platforms located entirely within a low hazard area, and therefore it is clear that the intention was for the rule to refer to policy NH-P4.

3.10.7.3 Summary of recommendations

276. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-R8 as set out below and in Appendix A; and
- b. **Delete** SUB-R9 as set out in Appendix A;

SUB-R8	Subdivision that creates building platforms for <u>Hazard-Sensitive Activities or Potentially-Hazard-Sensitive Activities</u> within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. For allotments in a Natural Hazard Overlay, the matters in NH-P34; and 2. For allotments in a Coastal Hazard Overlay the matters in CE-P12. <p><u>Notification:</u> <u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u></p> <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>

277. I recommend that the submission from Kāinga Ora [81.459] be **accepted in part**.

278. I recommend that the submission from Kāinga Ora [81.460] be **accepted**.

279. I recommend that the submissions from KLP [59.8 and 59.9] and Carolyn Vasta and Carole Reus [230.5] be **rejected**.

280. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.7.4 Section 32AA evaluation

281. In my opinion, the amendments to SUB-R8 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will simplify the rule framework, by integrating two existing rules into one rule. The inclusion of the notification preclusion will ensure unnecessary notification processes are avoided. Consequently, they will reduce financial and administration costs for applicants and the Council, and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.8 SUB-R10

3.10.8.1 Matters raised by submitters

282. Kāinga Ora [81.461] seeks that notification preclusion be included relating to both public and limited notification of restricted discretionary activities under SUB-R10-1. No reasons are given.

283. Heritage New Zealand Pouhere Taonga [65.52] seeks amendments to the rule heading from referring to subdivision within a heritage setting to subdivision of a site which contains a heritage item. The reasons given are that not all heritage items listed in Schedule 3 are mapped with a corresponding heritage setting.

3.10.8.2 Assessment

284. I do not consider that a notification preclusion statement sought by Kāinga Ora [81.461] would be appropriate to be included for SUB-R10. The heritage values associated with heritage items, sites or settings may be experienced and appreciated by the wider community. Any adverse effects of subdivision may therefore also be experienced by those communities. The information provided through submissions may well prove relevant and necessary to determine the application.

285. In relation to the submission from Heritage New Zealand Pouhere Taonga [65.52], I agree that the wording of SUB-R10 creates an issue in only referring to subdivision within the heritage setting of a heritage item or site, due to the lack of mapped heritage settings for all items in SCHED3 - Historic Heritage Items (Group B). I note that HH-P15, which is referred to in the rule as the matters of discretion, states:

Only allow subdivision of sites that have heritage items, heritage settings or historic heritage sites listed SCHED2 - Historic Heritage Items (Group A), SCHED3 - Historic Heritage Items (Group B), and SCHED4 - Historic Heritage Sites where it can be demonstrated that [...]

286. As such, the policy wording is clear that any subdivision of sites that have heritage items, heritage settings or historic heritage sites scheduled in the PDP is to be managed. No amendments to this wording were proposed by the section 42A author through Hearing Stream 3.

287. I agree that the alternative wording suggested by the submitter is generally appropriate to address the identified issue, with a slight amendment to refer to 'subdivision of land', rather than subdivision of a site. This is to remain consistent with the RMA. Additionally, the wording should also cover subdivision of land within a heritage setting, but which does not contain a heritage item or site, as the wider setting may be held in various parcels of land.

3.10.8.3 Summary of recommendations

288. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-R10 as set out below and in Appendix A;

SUB-R~~9~~40



Any subdivision of land within a the heritage setting of or which contains a heritage item listed in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED4 - Historic Heritage Sites

289. I recommend that the submission from Heritage New Zealand Pouhere Taonga [65.52] be **accepted in part**.

290. I recommend that the submission from Kāinga Ora [81.461] be **rejected**.

291. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.8.4 Section 32AA evaluation

292. In my opinion, the amendments to SUB-R10 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will clarify the applicability of the rule to historic heritage settings, items and sites scheduled in the PDP. The amendments will better link with the intention of HH-P15. Consequently, they better give effect to HH-O2 and Policy 46 of the RPS and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.9 SUB-R11

3.10.9.1 Matters raised by submitters

293. Kāinga Ora [81.462] seeks that notification preclusion be included relating to both public and limited notification of restricted discretionary activities under SUB-R11-1. No reasons are given.

3.10.9.2 Assessment

294. I do not consider that a notification preclusion statement would be appropriate to be included for SUB-R11. The values associated with a site listed in SCHED6 - Sites and Areas of Significance to Māori will be held primarily by Ngāti Toa Rangatira and may also be experienced and appreciated by the wider community. The sites may not necessarily be owned or occupied by Ngāti Toa Rangatira.
295. Subdivision of the site may have adverse effects on the values of the site of significance and the relationship of Ngāti Toa Rangatira with their taonga. Of particular concern is the ability to access sites for karakia, monitoring, customary activities and ahi kā roa. Adverse effects may also be experienced by the wider community. Consultation with affected parties is not a requirement on applicants. The information provided through submissions may well prove relevant and necessary to determine an application.
296. I note that 'the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga' is a matter of national importance under section 6(e) of the RMA.
297. I therefore consider that a notification preclusion clause would be entirely inappropriate.

3.10.9.3 Summary of recommendations

298. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.462] be **rejected**.

3.10.10 SUB-R12

3.10.10.1 Matters raised by submitters

299. Robyn Smith [168.94] seeks that an additional requirement be added that access and infrastructure can be provided to building platforms without 'creating any non-compliance with the provisions of the plan relating to SNAs' and making any non-compliance with the restricted discretionary rule conditions fall under a non-complying rule. The reasons stated are that the rule makes no reference to vegetation clearance within an SNA that needs to occur to provide access to the building platform.
300. Robyn Smith [168.95] also seeks the matters of discretion include controls over the use and control of pest plants; controls over the keeping of pest and predatory exotic animals; and mechanisms relating to monitoring, compliance, enforcement, penalty, prosecution provisions. No specific reasons are stated, other than noting that the matters of discretion as notified are ECO-P2 and ECO-P4.

3.10.10.2 Assessment

301. I generally agree with the submission from Robyn Smith [168.94] relating to the need to ensure that allotment access and servicing can be provided without encroaching onto SNAs. This would specifically give effect to ECO-P4-2.d, which includes consideration of vehicle accessways.
302. Vehicle accessways in particular can require significant land area, particularly on steep sites. Not requiring these areas to be shown on plans prior to subdivision may result in a situation where future development of the site is unnecessarily constrained.

303. I therefore consider that it is more efficient and effective, and therefore appropriate to include wording requiring areas for access to the building platform and provision of network utility connections being identified for each new undeveloped allotment that are located outside of the SNA.
304. However, I do not agree with the submitter that non-compliance with the requirements of SUB-R12-1 should be elevated to non-complying. I note that non-complying activities are generally reserved for activities which will only be granted consent in exceptional circumstances.
305. I consider that a non-complying activity would be overly restrictive and may be disproportionate to the effects of a proposal. For example, a building platform, access or utility connection may only need to be located within a small area of the mapped SNA, and therefore not generate inappropriate effects. The relevant policies in the ECO-Ecosystems and Indigenous Biodiversity provide sufficient direction for the processing of discretionary activity consents, with the effects management hierarchy in ECO-P2 setting out clear guidance on how the effects are to be managed.
306. In relation to the submission [168.95] from Robyn Smith, these matters are not appropriate to be included within the SUB-Subdivision chapter as they relate to specific land use controls. I note that the matters of discretion include the matters in ECO-P4, which includes '[t]he provision of any protective covenants of the Significant Natural Area as part of the subdivision, use or development'. The matters raised by the submitter are further assessed in the ECO-Ecosystems and Indigenous Biodiversity section 42A report.

3.10.10.3 Summary of recommendations

307. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-R12 as set out below and in Appendix A;

SUB-R12	Subdivision of an <u>allotment</u> containing a Significant Natural Area
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A future building platform to contain a residential unit, <u>areas for access to the building platform, and alignments for infrastructure customer connections, is are</u> identified for each new undeveloped <u>allotment</u> that:</p> <p>i. Complies with the underlying zone <u>and district-wide</u> provisions; and</p> <p>ii. is <u>Are</u> located outside of the Significant Natural Area.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in ECO-P2; and 2. The matters in ECO-P4. <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>

308. I recommend that the submission from Robyn Smith [168.94] be **accepted in part**.

309. I recommend that the submission from Robyn Smith [168.95] be **rejected**.

3.10.10.4 Section 32AA evaluation

310. In my opinion, the amendments to SUB-R12 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will better give effect to Policy 24 of the RPS through ensuring adverse effects on indigenous vegetation are appropriately protected. The inclusion of the requirements in the subdivision rule will also ensure that future use of the allotments created will be able to be undertaken, without the need to seek additional resource consents for clearance of indigenous vegetation within a SNA. Consequently, they better give effect to higher order documents, ensure more efficient use of land resources, and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.11 SUB-R15

3.10.11.1 Matters raised by submitters

311. Three submissions from two submitters raised the following matters:

- Deletion of National Grid provisions;
- Relocation to the INF-Infrastructure chapter;
- Amendments relating to incorporating allotments for access or public work, maintenance of vehicle access, and notification preclusion.

312. Kāinga Ora [81.466] seeks deletion of the rule as it opposes the National Grid provisions and seeks the full package of provisions including the spatial extent of the overlay is amended. The submitter states that the National Grid provisions are overly restrictive and do not efficiently manage sensitive activities within close proximity to and under the National Grid; and

313. Transpower New Zealand Ltd [60.83 and 60.86] seeks that the rule be relocated to the INF-Infrastructure chapter, as well as a range of amendments to the rule to; preclude public notification and giving Transpower specific consideration for the purposes of section 95E; maintain vehicle access to the National Grid; change the requirement from identification of a building platform to demonstrating that buildings for a sensitive activity can be located outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard; and exclude allotments for access or a public work from that requirement. The submitter states that a standalone set of provisions within the INF – Infrastructure chapter would avoid duplication.

3.10.11.2 Assessment

314. In relation to the submission from Kāinga Ora [81.466] which seeks deletion and amendment of the full package of National Grid provisions, this matter is assessed in the section 42A report for the INF-Infrastructure chapter. I agree with the assessment in that report, and consequently find that SUB-R15 should not be deleted.

315. I note that, in relation to the restrictiveness of the rule, this is similar to the planning framework used in the existing ODP. It is also similar to other district plans, for example the Christchurch District Plan and Auckland Unitary Plan, both of which set a restricted discretionary activity rule for subdivision within a certain distance of National Grid lines and elevate to a non-complying activity status where building platforms are proposed to be located within the National Grid Yard. While the details of the setbacks used may vary, the overall framework is similar. As such, I do not agree that SUB-R15 contributes to an overly restrictive planning framework.
316. In relation to the submission from Transpower [60.83 and 60.86] seeking relocation of the rule to the INF-Infrastructure chapter, the wider matter of a consolidated set of rules for the National Grid in that chapter is addressed in the section 42A report for the INF-Infrastructure chapter. I agree with the assessment in that report, and consequently consider that SUB-R15 should not be moved.
317. I also note the assessment in the section 42A report for the INF-Infrastructure chapter in relation to the use of the term National Grid Subdivision Corridor. Consequently, I agree that Rule SUB-R15 should be amended to use this term.
318. I agree with the submission from Transpower [60.86] seeking an amendment to exclude allotments for access or public works to need to have a building platform identified outside of the National Grid Yard. These land uses do not require a building platform to be identified, and their exclusion enables appropriate use of the National Grid Yard area and greater flexibility for subdivision design, assisting in the efficient use of land resources. However, I recommend the word infrastructure is used instead of 'public work', as this integrates with SUB-R5.
319. Similarly, I agree with the submitter that a notification preclusion clause can be included in relation to public notification, with specific consideration given to Transpower in relation to section 95E. The effects being managed by the rule are specific to the National Grid, and as such public notification of a consent under the rule would not add anything material to the process. This is consistent with the non-complying activity status zone chapter rules relating to activities, buildings and structures within the National Grid Yard. However, I consider that, for these reasons, this clause should apply to both SUB-R15-1 and SUB-R15-2.
320. The request to include an additional clause requiring vehicle access to the National Grid to be maintained, as sought by Transpower [60.86], is not necessary. This is addressed by INF-P5-2.a, which requires consideration of subdivision layout and design on the operation and maintenance, and potential upgrade and development of the National Grid. The matters in this policy form the matters of discretion for SUB-R15-1, and therefore provide sufficient scope to consider vehicle access when assessing resource consent applications. Additionally, I consider that the wording of the clause is not sufficiently definitive, particularly for it to be used as a matter for which non-compliance results in elevation to a non-complying activity, in that it does not specify minimum standards for that access.
321. Additionally, I also do not consider that the amendment sought to change the requirement from identification of a building platform outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard, to demonstrating that buildings for a sensitive activity can be located outside of these areas, is necessary. The location of sensitive activities in relation to the National Grid is managed by rules in the relevant zone chapters. By having a building platform identified at subdivision stage, it provides clarity to future landowners as to what is provided for

on the site. This is also consistent with the other rules in the SUB-Subdivision chapter which require identification of a building platform.

3.10.11.3 Summary of recommendations

322. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. Amend SUB-R15 as set out below and in Appendix A;

SUB-R1 4 <u>5</u> Subdivision of land to create new allotment(s) within the National Grid <u>Subdivision</u> Corridor or National Grid Pāuatahanui Substation Yard	
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A proposed building platform is identified for each proposed allotment, <u>other than allotments for access or infrastructure</u>, that is capable of accommodating a building which is located entirely outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P5.</p> <p><u>Note: This rule applies in addition to SUB-R1 to SUB-R5.</u></p> <p>Notification:</p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> • <u>When deciding whether any person is affected in relation to this rule, for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u>
All zones	<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R15-1.a.</p> <p>Notification:</p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> • <u>When deciding whether any person is affected in relation to this rule, for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u>

323. I recommend that the submissions from Transpower New Zealand Ltd [60.86] be **accepted in part**.

324. I recommend that the submission from Kāinga Ora [81.466] be **rejected**.

325. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.10.11.4 Section 32AA evaluation

326. In my opinion, the amendments to SUB-R15 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will clarify that allotments for infrastructure or access do not require an identified building platform, therefore avoiding an unnecessary non-complying resource consent process and the associated costs. The amendments will also provide certainty in relation to notification processes. Consequently, they reduce administrative and financial costs to the applicant and Council and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10.12 SUB-R16

3.10.12.1 Matters raised by submitters

327. The submission from Bill McGavin [42.3] states that the gas transmission pipeline corridor width is to be increased, and that the submitter does not want this. The submitter seeks that it 'remain as it is'.

3.10.12.2 Assessment

328. The submissions on the Gas Transmission Pipeline Corridor are addressed in the section 42A report of the INF-Infrastructure chapter. This includes the submission from Bill McGavin [42.3].

329. The submitter does not seek any specific decision in relation to SUB-R16. However, I note that the recommendation in the section 42A report of the INF-Infrastructure chapter is that the Gas Transmission Pipeline Corridor should be included in the PDP with the width being 10 metres either side of the pipeline as notified in the PDP.

3.10.12.3 Summary of recommendations

330. I recommend, for the reasons stated above, that the submission from Bill McGavin [42.3] be **rejected**.

331. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11 Standards

3.11.1 SUB-S1

3.11.1.1 Matters raised by submitters

332. Milmac Homes Limited [258.7] seeks amendments to SUB-Table 1 to address their concerns regarding the sustainable management and use of the property at Paekākāriki Hill Road (Lot 2 85726), including the minimum allotment size in the GRUZ – General Rural Zone. No specific amendments are requested.

333. Additionally, 22 submissions were received in relation to the minimum allotment size of the FUZ – Rural Lifestyle Zone, which is addressed in section 3.3 above. The Neil Group Limited and Gray Family [241.20], Pukerua Property Group Limited [242.11] and John Carrad [231.22] submissions relating to subdivision in the FUZ – Future Urban Zone are addressed in 3.5 above.

3.11.1.2 Assessment

334. In relation to the submission from Milmac Homes Limited [258.7], the site addressed by the submission is a large (162 hectare) Rural Zone property on the edge of the FUZ – Rural Lifestyle Zone. The submitter has not stated any specific relief, other than requesting amendments, "...including the minimum allotment size of 40 hectares in the General Rural Zone". The reasons for and analysis of the minimum 40 hectare allotment size in the GRUZ – General Rural Zone are set out in detail in the Section 32 Evaluation Report Part 2 – Subdivision. The submitter provides no substantive reasons that for making any amendments to this standard.

3.11.1.3 Summary of recommendations

335. I recommend that the submissions from Milmac Homes Limited [258.7] be **rejected**.

3.11.2 SUB-S2

3.11.2.1 Matters raised by submitters

336. Three submissions raised matters relating to amendments to SUB-S2, including the following:

- Level rail crossing setbacks;
- Access for firefighting; and
- Relevance of vehicle access standards.

337. KiwiRail [86.54] seeks that the standard be amended to also include reference to INF-S26 to ensure compliance is achieved with the level crossing setbacks for vehicle crossings;

338. FENZ [119.48] requests amendment to matter of discretion five to include specific reference to compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; and

339. Survey+Spatial [72.33] seek deletion of reference to TR-S3, stating that on-site parking is not required and therefore TR-S3 is not relevant, and TR-S4 is only relevant in particular circumstances.

3.11.2.2 Assessment

340. In relation to the submission from KiwiRail [86.54], INF-S26 is a standard that must be met for connections to roads and is addressed by SUB-S3. Therefore, reference is not required in SUB-S2.

341. In relation to the submission from FENZ [119.48], I consider that it is not appropriate for the matters of discretion to include specific reference to an external standard. TR-S4 includes the relevant requirements for providing for firefighting, and is referenced through SUB-S2. Matter of discretion five for SUB-S2 states, '[t]he safe, efficient and effective functioning of any private way, *including firefighting access* and the safety of pedestrians and cyclists' (emphasis added). Therefore, it already includes sufficient scope to consider the function of the access in terms of

firefighting requirements. Where TR-S4 is not shown to be complied with, SUB-S2 would not be met and the consent will generally become a restricted discretionary activity under the relevant rules. In this instance, the processing planner may choose to seek guidance from New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 to inform their assessment of the effects of the proposed subdivision.

342. In relation to the submission from Survey+Spatial [72.33], I agree that the standard could be made clearer in terms of the relevant site access standards that apply in particular circumstances, as currently the standard cross references to the transport standards with no additional context. However, I consider that the specific decision sought by the submitter, being the deletion of the reference to TR-S3 is not appropriate. The outcome sought by the submitter, including the specific decision sought for TR-S4 to only apply if relevant, can be achieved by referencing instead more generally to the provisions in the TR-Transport chapter, which includes differentiation of when vehicle access is or is not proposed. In this way the relevant standards are clearly applied to the specific circumstances of the subdivision proposal.

3.11.2.3 Summary of recommendations

343. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** SUB-S3 as set out below and in Appendix A;

SUB-S2	Access
All zones	<p>1. All new allotments created must have legal and physical access to a formed road in accordance with TR-S1-TR-S4. <u>the provisions in the TR – Transport chapter.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The safe, efficient and effective functioning of any private way, including firefighting access and the safety of pedestrians and cyclists; 2. The suitability of any alternative design options. 3. The safe, efficient and effective functioning of the transport network; and 4. Site and topographical constraints.

344. I recommend that the submissions from Survey+Spatial [72.33] be **accepted in part**.

345. I recommend that the submissions from KiwiRail Holdings Limited [86.54] and Fire and Emergency New Zealand [119.48] be **rejected**.

346. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.2.4 Section 32AA evaluation

347. In my opinion, the amendments to SUB-S2 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will better integrate with the TR - Transport chapter. Consequently, they will ensure that new subdivisions comply with the relevant site access standards and are more efficient and effective than the notified provisions in achieving the objectives of the PDP, specifically SUB-O1-3.

- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.11.3 SUB-S3

3.11.3.1 Matters raised by submitters

348. Kāinga Ora [81.472] seeks that the standard be deleted, noting that it does not support the transport rules contained in the INF - Infrastructure chapter of the PDP. Amendments are sought to give effect to consequential changes resulting from the submission points made on the INF-Infrastructure and TR-Transport.

3.11.3.2 Assessment

349. The assessment of the submitter's requested decisions in relation to rule INF-R23 is set out in the section 42A report for the INF-Infrastructure chapter. That report recommends that the rule be shifted to the TR-Transport chapter, as requested by the submitter. As such, a consequential amendment is required to standard SUB-S3.

350. SUB-S2 as recommended to be amended above, and taking into consideration the amendments to the INF – Infrastructure and TR – Transport chapters recommended through Hearing Stream 4, will sufficiently address the connection of a site's vehicle access to a road.

351. As such, I consider that SUB-S3 should relate to roads and intersections. I note that the heading for the standard is 'Connections to roads', but that the actual standard relates more generally to roads. I consider that this can be achieved by referring to the provisions for roads in the INF – Infrastructure chapter.

3.11.3.3 Summary of recommendations

352. I recommend for the reasons given in the assessment, that the Hearings Panel:

- Amend** SUB-S3 as set out below and in Appendix A;

SUB-S3		Connections to roads
All zones	1. All new roads and intersections connections to roads must comply with the provisions for roads in the INF – Infrastructure chapter INF-R23-1.a and INF-R23-1.b. <u>the provisions for roads in the INF – Infrastructure chapter INF-R23-1.a and INF-R23-1.b.</u>	Matters of discretion are restricted to: 1. The matters in INF-P145.

353. I recommend that the submissions from Kāinga Ora [81.472] be **accepted in part**.

354. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.3.4 Section 32AA evaluation

355. In my opinion, the amendments to SUB-S3 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will better integrate with the INF – Infrastructure chapter. Consequently, they will ensure that new subdivisions comply with the relevant transport infrastructure standards and are more efficient and effective than the notified provisions in achieving the objectives of the PDP, specifically SUB-O1-3.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.11.4 SUB-S4

3.11.4.1 Matters raised by submitters

356. Survey+Spatial [72.32] seeks deletion of clause SUB-S4-1.c which requires that a water metering device be fitted. The submitter questions why Council is 'introducing a water metering policy via the District Plan', stating that a water metering policy should be consulted on and considered under the local government act procedures.

3.11.4.2 Assessment

357. Other submissions relating to requirements for the fitment of water metering devices have been considered in the THWT-Three Waters section 42A report. Consistent with the recommendations in that report, I consider that clause SUB-S4-1.c should not be deleted.

358. Contrary to the statements of the submitter, the provisions in the PDP relating to the fitment of water metering devices does not introduce a metering policy. The provisions are aimed at ensuring that new buildings are future-proofed, so that meters are installed at a time when the cost will be relatively insignificant, estimated in the Section 32 Evaluation Report Part 2 – Three Waters as approximately \$120. The cost of installing a water meter at a later date would likely be significantly higher, as outlined in my right of reply for Hearing Stream 4.

359. Any Council policy on the measurement of water usage, and any charges associated with that use, will not be determined through the PDP.

3.11.4.3 Summary of recommendations

360. I recommend for the reasons given in the assessment, that the submission from Survey+Spatial [72.32] be **rejected**.

361. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.5 SUB-S6

3.11.5.1 Matters raised by submitters

362. Survey+Spatial [72.30] seeks the addition of wording to limit the hydraulic neutrality requirements under SUB-S6-2 to rain events up to 10 percent annual exceedance probability (AEP) event.

3.11.5.2 Assessment

363. The definition of hydraulic neutrality has been considered in the THWT-Three Waters section 42A report. That report recommends that the definition be amended to specify that hydraulic neutrality is to be quantitatively assessed against the 10 percent and 1 percent rainfall AEP events.

364. The requested wording from Survey+Spatial [72.30] would be inconsistent with the recommended amendment to the hydraulic neutrality definition. Additionally, I consider that the requested wording would not be consistent with strategic direction REE-O3 Resilience, as it may result in greater levels of runoff from development, and therefore increased flood water levels in 1 percent AEP rainfall events. As such, I consider that it is not appropriate.

3.11.5.3 Summary of recommendations

365. I recommend for the reasons given in the assessment, that the submission from Survey+Spatial [72.30] be **rejected**.

366. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.6 SUB-S7

3.11.6.1 Matters raised by submitters

367. Three submissions raised matters related to SUB-S7, primarily relating to the relevance of fibre optic connections in rural zones.

368. Kāinga Ora [81.476] generally supports the intent of this standard but notes that fibre optic connections may not be available in all locations, particularly rural locations. The submitter seeks replacement of the standard with wording which requires services to be provided to the boundary of a new lot where it is located within certain zones or where the services are within 200 metres of the new lot, and sufficient land is set aside for services at the time of subdivision.

369. The Telcos [63.1] oppose the requirement for the installation of fibre to each new lot created via subdivision, stating that the standards should not be limited to one form of network. The submitter requests an amendment to increase the scope of the standard to include other forms of telecommunications network being wireless.

370. Survey+Spatial [72.31] seeks deletion of SUB-S7-1, stating that cable networks for telecommunications are no longer necessary with the introduction of 5G technologies.

3.11.6.2 Assessment

371. The points from Kāinga Ora [81.476], Spark NZ Trading Ltd & Vodafone NZ Ltd [63.1] and Survey+Spatial [72.31] all generally seek a change to SUB-S7-1, which requires all new allotments to have provision for fibre optic cable connection to the legal boundary. The reasons generally are that fibre infrastructure is not available in all areas, particularly rural areas, and other telecommunications infrastructure technology is available to sufficiently provide for these services.

372. The extent of fibre broadband availability in Porirua is not expected to cover the whole territorial authority area. Figure 5 shows the Commerce Commission's map of specified fibre areas (SFAs). SFAs show the locations where copper-based phone and internet services will eventually be withdrawn because fibre is available.

373. Importantly, the extent of fibre availability currently shown does not extend to a significant proportion of the northern growth area, Judgeford, or the FUZ – Rural Lifestyle Zone. The cost of providing fibre to more remote, less densely populated areas of the city would likely be much higher on a per allotment basis, than within the urban area. I therefore accept that the requirement in SUB-S7-1 is not appropriate in all locations.

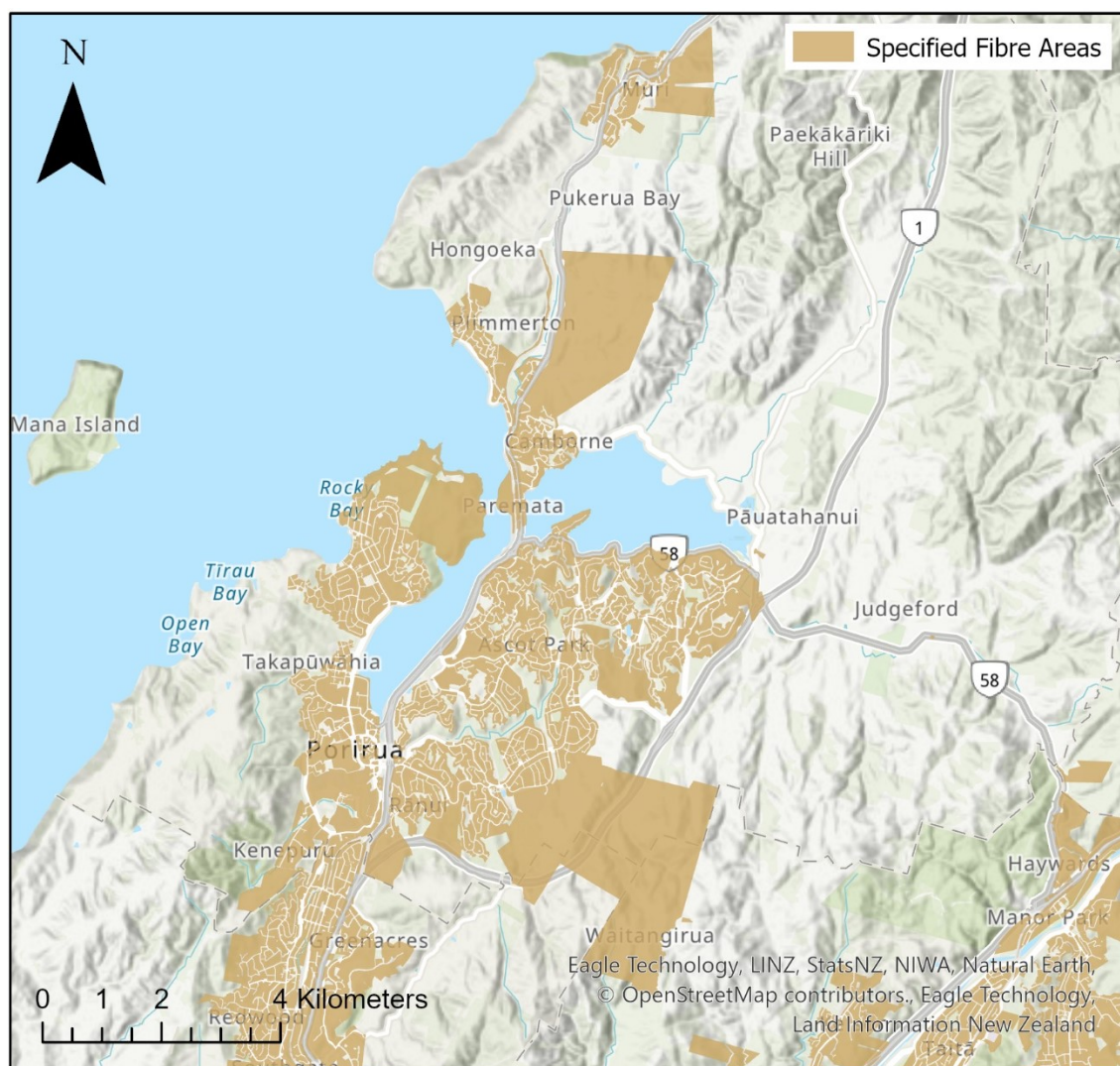


Figure 5: Specified fibre areas¹⁴

374. The PDP defines 'Urban Zones' in the definition section as including the residential, commercial and mixed use, and industrial zones, along with the Hospital Zone and Sport and Recreation Zone. The extent of fibre broadband availability generally coincides with these zones. When Structure

¹⁴ Data available from: <https://comcom.govt.nz/regulated-industries/telecommunications/regulated-services/consumer-protections-for-copper-withdrawal/map-of-specified-fibre-areas>

Plans are developed for land within the FUZ – Future Urban Zone areas, these will set out the location and protection of existing and planned infrastructure, which will include telecommunications infrastructure.

375. While I do accept the wider point of Survey+Spatial [72.31] that 5G cellular technology may provide an option for telecommunication connections outside of urban zones, there are limitations to fifth generation (5G) cellular technology, in that due to the nature of the technology more cellular sites are required to provide sufficient coverage over a given area. Currently, 5G coverage in the wider Wellington region is very limited. Therefore, I do not agree that SUB-S7-1 can be deleted entirely with reliance placed on the provision of 5G coverage.
376. Therefore, I consider that the requirement to have fibre optic cable connection to the legal boundary should be retained but can be limited to urban zones as defined in the PDP.
377. Subsequently, I consider that an additional standard is required to address connection to telecommunication infrastructure in zones other than urban zones. I agree with Spark NZ Trading Ltd & Vodafone NZ Ltd [63.1] that the standard for these zones should not be limited to one technology but should be flexible to enable the deployment of a range of infrastructure networks which provide telecommunication services. I therefore consider that the standard can be expanded to allow for either fibre optic cable connections if this network is available, or another form of telecommunication network where written confirmation from a telecommunication network operator is provided demonstrating that a connection can be provided to all new allotments.
378. Kāinga Ora [81.476] also sought an additional standard requiring sufficient land for telecommunication and power infrastructure to be set aside at the time of subdivision. I agree that this provides appropriate direction to subdivision applicants for the necessary land to be identified and set aside. Without this additional standard, the required land may not be appropriately identified until a later stage, at which time there may be other land uses or impediments to the provision of this infrastructure.

3.11.6.3 Summary of recommendations

379. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend SUB-S7** as set out below and in Appendix A;

SUB-S7		Telecommunications and power supply	
All zones	1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments. 2. All new allotments must have provision for electricity connections to the legal boundary of the allotments.	Matters of discretion are restricted to: 1. Alternative provision of telecommunication and power supply.	
<u>Residential Zones</u>			
<u>Commercial and Mixed Use Zones</u>			
<u>General Industrial Zone</u>			
<u>Sport and Active Recreation Zones</u>			
<u>Hospital Zone</u>			

<p><u>Rural Zones</u></p> <p><u>Open Space Zone</u></p> <p><u>Special Purpose Zone (BRANZ)</u></p> <p><u>Future Urban Zone</u></p> <p><u>Māori Purpose Zone (Hongoeke)</u></p>	<p><u>2. All new allotments must have provision for connection to telecommunication infrastructure. This may be achieved by either:</u></p> <p><u>a. Provision for fibre optic cable connections to the legal boundary of the allotments; or</u></p> <p><u>b. Provision with any subdivision consent application of written confirmation from a telecommunication network operator confirming that connection to a telecommunications network can be provided to all new allotments and describing how this can be achieved.</u></p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Alternative provision of telecommunication and power supply.</u></p>
<p><u>All zones</u></p>	<p><u>3. All new allotments must have provision for electricity connections to the legal boundary of the allotments.</u></p> <p><u>4. At the time of subdivision, sufficient land for telecommunication network infrastructure, transformers and any associated ancillary services for telecommunication and electricity supply must be set aside.</u></p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Alternative provision of telecommunication and power supply.</u></p>

380. I recommend that the submissions from Kāinga Ora [81.476] and Spark NZ Trading Ltd & Vodafone NZ Ltd [63.1] be **accepted in part**.

381. I recommend that the submissions from Survey+Spatial [72.31] be **rejected**.

382. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.11.6.4 Section 32AA evaluation

383. In my opinion, the amendments to SUB-S7 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The amendments will allow for greater flexibility for the provision of telecommunication infrastructure to new subdivisions within rural and other relevant zones. Consequently, they will reduce the likelihood of restricted discretionary subdivision consent processes and the associated additional uncertainty and costs due to the unavailability of fibre connections in those locations, while ensuring that an alternative method of telecommunication connection will be able to be provided. The amendments will also ensure sufficient land is set aside for telecommunication and electricity supply. The amendments are therefore more efficient and

effective than the notified provisions in achieving the objectives of the PDP, specifically SUB-O2 in relation to on-site servicing in non-urban areas.

- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.12 Minor Errors

384. I recommend that amendments be made to the SUB-Subdivision chapter to:

- Including missing punctuation in a number of provisions;
- Correcting the reference to the Regional Standard for Water Services in SUB-P5-3;
- Changing the 'and' to 'or' in SUB-R2-2.a;
- Clarifying that SUB-R15 and SUB-R16 apply in addition to SUB-R1 to SUB-R5;
- Amending the word 'lot' to 'allotment' in SUB-R12 and SUB-S8; and
- Inclusion of the word 'General' in SUB-Table 1.

385. These amendments could have been made after the PDP was notified through the RMA process to correct minor errors¹⁵, but I recommend the amendment is made as part of the Hearing Panel's recommendations for completeness and clarity. The amendments are set out in Appendix A.

¹⁵ Clause 16 of RMA Schedule 1

4 Conclusions

386. Submissions have been received in support of and in opposition to the PDP. While most of these submissions relate to the SUB – Subdivision chapter as notified, particularly in relation to subdivision of land within the RLZ – Rural Lifestyle Zone, some submissions seek that additional provisions be included in relation to esplanade reserves.

387. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.

388. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

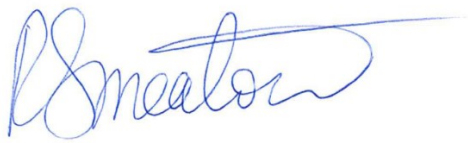
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- achieve the relevant objectives of the PDP, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

Name and Title		Signature
Report Author	Rory Smeaton Senior Policy Planner	

Appendix A. Recommended Amendments to Chapter SUB-Subdivision


Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.

Other notes

- Consequential changes have been made in this chapter in response to amendments recommended through previous hearing streams; and
- Amendments recommended directly to the chapter through previous hearing streams have been included.

SUB - Subdivision

This chapter contains provisions that have legal effect. They are identified with a  to the right hand side of the provision. To see more about what legal effect means please click [here](#).

Subdivision is the process of dividing a site or building into one or more additional sites or units or changing an existing boundary location. The way a site is subdivided, including its size and shape, is important as it can be a factor on the future use and development of the land, its character and quality and any impacts on adjacent sites. Subdivision can also affect the natural and physical environment and introduce long-term development patterns that cannot be easily changed.

The subdivision process regulates the provision of services for development and activities, including reserves and infrastructure. The adverse effects of activities are generally controlled by the provisions for each zone at the time of development. However, some potential effects of those activities that may be undertaken on sites are most appropriately managed at the time of subdivision. For example, the formation of new connections to roads may have an impact on the amenity values of an area and the safety and efficiency of the transport network, and the most effective means of addressing such effects is through a subdivision consent. It is also important to ensure that new sites being created are of a size and shape that can accommodate future development and be adequately serviced, either by reticulated services or on-site.

The subdivision of land to create new sites on undeveloped land also creates expectations and property rights. It requires consideration of the need for public open space, esplanade reserves, community facilities and connections to and servicing by other infrastructure. Cost-effective servicing by infrastructure is an important consideration for greenfield developments. However, ensuring sufficient infrastructure capacity can also be an issue for the subdivision of already developed land.

This chapter contains rules and standards relating to subdivision of land within Overlays, the Coastal Environment and the National Grid Corridor. The Overlay chapters contain the objectives and policies that also apply to any subdivision application.

The partitioning of Māori land is exempt from the subdivision provisions of the Act and is primarily controlled by the Te Ture Whenua Māori Act 1993 and administered by the Māori Land Court.

Objectives

SUB-01 Subdivision design

Subdivision creates allotments and patterns of land development that:

1. Are compatible with the anticipated purpose, character and amenity values of each zone;
2. Provide for the health and wellbeing of communities; and
3. Maintain the safety and efficiency of the transport network.

SUB-02 Servicing of allotments

Subdivisions in Urban Zones are serviced by the Three Waters Network with sufficient capacity to accommodate any proposed or anticipated development and subdivisions in non-urban areas are able to be serviced through on-site measures.

SUB-03 Esplanade reserves and esplanade strips

Esplanade reserves and esplanade strips created through subdivision contribute to the maintenance, enhancement and protection of ecological, amenity, public access, recreational values and hazard management values of rivers with an average width of 3m or more and the coast.

SUB-04 Future Urban Zone

Subdivision within the Future Urban Zone does not result in the fragmentation of sites that would compromise the potential of:

1. The Judgeford Hills and Northern Growth Area of the Future Urban Zone to accommodate integrated serviced and primarily residential urban development; and
2. The Judgeford Flats area of the Future Urban Zone to accommodate integrated, serviced and primarily industrial development.

Policies

SUB-P1 Creation of allotments

Provide for subdivision where it results in allotments that:

1. Reflect the intended pattern of development and are consistent with the purpose, character and amenity values of the zone; and
2. Are of a size and dimension that are sufficient to accommodate the intended development form for that zone;
3. ~~Protect stands of significant~~ Maintains indigenous vegetation that ~~are~~ is¹⁶ not located within an identified Significant Natural Area;
4. Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner, and the matters in INF-P5¹⁷;
5. Minimise natural hazard risk to people's lives and properties;
6. Within Urban Zones, are adequately served by public open space that is accessible, useable and well-designed;
7. Have legal and physical access to each allotment created by the subdivision;
8. Create esplanade reserves where land adjoins MHWS and/or rivers whose bed has an average width of 3m or more; and
9. For subdivision around buildings that have been approved by way of resource consent, ensure that the staging of the subdivision relative to building construction is efficient and appropriate to the scale and complexity of the overall development.

SUB-P2 Boundary adjustments

Control boundary adjustments to ensure that:

1. The size, design and layout of the allotments is sufficient to accommodate existing development on or proposed development of the site; and

¹⁶ Forest and Bird [225.42]

¹⁷ Porirua City Council [11.58]

2. The design of the allotments will ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner.

SUB-P3 Update of cross-lease titles

Control the update of cross-lease titles to ensure that:

1. The size, design and layout of the covenant areas are sufficient to accommodate existing development on or proposed development of the site; and
2. The allocation of covenant areas to leased areas complies with or does not increase the degree of non-compliance with any permitted standards.

SUB-P4 Functioning of the transport network

Provide for subdivision where it maintains the safe and efficient functioning of the transport network by:

1. Ensuring roads and any vehicle access to sites meet minimum design standards to allow for safe and efficient traffic movements and can safely accommodate the intended number of users;
2. Where new roads are proposed opportunities exist¹⁸, including transport network connections within and between communities;
3. ~~Where consistent with the zone, p~~Providing¹⁹ for a variety of travel modes that reflect the purpose, character and amenity values of the zone, including walking, cycling and access to public transport; and
4. Achieving safe ~~and efficient~~ access onto and from state highways, taking into account the capacity of the network.²⁰

SUB-P5 Integration with infrastructure

Require infrastructure to be provided in an integrated and comprehensive manner by:

1. Ensuring infrastructure meets Council standards for the provision of water supply, wastewater and stormwater management and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone,²¹ and is in place at the time of allotment creation;
2. Ensuring that subdivisions in Urban Zones, Settlement Zone and Māori Purpose Zone (Hongoeka) are hydraulically neutral;
3. Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Standard for Water Services Standard May 2019;²²
4. Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and

¹⁸ Waka Kotahi [82.136]

¹⁹ Ibid

²⁰ Ibid

²¹ Porirua City Council [11.59]

²² Clause 16 minor amendment

5. Ensuring telecommunications and power supply is provided to all allotments.	
SUB-P6	Subdivision in the Residential Zones and Māori Purpose Zone (Hongoeka)
Provide for vacant lot subdivision within the Medium Density Residential, General Residential Zone and Māori Purpose Zone (Hongoeka) where it can be demonstrated that the proposed lots are able to accommodate a residential unit that is of a size, scale and location that is anticipated for the Zone.	
SUB-P7	Subdivision in the Future Urban Zone
Avoid subdivision within the Future Urban Zone that may result in one or more of the following: <ol style="list-style-type: none"> 1. The <u>safe</u>,²³ efficient and effective operation of the local and wider transport network being compromised; 2. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development; 3. The efficient provision of infrastructure being compromised; 4. Reverse sensitivity effects when urban development occurs; 5. Reverse sensitivity effects on existing rural activities or infrastructure; or 6. Fragmentation of sites in a manner that may compromise the appropriate form or nature of future urban development. 	
SUB-P8	Subdivision in the General Industrial Zone
Only allow for subdivision that creates sites of a size and shape that can accommodate industrial activities.	
SUB-P9	Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone
Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: <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; 3. Ensuring any building platforms are sited to be sympathetic to existing landform and vegetation; 4. Opportunities to obtain public access to rivers and the coastal marine area, other than through esplanade reserves or strips; 5. Opportunities to undertake planting and fencing of erosion-prone land, areas of indigenous vegetation, wetlands and riparian areas; and 6. Avoiding, remedying or mitigating reverse sensitivity effects. 	
SUB-P10	Inappropriate subdivision in the General Rural Zone
Avoid subdivision in the General Rural Zone that will result in sites that are of a size and scale that is contrary to the anticipated purpose, character and amenity values of the zone.	
SUB-P11	Subdivision for infrastructure

²³ Waka Kotahi [82.137]

Control the creation of allotments for the purposes of infrastructure to ensure that:

1. Any allotments are of a **size**,²⁴ sufficient design and layout to accommodate its required use;
2. There is adequate access to any proposed allotments; and
3. Infrastructure with sufficient capacity is provided to service any proposed allotment.

SUB-P12 Reductions or waivers of Esplanade Reserves and Provision of Esplanade Strips

Only allow for the provision of an esplanade strip, or a reduction or waiver in the width or provision of any esplanade reserve or esplanade strip, where it can be demonstrated, where relevant, that:

1. Safe public access and recreational use is already possible and can be maintained for the future;
2. An esplanade strip would better provide for public and customary access, recreation, hazard management, stormwater management and ecological values;
3. The ecological values and landscape features of the land adjoining the coast or other waterbody will not be adversely affected;
4. Any scheduled historic heritage places and sites and areas of significance to Māori will not be adversely affected;
5. The reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long term effects of climate change;
6. A full-width esplanade reserve or esplanade strip is not required to maintain the natural character and amenity of the coastal environment; and
7. A reduced width in certain locations is offset by an increase in width in other locations or areas which would result in a positive public benefit, in terms of public and customary access, recreation, hazard management, stormwater management and ecological values.

Rules

Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

SUB-R1 to SUB-R5 are the general rules that apply to subdivisions. SUB-R6 to SUB-R16 set out specific rules relating to subdivisions in Overlays and the Coastal Environment. SUB-R6 to SUB-R16 apply in addition to SUB-R1 to SUB-R5. For instance, a subdivision to create a vacant allotment in a Special Amenity Landscape will require consent under SUB-R3 and SUB-R7.

Wastewater:

- All wastewater generated on any land that is not connected to the Council's public sewer network must be treated and be disposed of within the confines of that land, in compliance with Porirua City Council General Bylaw 1991 - Part 25 Wastewater. This Bylaw requires that all on-site wastewater systems within

²⁴ Porirua City Council [11.61]

Porirua, such as a septic tank or aerated wastewater treatment system, must be licensed by Porirua City Council.

- Any on-site wastewater system must also meet the requirements outlined in Wellington Regional Council's Proposed Natural Resources Plan (PNRP). The PNRP has requirements around discharges to land, including design of systems and setbacks from boundaries and waterways.

SUB-R1 Boundary adjustments

All zones	<p>1. Activity status: Controlled</p> <p>Where:</p> <p>a. Compliance is achieved with</p> <ol style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P2; and 2. The matters in SUB-P4.
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. 2. The matters in SUB-P2; 3. The matters in SUB-P4; and 4. The matters in SUB-P5.
Residential Zones Māori Purpose Zone (Hongok a)	<p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-S1;</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P2; 2. The matters in SUB-P4; 3. The matters in SUB-P5; and 4. The matters in SUB-P6.
Rural Lifestyle Zone Settlement Zone	<p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-S1.</p>

Commercial and Mixed Use Zones	
General Industrial Zone	
Open Space and Recreation Zones	
Special Purpose Zone (BRANZ)	
Hospital Zone	
General Rural Zone	5. Activity status: Discretionary Where: a. Compliance is not achieved with SUB-S1; and b. Any resulting allotment is between 5ha and 40ha in area.
General Rural Zone	6. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1; and b. Any resultant allotment is less than 5ha in area.
Future Urban Zone	7. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1.
SUB-R2	Updating of an existing crosslease title
All zones	1. Activity status: Controlled Where: a. The update complies with, or does not increase any ²⁵ existing or previously approved non-compliance with: i. SUB-S1; ii. SUB-S2; iii. SUB-S3;

²⁵ Clause 16 Minor Amendment

	<ul style="list-style-type: none"> iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7. <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> 1. The matters in SUB-P3; 2. The matters in SUB-P4; and 3. The matters in SUB-P5.
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with SUB-S2;²⁶ SUB-S3, SUB-S4, SUB-S5, SUB-S6 and <u>or</u>²⁷ SUB-S7. <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P3; 3. The matters in SUB-P4; and 4. The matters in SUB-P5.
All zones	<p>3. Activity status: Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with SUB-S1.
SUB-R3	Subdivision that creates any vacant allotments
All zones	<p>1. Activity status: Controlled</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7; b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8. <p>Matters of control are limited to:</p> <ul style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; and 3. The matters in SUB-P5.
All zones	<p>2. Activity status: Restricted discretionary</p>

²⁶ Clause 16 Minor Amendment²⁷ Clause 16 Minor Amendment

	<p>Where:</p> <p>a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; and 4. The matters in SUB-P5.
<p>Residential Zones</p> <p>Māori Purpose Zone (Hongoek a)</p>	<p>3. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-S1;</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; 3. The matters in SUB-P5; and 4. The matters in SUB-P6.
<p>Rural Lifestyle Zone</p> <p>Settlement Zone</p> <p>Commercial and Mixed Use Zones</p> <p>General Industrial Zone</p> <p>Open Space and Recreation Zones</p> <p>Special Purpose Zone (BRANZ)</p> <p>Hospital Zone</p>	<p>4. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-S1.</p>
<p>All zones</p>	<p>5. Activity status: Discretionary</p>

	Where: a. Compliance is not achieved with SUB-S8.
General Rural Zone	6. Activity status: Discretionary Where: a. Compliance is not achieved with SUB-S1; and b. Any resulting allotment is between 5ha and 40ha in area.
General Rural Zone	7. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1; and b. Any resultant allotment is less than 5ha in area.
Future Urban Zone	8. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1.
SUB-R4	<u>Unit title subdivision and Ssubdivision²⁸ of land around existing lawfully established buildings (excluding accessory buildings) or buildings (excluding accessory buildings) approved or part of a resource consent application and no vacant allotments are created</u>
All zones	1. Activity status: Controlled Where: a. Compliance is achieved or any existing or previously approved non-compliance is not increased with: i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8. Matters of control are limited to: 1. The matters in SUB-P1; 2. The matters in SUB-P4; and 3. The matters in SUB-P5.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7.

²⁸ Survey and Spatial [72.3]

	Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; and 4. The matters in SUB-P5.
All zones	3. Activity status: Discretionary Where: a. Compliance is not achieved with SUB-S8.
General Rural Zone	4. Activity status: Discretionary Where: a. Compliance is not achieved with SUB-S1; and b. Any resulting allotment is between 5ha and 40ha in area.
General Rural Zone	5. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1; and b. Any resultant allotment is less than 5ha in area.
Future Urban Zone	6. Activity status: Non-complying Where: a. Compliance is not achieved with SUB-S1.
SUB-R5	Subdivision of land to create new allotment(s) for Infrastructure
All zones	1. Activity status: Controlled Where: a. Any balance allotment complies with SUB-S1; b. The new allotments for infrastructure comply with: i. SUB-S2; and ii. SUB-S3. Matters of control are limited to: 1. The matters in SUB-P11.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with SUB-S2 or SUB-S3. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard; and 2. The matters in SUB-P11.
Residential zones Māori Purpose Zone	3. Activity status: Restricted discretionary Where: a. Any balance allotment does not comply with SUB-S1; Matters of discretion are restricted to: 1. The matters in SUB-P4;

	(Hongoek a)	2. The matters in SUB-P5; and 3. The matters in SUB-P11.
	Rural Lifestyle Zone Settlement Zone Commercial and Mixed Use Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zone (BRANZ) Hospital Zone	4. Activity status: Discretionary Where: a. Any balance allotment does not comply with SUB-S1.
	General Rural Zone	5. Activity status: Discretionary Where: a. Any balance allotment does not comply with SUB-S1, and b. Any resulting allotment is between 5ha and 40ha in area.
	General Rural Zone	6. Activity status: Non-complying Where: a. Any balance allotment does not comply with SUB-S1; and b. Any resultant allotment is less than 5ha in area.
	Future Urban Zone	7. Activity status: Non-complying Where: a. Any balance allotment does not comply with SUB-S1.
SUB-R6 Subdivision that creates building platforms for Less-Hazard-Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay and Coastal Hazard Overlay		

	<p>All zones 1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; b. The building platform is not located within an identified Flood Hazard - Overland Flow or Flood Hazard - Stream Corridor Overlay. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; 3. The matters in SUB-P5; 4. For allotments in a Natural Hazard Overlay, the matters in NH-P3; and 5. For allotments in a Coastal Hazard Overlay the matters in CE-P10. <p>Note: this rule applies in addition to SUB-R1 to SUB-R5.</p>
	<p>All zones 2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; 4. The matters in SUB-P5; 5. For allotments in a Natural Hazard Overlay, the matters in NH-P3; 6. For allotments in a Coastal Hazard Overlay the matters in CE-P10.
	<p>All zones 3. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. The building platform is located in an identified Flood Hazard - Overland Flow Overlay. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters contained in NH-P6.
	<p>All zones 4. Activity status: Non-complying</p> <p>Where:</p> <ol style="list-style-type: none"> a. The building platform is located in an identified Flood Hazard - Stream Corridor Overlay.

SUB-R7 Subdivision within a Special Amenity Landscape	
Rural Lifestyle Zone	<p>1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; b. The minimum allotment size is no less than 5ha within the Rural Lifestyle Zone; and c. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; 3. The matters in SUB-P5; 4. The matters in NFL-P5. <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>
Rural Lifestyle Zone	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; 4. The matters in SUB-P5; 5. The matters in SUB-P3.
<u>Rural Lifestyle Zone</u>	<p><u>3. Activity status: Restricted discretionary²⁹</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>a. Compliance is not achieved with SUB-R7-1.b.</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> <u>1. The matters of discretion of any infringed standard;</u> <u>2. The matters in SUB-P1;</u> <u>3. The matters in SUB-P3;</u> <u>4. The matters in SUB-P4;</u> <u>5. The matters in SUB-P5;</u>

²⁹ Porirua City Council [11.60]

<u>6. The matters in NFL-P5.</u>	
All zones except the Rural Lifestyle Zone	<p>34³⁰. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in NFL-P3; and 2. The matters in NFL-P8. <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>
All zones	<p>35³¹. Activity status: Discretionary</p> <p>Where:</p> <p>b. Compliance is not achieved with SUB-R7-1.b,³² SUB-R7-1.c or SUB-R7-3.a.</p>
SUB-R8	<p style="text-align: center;">Subdivision that creates building platforms for <u>Hazard-Sensitive Activities or</u>³³ Potentially-Hazard-Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay</p>
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>b. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 3. For allotments in a Natural Hazard Overlay, the matters in NH-P34³⁴; and 4. For allotments in a Coastal Hazard Overlay the matters in CE-P12. <p><u>Notification:</u> <u>An application under this rule is precluded from being publicly notified in accordance with sections 95A of the RMA.</u>³⁵</p> <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>

³⁰ Porirua City Council [11.60]

³¹ Porirua City Council [11.60]

³² Porirua City Council [11.60]

³³ Kāinga Ora [81.459]




³⁴ Clause 16 minor amendment

³⁵ Ibid

All zones	<p>2. Activity status: Discretionary</p> <p>Where:³⁶</p> <p>a. All subdivisions where the building platform would be located within an identified Medium Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.</p>
All zones	<p>3. Activity status: Non-complying</p> <p>Where</p> <p>a. All subdivisions where the building platform would be located within an identified High Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.</p>
<p>SUB-R9 Subdivision that creates building platforms for Hazard-Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay³⁷</p>	
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay.</p> <p>Matters of discretion are restricted to:</p> <p>1. For allotments in a Natural Hazard Overlay, the matters in NH-P3; and</p> <p>2. For allotments in a Coastal Hazard Overlay, the matters in CE-P12.</p> <p>Note:</p> <p>This rule applies in addition to SUB-R1 to SUB-R5.</p>
All zones	<p>2. Activity status: Discretionary</p> <p>Where</p> <p>a. All subdivisions where the building platform would be located within an identified Medium Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.</p>
All zones	<p>3. Activity status: Non-complying</p> <p>Where:</p> <p>a. All subdivisions where the building platform would be located within an identified High Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.</p>

³⁶ Clause 16 Minor Amendment

³⁷ Kāinga Ora [81.459]

SUB-R910³⁸ 	Any subdivision <u>of land</u> within <u>a the</u> heritage setting <u>of or which contains</u>³⁹ a heritage item listed in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED4 - Historic Heritage Sites
All zones	1. Activity status: Restricted discretionary Matters of discretion are restricted to: 1. The matters in HH-P15. Note: This rule applies in addition to SUB-R1 to SUB-R5.
SUB-R104⁴⁰ 	Any subdivision within a site listed in SCHED6 - Sites and Areas of Significance to Māori
All zones	1. Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. The matters in SASM-P6; and 2. The matters in SASM-P8. Note: This rule applies in addition to SUB-R1 to SUB-R5.
SUB-R112⁴¹ 	Subdivision of an <u>allotment</u>⁴² containing a Significant Natural Area
All zones	1. Activity status: Restricted discretionary Where: a. A future building platform to contain a residential unit, <u>areas for access to the building platform, and alignments for infrastructure customer connections, is are</u> ⁴³ identified for each new undeveloped <u>allotment</u> ⁴⁴ that: i. <u>Complies</u> with the underlying zone <u>and district-wide</u> ⁴⁵ provisions; and ii. <u>Is Are</u> located outside of the Significant Natural Area. Matters of discretion are restricted to: 3. The matters in ECO-P2; and 4. The matters in ECO-P4. Note: This rule applies in addition to SUB-R1 to SUB-R5.
All zones	2. Activity status: Discretionary

³⁸ Consequential renumbering

³⁹ Heritage New Zealand [65.52]

⁴⁰ Consequential renumbering

⁴¹ Consequential renumbering

⁴² Clause 16 Minor Amendment

⁴³ Robyn Smith [168.94]

⁴⁴ Clause 16 Minor Amendment

⁴⁵ Robyn Smith [168.94]

	Where: a. Compliance is not achieved with SUB-R12-1.a.
SUB-R123⁴⁶	Subdivision within an Outstanding Natural Feature and Landscape
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The minimum allotment size is no less than 40ha; and b. A building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in NFL-P3.</p> <p>Note: This rule applies in addition to SUB-R1 to SUB-R5.</p>
All zones	<p>4. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R13-1.a or SUB-R13-1.b.</p>
SUB-R134⁴⁷	Subdivision of a site containing a Coastal High Natural Character Area
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards of the underlying zone.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in CE-P3.</p> <p>Note:</p> <ul style="list-style-type: none"> • This rule applies in addition to SUB-R1 to SUB-R5; • The provisions of ECO and NFL chapters also apply where relevant.
All zones	<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R14-1.a.</p>

⁴⁶ Consequential renumbering⁴⁷ Consequential renumbering

SUB-R145⁴⁸	Subdivision of land to create new allotment(s) within the National Grid <u>Subdivision</u> Corridor or National Grid Pāuatahanui Substation Yard
All zones	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. A proposed building platform is identified for each proposed allotment, <u>other than allotments for access or infrastructure</u>,⁴⁹ that is capable of accommodating a building which is located entirely outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard.</p> <p>Matters of discretion are restricted to:</p> <p>2. The matters in INF-P5.</p> <p><u>Note: This rule applies in addition to SUB-R1 to SUB-R5.</u>⁵⁰</p> <p>Notification:⁵¹</p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> • <u>When deciding whether any person is affected in relation to this rule, for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u>
All zones	<p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R15-1.a.⁵²</p> <p>Notification:⁵³</p> <ul style="list-style-type: none"> • <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> • <u>When deciding whether any person is affected in relation to this rule, for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u>
SUB-R156⁵⁴	Subdivision of land to create new allotment(s) within the Gas Transmission Pipeline Corridor and/or within 30m of a site containing any above-ground station site forming part of the Gas Transmission Network

⁴⁸ Consequential renumbering⁴⁹ Transpower [60.86]⁵⁰ Clause 16 Minor Amendment⁵¹ Transpower [60.86]⁵² Clause 16 Minor Amendment⁵³ Transpower [60.86]⁵⁴ Consequential renumbering

All zones	1. Activity status: Restricted discretionary	
	Where:	
	a. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building which is located entirely outside of the Gas Transmission Pipeline Corridor or more than 30m of a site containing any above-ground station forming part of the Gas Transmission Network.	
	Matters of discretion are restricted to:	
	1. The matters in INF-P5.	
	<u>Note: This rule applies in addition to SUB-R1 to SUB-R5.⁵⁵</u>	
All zones	2. Activity status: Non-complying	
	Where:	
	a. Compliance is not achieved with SUB-R16-1.a	
SUB-R16⁵⁶ Subdivision adjoining existing General Residential Zone settlements within the Coastal Environment		
General Rural Zone	1. Activity status: Discretionary	
	Where:	
	a. The subdivision is of a General Rural Zone site that is adjacent to a site in the General Residential Zone in the Coastal Environment and is parallel to the coastline; or	
	b. Compliance is not ⁵⁷ achieved with SUB-S1.	
General Rural Zone	2. Activity status: Non-complying	
	Where:	
	a. Compliance is not achieved with SUB-R17-1.a or SUB-R17-1.b.	
Standards		
SUB-S1 Minimum allotment size and shape		
All zones	1. All allotments created must comply with the minimum allotment size and allotment shape set out in SUB-Table 1.	There are no matters of discretion for this standard.
SUB-Table 1 Minimum allotment size and shape		
Zones	Minimum allotment size	Minimum allotment shape

⁵⁵ Clause 16 Minor Amendment⁵⁶ Consequential renumbering⁵⁷ Kāinga Ora [81.486]

General Rural Zone Future Urban Zone	All allotments created must have a minimum allotment size of 40ha.	n/a
Rural Lifestyle Zone	All allotments created must have a minimum allotment size of 2ha.	n/a
Settlement Zone	All allotments created must have a minimum allotment size of 3000m ² with a 1ha minimum average allotment size being achieved across the site.	n/a
General ⁵⁸ Industrial Zone	All allotments created must have a minimum allotment size of 1,000m ² .	n/a
General Residential Zone and Māori Purpose Zone (Hongoeka)	All vacant allotments created must have a minimum allotment size of 400m ² .	All vacant allotments must be able to contain a rectangle measuring 10m x 15m clear of any yards, access allotments and right-of-way.
Medium Density Residential Zone	All vacant allotments created must have a minimum allotment size of 300m ² .	All vacant allotments must be able to contain a rectangle measuring 9m x 14m clear of any yards, access allotments and right-of-way.
Other zones	n/a	n/a
All zones All allotments created for infrastructure	No minimum allotment size.	No minimum allotment shape.
SUB-S2	Access	
All zones	1. All new allotments created must have legal and physical access to a formed road in accordance with TR-S1–TR-S4 , the provisions in the TR – Transport chapter. ⁵⁹	Matters of discretion are restricted to: 1. The safe, efficient and effective functioning of any private way, including firefighting

⁵⁸ Clause 16 Minor Amendment⁵⁹ Survey + Spatial New Zealand [72.33]

		<p>access and the safety of pedestrians and cyclists;</p> <ol style="list-style-type: none"> 2. The suitability of any alternative design options. 3. The safe, efficient and effective functioning of the transport network; and 4. Site and topographical constraints.
SUB-S3	Connections to roads	
All zones	<p>1. All new roads and intersections-connections to roads must comply with <u>the provisions in the INF – Infrastructure chapter INF-R23-1.a and INF-R23-1.b.</u>⁶⁰</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in INF-P145.
SUB-S4	Water supply	
All zones	<p>1. Where a connection to Council's reticulated water supply systems is available, all new allotments must:</p> <ol style="list-style-type: none"> a. Be provided with a water supply connection at the allotment boundary, that provides the level of service in Chapter 6, Tables 6.1 and 6.2 of the Wellington Water Regional Standard for Water Services May 2019; b. Comply with water supply requirements in the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; and c. Be fitted with a water metering device that meets the requirements of Sections 6.4.10.2 and Section 6.4.11 of the Wellington Water Regional Standard for 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. For Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: <ol style="list-style-type: none"> a. The matters in THWT-P2; b. The matters in THWT-P3. 2. For sites that are not within Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: <ol style="list-style-type: none"> a. The provision of an alternative water supply; b. The potability of the alternative water supply; c. Measures to maintain the health

⁶⁰ Kāinga Ora [81.472]

	<p>Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated water supply systems is not available, all allotments must:</p> <ol style="list-style-type: none"> a. Be provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L; and b. Comply with the water supply requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. 	<p>and safety of users of the water;</p> <ol style="list-style-type: none"> d. The ability for the proposal to provide for fire safety; and e. Any mitigation measures to reduce the impact of the demand from the subdivision on the water network.
SUB-S5	Wastewater disposal	
All zones	<p>1. Where a connection to Council's reticulated wastewater systems is available, all new allotments must be provided with a connection at the allotment boundary that provides the level of service in Chapter 5, section 5.2.3 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. Where a connection to Council's reticulated wastewater systems is not available, all allotments must be provided with a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner within the net site area of the allotment in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>3. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. For Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: <ol style="list-style-type: none"> a. The matters in THWT-P3; 2. For sites that are not within Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: <ol style="list-style-type: none"> a. The wastewater demand generated by the proposal and the need for wastewater connections; b. The alternative wastewater system proposed and its long term effectiveness in providing for the wastewater

	<p>must not be subject to instability or inundation or used for the disposal of stormwater.</p>	<p>management of the development;</p> <p>c. The effects of the proposed wastewater system and disposal on the health and safety of people;</p> <p>d. The capacity of the wastewater network and the impact of the development on the capacity of the system; and</p> <p>e. Any mitigation measures to reduce the impact of the demand from the subdivision on the wastewater network.</p>
SUB-S6	Stormwater management	
All zones	<p>1. Where a connection to Council's stormwater management systems is available, all new allotments must be provided with a connection at the allotment boundary, that provides the level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019.</p> <p>2. All subdivisions within Urban Zones and the Māori Purpose Zone (Hongoeka) must achieve hydraulic neutrality.</p> <p>3. Where a connection to Council's stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater.</p>	<p>Matters of discretion are restricted to:</p> <p>1. For Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network:</p> <p>a. The matters in THWT-S2; and</p> <p>b. The matters in THWT-P3;</p> <p>2. For sites that are not within Urban Zones and the areas of the Settlement Zone and Māori Purpose Zone (Hongoeka) serviced by all or part of the three waters network:</p> <p>a. Any potential impacts on any downstream flooding hazard from the proposed stormwater disposal from the site; and</p> <p>b. The size and scale of the development and the additional stormwater that the</p>

		proposal will generate compared to the existing situation.
SUB-S7	Telecommunications and power supply	
<p>All-zones⁶¹ <u>Residential Zones</u></p> <p><u>Commercial and Mixed Use Zones</u></p> <p><u>General Industrial Zone</u></p> <p><u>Sport and Active Recreation Zones</u></p> <p><u>Hospital Zone</u></p>	<p>1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments.</p> <p>2. All new allotments must have provision for electricity connections to the legal boundary of the allotments.</p>	<p>Matters of discretion are restricted to:</p> <p>1. Alternative provision of telecommunication and power supply.</p>
<p><u>Rural Zones</u></p> <p><u>Open Space Zone</u></p> <p><u>Special Purpose Zone (BRANZ)</u></p> <p><u>Future Urban Zone</u></p> <p><u>Māori Purpose Zone (Hongokea)</u></p>	<p>2. All new allotments must have provision for connection to telecommunication infrastructure. This may be achieved by either:</p> <p>a. Provision for fibre optic cable connections to the legal boundary of the allotments; or</p> <p>b. Provision with any subdivision consent application of written confirmation from a telecommunication network operator confirming that connection to a telecommunications network can be provided to all new allotments and describing how this can be achieved.⁶²</p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Alternative provision of telecommunication and power supply.</u></p>

⁶¹ Kāinga Ora [81.476]

⁶² Telcos [63.1]

All zones	<p><u>3. All new allotments must have provision for electricity connections to the legal boundary of the allotments.</u></p> <p><u>4. At the time of subdivision, sufficient land for telecommunication network infrastructure, transformers and any associated ancillary services for telecommunication and electricity supply must be set aside.</u>⁶³</p>	<p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Alternative provision of telecommunication and power supply.</u></p>
SUB-S8 Esplanade Reserve		
All zones	<p>1. Any subdivision involving the creation of one or more <u>sites allotments</u>⁶⁴ less than 4ha which adjoins:</p> <ul style="list-style-type: none"> c. The line of MHWS; or d. The bank of a river whose bed has an average width of 3m or more <u>where the river flows through or adjoins an allotment</u>⁶⁵ <p>must provide a minimum 20m wide esplanade reserve in accordance with section 230 of the RMA.</p> <p>2. The esplanade reserve must be measured in a landward direction at 90° to the line of MHWS, or the bank of a river.</p>	There are no matters of discretion for this standard.

⁶³ Kāinga Ora [81.476]⁶⁴ Clause 16 minor amendment⁶⁵ Robyn Smith [168.93]

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
General submissions							
264.54 ⁶⁶	Te Rūnanga o Toa Rangatira	General	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
240.1 ⁶⁷	Kenneth Betteridge	General	Greater flexibility More natural size to fit in with water ways, roads and geographic features, villages, best use of land use.	3.2	Reject	See body of the report	No
Minimum allotment size in the RLZ							
33.1 ⁶⁸	Nigel Walsh	General	Amend from: "All allotments created must have a minimum allotment size of 2ha" to: "All allotments created must have an average allotment size of 2ha but a minimum of 1ha."	3.3	Reject	See body of the report	No
253.2 ⁶⁹	Anita and Fraser Press	General	Amend the RLZ rules and standards to reinstate a 1ha minimum lot size and an average lot size of 2ha across the subdivision area. [Refer to original submission for full decision requested]	3.3	Reject	See body of the report	No
234.2 ⁷⁰	Graham and Janet Reidy	General	Amend the RLZ rules and standards to reinstate a 1ha minimum lot size and an average lot size of 2ha across the subdivision area. [Refer to original submission for full relief sought, including attachments]	3.3	Reject	See body of the report	No
211.8 ⁷¹	Trustees of the Ken Gray No. 1 Family Trust & Ken Gray No. 2 Family Trust	General	Provision for a minimum 1 hectare/minimum average 2 hectare lot size in the Rural Lifestyle Zone.	3.3	Reject	See body of the report	No
40.1 ⁷²	Jalna Wilkins	General	Limit the reduction of RLZ plot size so that the minimum size is 3.5 hectares and not the proposed 2 hectares.	3.3	Reject	See body of the report	No
42.2 ⁷³	Bill McGavin	SUB-R3	Seeks the minimum size for rural lifestyle properties to be 1 ha.	3.3	Reject	See body of the report	No
54.1 ⁷⁴	Craig Parker	SUB-S1	When subdividing lots within the Rural Lifestyle Zone provide for an averaging across the larger lot, for example, 4ha lots could be subdivided 1:3 or another ratio.	3.3	Reject	See body of the report	No
FS68.4	Stanislav Vyskocil		<i>Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.</i>				
22.1 ⁷⁵	Terence Price	SUB-S1	Would prefer if the minimum allotment size was 1ha.	3.3	Reject	See body of the report	No

⁶⁶ Opposed by Craig Parker [FS41.4]⁶⁷ Supported by Craig Parker [FS41.7]⁶⁸ Opposed by Craig Parker [FS41.1]⁶⁹ Supported by Milmac Homes Ltd [FS59.17]; opposed by Craig Parker [FS41.2]⁷⁰ Opposed by Greater Wellington Regional Council [FS40.166] and Craig Parker [FS41.3]⁷¹ Opposed by Craig Parker [FS41.4]⁷² Opposed by Craig Parker [FS41.8]⁷³ Supported by Milmac Homes Ltd [FS59.9]⁷⁴ Supported by Milmac Homes Ltd [FS59.10]⁷⁵ Opposed by Craig Parker [FS41.11]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
42.4	Bill McGavin	SUB-S1	Seeks the minimum size for rural lifestyle properties to be 1 ha	3.3	Reject	See body of the report	No
82.140	Waka Kotahi NZ Transport Agency	SUB-S1	Amend the minimum allotment size of the rural lifestyle zone to 5ha.	3.3	Reject	See body of the report	No
210.7	Trustees of the Blue Cottage Trust	SUB-S1	Provision for a minimum 1 hectare/minimum average 2 hectare lot size in the Rural Lifestyle Zone.	3.3	Reject	See body of the report	No
140.1 ⁷⁶	Ron Lucas	SUB-S1	Amend to the criteria as stated in the Draft District Plan. The minimum allotment sizes in the Rural Lifestyle Zone stated "All allotments created must have a minimum allotment size of 1 ha with a 2ha average."	3.3	Reject	See body of the report	No
234.17	Graham and Janet Reidy	SUB-S1	Amend the standard to the following (or similar intent): SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>21ha</u> and an average allotment size of 2ha across the subdivision site.	3.3	Reject	See body of the report	No
232.8	Jason Alder	SUB-S1	Amend the standard as follows: SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>21ha</u> and an average allotment size of 2ha across the subdivision site.	3.3	Reject	See body of the report	No
233.17	Quest Projects Limited	SUB-S1	Amend the standard as follows: SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>21ha</u> and an average allotment size of 2ha across the subdivision site	3.3	Reject	See body of the report	No
FS68.5	Stanislav Vyskocil		<i>Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.</i>				
253.17	Anita and Fraser Press	SUB-S1	Amend the standard to the following (or similar intent): SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>21ha</u> and an average allotment size of 2ha across the subdivision site.	3.3	Reject	See body of the report	No
FS68.6	Stanislav Vyskocil		<i>Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.</i>				
255.1	Jill Weeks	SUB-Table 1	Reconsider changing the minimum size of a section for development from the existing 5 hectares.	3.3	Reject	See body of the report	No
254.2	Jill and Andrew Weeks	SUB-Table 1	[Not specified, refer to original submission] While no specific decision sought, the submitter raised the following matter(s): <i>The submission is specific to the Motukaraka Point area. The general standard for the residential properties is a 10 meter setback from a</i>	n/a	Reject	See body of the report	No

⁷⁶ Supported by Barber Commercial Limited [FS47.1]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?		
			<p>boundary with a road and a 5 meter setback from a side or rear boundary. For properties that front Motukaraka Road, the side and rear boundaries is reduced to 1.5m. This standard excludes up to two rainwater tanks and up to two accessory buildings with a floor area of less than 10 square meters. These changes have a minimal impact on the community living at Motukaraka Point, other than increasing the potential number of additional homes that could be built on the currently undeveloped land at the rear of the existing houses from zero to three. Notes that over many years PCC has resisted further development at the Point, preferring to retain the existing rural nature of the area: a position overwhelmingly supported by the residents of Motukaraka point.</p> <p>Opposes the proposition to reduce the minimum plot size for development from 5 hectares to 2 hectares.</p>						
237.17	James Mclaughlan	SUB-Table 1	<p>Amend: SUB-S1</p> <table border="1"> <tr> <td>Rural Lifestyle Zone</td> <td>All allotments created must have a minimum allotment size of <u>2</u> <u>1ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.</td> </tr> </table>	Rural Lifestyle Zone	All allotments created must have a minimum allotment size of <u>2</u> <u>1ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.	3.3	Reject	See body of the report	No
Rural Lifestyle Zone	All allotments created must have a minimum allotment size of <u>2</u> <u>1ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.								
231.18	John Carrad	SUB-Table 1	<p>SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>2</u> <u>1ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.</p>	3.3	Reject	See body of the report	No		
230.9	Carolyn Vasta and Carole Reus	SUB-Table 1	<p>Amend: SUB-S1 Rural Lifestyle Zone All allotments created must have a minimum allotment size of <u>2</u> <u>1ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.</p>	3.3	Reject	See body of the report	No		
196.1	John and Shirley Cameron	SUB-Table 1	Increase of minimum lot size to 3 hectares for properties off Motukaraka Point Road.	3.3	Reject	See body of the report	No		
Esplanade reserves									
139.1	Ron Lucas	SUB-O3	SUB-S8 should allow as a discretionary activity the provision of esplanade strips in lieu of the creation of esplanade reserves.	3.4.1	Accept in part	See body of the report	No		
139.4	Ron Lucas	New policy	Suggests that Council develop a policy on the width of esplanade reserves and/or strips as far as they pertain to both the Pauatahanui and Horokiri Streams where they are 3m or greater in width.	3.4.1	Reject	See body of the report	No		
71.5	Diane Strugnell	SUB-P12	<p>Amend: SUB-P12 Reductions or waivers of Esplanade Reserves and Provision of Esplanade Strips</p> <p>Only Allow for the provision of an esplanade strip, or a reduction or waiver in the width or provision of any esplanade reserve or esplanade strip, where it can be demonstrated, where relevant, that:</p> <ol style="list-style-type: none"> 1. Safe public access and recreational use is already possible and can be maintained for the future; 	3.4.1	Reject	See body of the report	No		

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. An esplanade strip would better provide for public and customary access, recreation, hazard management, stormwater management and ecological values;</p> <p>3. The ecological values and landscape features of the land adjoining the coast or other waterbody will not be adversely affected;</p> <p>4. Any scheduled historic heritage places and sites and areas of significance to Maori will not be adversely affected;</p> <p>5. The reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long term effects of climate change;</p> <p>6. A full-width esplanade reserve or esplanade strip is not required to maintain the natural character and amenity of the coastal environment; and</p> <p>A reduced width in certain locations is offset by an increase in width in other locations or areas which would result in a positive public benefit, in terms of public and customary access, recreation, hazard management, stormwater management and ecological values.</p>				
139.2	Ron Lucas	SUB-P12	SUB-S8 should allow as a discretionary activity the provision of esplanade strips in lieu of the creation of esplanade reserves.	3.4.1	Accept in part	See body of the report	No
139.3	Ron Lucas	SUB-S8	SUB-S8 should allow as a discretionary activity the provision of esplanade strips in lieu of the creation of esplanade reserves.	3.4.1	Accept in part	See body of the report	No
Subdivision in the Future Urban Zone							
162.2	Victoria and Nick Coad	General	That the proposed restrictions for the Judgeford Flats FUZ on subdivision remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
89.3	Sandra Johnston	General	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
93.3	Graham Twist	General	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
90.3	Derek and Kristine Thompson	General	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
44.2	Magdalena Conradie	General	That the proposed restrictions for the Judgeford Flats FUZ on subdivision remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
76.2	John Hungerford	General	That the proposed restrictions for the Judgeford Flats FUZ on subdivision remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5.3	Accept	See body of the report	No
241.16 ⁷⁷	The Neil Group Limited and Gray Family	SUB-O4	Amend Objective SUB-O4 to (or similar intent): Subdivision within the Future Urban Zone <u>to support investment and funding of new urban development including does not result in the fragmentation of sites that would compromise the potential of:</u>	3.5.1	Reject	See body of the report	No

⁷⁷ Supported by Silverwood Corporation Limited [FS34.6]; opposed by Greater Wellington Regional Council [FS40.151]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			1. The Judgeford Hills and Northern Growth Areas of the Future Urban Zone to accommodate integrated services and primarily <u>for</u> residential urban development:				
242.7	Pukerua Property Group Limited	SUB-O4	Amend Objective SUB-O4 to (or similar intent): Subdivision within the Future Urban Zone <u>to support investment and funding of new urban development including does not result in the fragmentation of sites that would compromise the potential of:</u> fragmentation of sites that would compromise the potential of: 1. The Judgeford Hills and Northern Growth Areas of the Future Urban Zone to accommodate integrated services and primarily <u>for</u> residential urban development:	3.5.1	Reject	See body of the report	No
246.4	Judgeford Environmental Protection Society Incorporated	SUB-O4	Rezoning should only be done if it enables activities that are in keeping with the existing use of the land and surrounding environment, such as supporting a rural lifestyle.	3.5.1	Reject	See body of the report	No
231.16 ⁷⁸	John Carrad	SUB-O4	Amend Objective SUB-O4 to (or similar intent): Subdivision within the Future Urban Zone <u>to support investment and funding of new urban development including does not result in the fragmentation of sites that would compromise the potential of:</u> would compromise the potential of: 1. The Judgeford Hills and Northern Growth Areas of the Future Urban Zone to accommodate integrated services and primarily <u>for</u> residential urban development:	3.5.1	Reject	See body of the report	No
81.439	Kāinga Ora – Homes and Communities	SUB-O4	Retain as notified	n/a	Accept	No changes are recommended to the objective.	No
82.133	Waka Kotahi NZ Transport Agency	SUB-O4	Delete reference the Future Urban Zoning of Judgeford Hills.	3.5.1	Reject	See body of the report	No
241.18 ⁷⁹	The Neil Group Limited and Gray Family	SUB-P7	Amend Policy SUB-P7 to (or similar intent): Avoid <u>Manage</u> subdivision within the Future Urban Zone <u>so that may result in</u> one or more of the following <u>does not occur:</u> 2. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development <u>where that infrastructure is not otherwise provided for within the development and/or contributed to through fair funding;</u>	3.5.2	Reject	See body of the report	No
242.9	Pukerua Property Group Limited	SUB-P7	Amend Policy SUB-P7 to (or similar intent): Avoid <u>Manage</u> subdivision within the Future Urban Zone <u>so that may result in</u> one or more of the following <u>does not occur:</u> 2. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development <u>where that infrastructure is not otherwise provided for within the development and/or contributed to through fair funding;</u>	3.5.2	Reject	See body of the report	No

⁷⁸ Supported by Silverwood Corporation Limited [FS34.7]

⁷⁹ Supported by Silverwood Corporation Limited [FS34.8]; opposed by Greater Wellington Regional Council [FS40.153]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
231.20 ⁸⁰	John Carrad	SUB-P7	Amend Policy SUB-P7 to (or similar intent): Avoid Manage subdivision within the Future Urban Zone so that may result in one or more of the following does not occur : 2. The need for significant upgrades, provisions or extensions to the reticulated wastewater, reticulated water supply or stormwater networks, or other infrastructure in advance of integrated urban development <u>where that infrastructure is not otherwise provided for within the development and/or contributed to through fair funding</u> ;	3.5.2	Reject	See body of the report	No
231.21	John Carrad	SUB-R1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules	3.5.3	Reject	See body of the report	No
242.10	Pukerua Property Group Limited	SUB-R1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules.	3.5.3	Reject	See body of the report	No
241.19	The Neil Group Limited and Gray Family	SUB-R1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules.	3.5.3	Reject	See body of the report	No
241.20	The Neil Group Limited and Gray Family	SUB-S1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules.	3.5.3	Reject	See body of the report	No
242.11	Pukerua Property Group Limited	SUB-S1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules.	3.5.3	Reject	See body of the report	No
231.22	John Carrad	SUB-S1	Amend the rules and standards for the FUZ to match the General Rural Zone. Delete non-complying activities as they relate to the FUZ and replace with Discretionary Activity rules.	3.5.3	Reject	See body of the report	No
Unit Title Subdivisions							
72.10 ⁸¹	Survey + Spatial New Zealand (Wellington Branch)	SUB-R3	Clarify that Unit title subdivisions do not fall under this rule and instead are to be assessed under SUB-R4.	3.6	Accept	See body of the report	Yes
72.3 ⁸²	Survey + Spatial New Zealand (Wellington Branch)	SUB-R4	Clarify that Unit title subdivisions fall under this rule. Add a provision that standard SUB-S1 does not apply to unit title subdivisions. If not, a new rule for unit title subdivision is required.	3.6	Accept in part	See body of the report	Yes
FS68.2	Stanislav Vyskocil		<i>Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.</i>				
Radio New Zealand reverse sensitivity							

⁸⁰ Opposed by Wellington Electricity Lines Limited [FS28.2]

⁸¹ Supported by Kenepuru Limited Partnership (KLP) [FS20.46] and Kāinga Ora – Homes and Communities [FS65.263]

⁸² Supported by Kenepuru Limited Partnership (KLP) [FS20.47] and Kāinga Ora – Homes and Communities [FS65.264]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
121.28 ⁸³	Radio New Zealand Limited	General	Include a new rule that requires any proposed subdivision within 500 metres of RNZ's facilities to be (at least) limited notified to RNZ, so that RNZ has the opportunity to submit and have its concerns heard. For example: <u>Rule [x]: Notification</u> <u>Where a proposed subdivision activity falls within 500 metres of an existing radiocommunication transmitter site, the Council will notify the operator of that site of the proposal (regardless of whether the Council considers that the effects of the proposal will be minor).</u>	3.7	Reject	See body of the report	No
Introduction							
81.435	Kāinga Ora – Homes and Communities	General	Retain as notified	n/a	Accept	There are no submissions seeking amendments to the Introduction.	No
Objectives							
86.50	KiwiRail Holdings Limited (KiwiRail)	SUB-O1	Retain as proposed.	n/a	Accept	No changes are recommended to the objective.	No
82.131	Waka Kotahi NZ Transport Agency	SUB-O1	Amend provision: Subdivision creates allotments and patterns of land development that: [...] <u>4. Can connect to a transport network with sufficient and safe capacity.</u>	3.8.1	Reject	No changes are recommended to the objective.	No
81.436	Kāinga Ora – Homes and Communities	SUB-O1	Retain as notified	3.8.1	Accept	No changes are recommended to the objective.	No
121.25 ⁸⁴	Radio New Zealand Limited	SUB-O1	Amend the objective by adding the following subparagraph: <u>4. Avoid reverse sensitivity effects on regionally significant infrastructure.</u>	3.8.1	Reject	No changes are recommended to the objective.	No
119.44	Fire and Emergency New Zealand	SUB-O2	Retain as proposed.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.437	Kāinga Ora – Homes and Communities	SUB-O2	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
82.132	Waka Kotahi NZ Transport Agency	SUB-O2	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
85.34	Wellington Electricity Lines Limited	SUB-O2	Seek that the following amendments are made to SUB-O2: Subdivisions in Urban Zones are serviced by the Three Waters Network <u>Infrastructure</u> with sufficient capacity to accommodate any proposed or anticipated development and subdivisions in non-urban areas are able to be serviced through on-site measures.	Deferred			
11.57 ⁸⁵	Porirua City Council	SUB-O2	Amend the objective as follows: <i>Subdivisions in Urban Zones areis serviced by the Three Waters Network with sufficient capacity to accommodate any proposed or anticipated development where Council standards are met, and subdivisions in non-urban areas are able to be serviced through on-site measures.</i>	Deferred			

⁸³ Opposed by Kāinga Ora – Homes and Communities [FS65.262]

⁸⁴ Opposed by Kāinga Ora – Homes and Communities [FS65.254]

⁸⁵ Opposed in part by Kāinga Ora – Homes and Communities [FS65.255], and opposed by Kenepuru Limited Partnership (KLP) [FS20.42]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.438	Kāinga Ora – Homes and Communities	SUB-O3	Retain as notified	n/a	Accept	No changes are recommended to the objective.	No
Policies							
82.134 ⁸⁶	Waka Kotahi NZ Transport Agency	SUB-P1	Amend provision: "4. Ensure the safe operation, maintenance and access to Regionally Significant Infrastructure on, or adjacent, or located near to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner."	3.9.1	Reject	See body of the report	No
84.21	Firstgas Limited	SUB-P1	Retain as proposed.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
85.35	Wellington Electricity Lines Limited	SUB-P1	Retain as drafted.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
86.51	KiwiRail Holdings Limited (KiwiRail)	SUB-P1	Retain as proposed	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.440	Kāinga Ora – Homes and Communities	SUB-P1	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
11.58	Porirua City Council	SUB-P1	Amend the policy as follows: Provide for subdivision where it results in allotments that: ... 4. Ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on or adjacent to the site, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner and the matters in INF-P5;	3.9.1	Accept	See body of the report	Yes
51.48	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited	SUB-P1	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
60.84	Transpower New Zealand Ltd	SUB-P1	Retain	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
137.57 ⁸⁷	Greater Wellington Regional Council	SUB-P1	Add further point to the policy so that subdivision design reflects the design principles of Water Sensitive Urban Design, including allowing for space for stormwater quality management systems.	3.9.1	Reject	See body of the report	No
121.26 ⁸⁸	Radio New Zealand Limited	SUB-P1	Amend the policy by adding the following subparagraph: 10. Avoid reverse sensitivity effects on regionally significant infrastructure.	3.9.1	Accept in part	See body of the report	No
51.47	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited	SUB-P2	Retain as notified.	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No

⁸⁶ Opposed by Kāinga Ora – Homes and Communities [FS65.256]

⁸⁷ Opposed by Kāinga Ora – Homes and Communities [FS65.257]

⁸⁸ Opposed by Kāinga Ora – Homes and Communities [FS65.257]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.441	Kāinga Ora – Homes and Communities	SUB-P2	Retain as notified.	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
82.135	Waka Kotahi NZ Transport Agency	SUB-P2	Retain as notified.	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
81.442	Kāinga Ora – Homes and Communities	SUB-P3	Retain as notified.	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
82.136 ⁸⁹	Waka Kotahi NZ Transport Agency	SUB-P4	Amend provision: Provide for subdivision where it maintains the safe and efficient functioning of the transport network by: 1. Ensuring roads and any vehicle access to sites meet minimum design standards to allow for safe and efficient traffic movements and can safely accommodate the intended number of users; 2. Where opportunities exist, including Provide for transport network connections within and between communities 3. Where consistent with the zone, Providing a variety of travel modes that reflect the purpose, character and amenity values of the zone, including walking, cycling and access to public transport; and 4. Achieving safe and efficient access onto and from state highways <u>where there is sufficient capacity to do so; and</u> 5. <u>“Require developers to fund the upgrade of transport infrastructure that is required as a result of subdivision.”</u>	3.9.2	Accept in part	See body of the report	Yes
81.443	Kāinga Ora – Homes and Communities	SUB-P4	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
59.6 ⁹⁰	Kenepuru Limited Partnership (KLP)	SUB-P4	Amend the policy as follows: Ensuring roads and any vehicle access to sites meet minimum design standards <u>or any appropriate alternative that</u> to allow for safe and efficient traffic movements and can safely accommodate the intended number of users;	3.9.2	Reject	See body of the report	No
68.20 ⁹¹	Carrus Corporation Ltd	SUB-P4	Amend: Provide for subdivision where it maintains the safe and efficient functioning of the transport network by: 1. Ensuring roads and any vehicle access to sites meet minimum design standards <u>or any appropriate alternative that</u> to allow for safe and efficient traffic movements and can safely accommodate the intended number of users; 2. Where opportunities exist, including transport network connections within and between communities; 3. Where consistent with the zone, providing for a variety of travel modes that reflect the purpose, character and amenity values of	3.9.2	Reject	See body of the report	No

⁸⁹ Supported by Greater Wellington Regional Council [FS40.98]; opposed in part by Kāinga Ora [FS65.258]

⁹⁰ Supported by Carrus Corporation Limited [FS62.20], BLAC Property [FS56.12] and Survey + Spatial New Zealand (Wellington Branch) [FS67.11]

⁹¹ Supported by Survey + Spatial New Zealand (Wellington Branch) [FS67.10]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>the zone, including walking, cycling and access to public transport; and</p> <p>4. Achieving safe and efficient access onto and from state highways.</p> <p>Or adopt any other such relief, including additions, deletions, or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.</p>				
72.15 ⁹²	Survey + Spatial New Zealand (Wellington Branch)	SUB-P4	<p>Amend:</p> <p>Provide for subdivision where it maintains the safe and efficient functioning of the transport network by:</p> <ol style="list-style-type: none"> 1. Ensuring roads and any vehicle access to sites meet minimum design standards to allow for safe and efficient traffic movements and can safely accommodate the intended number of users; 2. Where opportunities exist, including transport network connections within and between communities; 3. Where consistent with the zone, providing for a variety of travel modes that reflect the purpose, character and amenity values of the zone, including walking, cycling and access to public transport; and 4. Achieving safe and efficient access onto and from state highways. 	3.9.2	Reject	See body of the report	No
68.21 ⁹³	Carrus Corporation Ltd	SUB-P5	<p>Amend:</p> <p>Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ol style="list-style-type: none"> 1. Ensuring infrastructure meets Council standards <u>or any appropriate alternative design</u> and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation; 2. Ensuring that subdivisions in Urban Zones, Settlement Zone and Maori Purpose Zone (Hongoeka) are hydraulically neutral; 3. Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard May 2019; 4. Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and 5. Ensuring telecommunications and power supply is provided to all allotments. 	3.9.3	Reject	See body of the report	No

⁹² Supported by Kenepuru Limited Partnership (KLP) [FS20.44]

⁹³ Supported by Survey + Spatial New Zealand (Wellington Branch) [FS67.8]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Or adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in this submission, as necessary to give effect to this submission.				
59.7 ⁹⁴	Kenepuru Limited Partnership (KLP)	SUB-P5	Amend the policy as follows; Ensuring infrastructure meets Council standards <u>or any appropriate alternative design</u> and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation;	3.9.3	Reject	See body of the report	No
51.46	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited	SUB-P5	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
11.59 ⁹⁵	Porirua City Council	SUB-P5	Amend the policy as follows: Require infrastructure to be provided in an integrated and comprehensive manner by: 1. Ensuring infrastructure meets Council standards <u>for the provision of water supply, wastewater and stormwater management</u> and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation;	3.9.3	Accept	See body of the report	Yes
85.36	Wellington Electricity Lines Limited	SUB-P5	Retain as drafted.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
121.27 ⁹⁶	Radio New Zealand Limited	SUB-P5	Amend the policy by adding the following subparagraph: 6. <u>Avoiding reverse sensitivity effects on network utilities and infrastructure.</u>	3.9.3	Reject	See body of the report	No
119.45	Fire and Emergency New Zealand	SUB-P5	Retain as proposed.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
137.58 ⁹⁷	Greater Wellington Regional Council	SUB-P5	Add to point 3, "...and meet any conditions on relevant discharge consents held by Wellington Water Ltd." Add note to point 4: "Any wastewater or stormwater discharges must meet the requirements of the PNRP."	3.9.3	Reject	See body of the report	No
231.19 ⁹⁸	John Carrad	SUB-P5	Amend Policy SUB-P5 to (or similar intent): Require <u>Encourage</u> infrastructure to be provided in an integrated and comprehensive manner by: 1. Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in	Deferred			

⁹⁴ Supported by Carrus Corporation Limited [FS62.21] and Survey + Spatial New Zealand (Wellington Branch) [FS67.9]

⁹⁵ Opposed by Kenepuru Limited Partnership (KLP) [FS20.43]

⁹⁶ Opposed by Kāinga Ora – Homes and Communities [FS65.259]

⁹⁷ Opposed by Kāinga Ora – Homes and Communities [FS65.260] and Survey + Spatial New Zealand (Wellington Branch) [FS67.7]

⁹⁸ Opposed by Wellington Electricity Lines Limited [FS28.1]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>accordance with the purpose of the zone, and is in place, <u>provided for or funded</u> at the time of allotment creation;</p> <p>3. <u>Generally</u> Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard May 2019. <u>Alternatives solutions for infrastructure will be supported where information is provided that proposals meet a similar level of performance.</u></p> <p>5. Ensuring telecommunications and power supply is provided to all allotments, <u>including consideration of wireless solutions for telecommunication.</u></p>				
242.8	Pukerua Property Group Limited	SUB-P5	<p>Amend Policy SUB-P5 to (or similar intent): Require <u>Encourage</u> infrastructure to be provided in an integrated and comprehensive manner by:</p> <p>1. Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place, <u>provided for or funded</u> at the time of allotment creation;</p> <p>3. <u>Generally</u> Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard May 2019. <u>Alternatives solutions for infrastructure will be supported where information is provided that proposals meet a similar level of performance.</u></p> <p>5. Ensuring telecommunications and power supply is provided to all allotments, <u>including consideration of wireless solutions for telecommunication</u></p>	Deferred			
241.17 ⁹⁹	The Neil Group Limited and Gray Family	SUB-P5	<p>Amend Policy SUB-P5 to (or similar intent): Require <u>Encourage</u> infrastructure to be provided in an integrated and comprehensive manner by:</p> <p>1. Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place, <u>provided for or funded</u> at the time of allotment creation;</p> <p>3. <u>Generally</u> Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard</p>	Deferred			

⁹⁹ Opposed by Greater Wellington Regional Council [FS40.152]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>May 2019. <u>Alternative solutions for infrastructure will be supported where information is provided that proposals meet a similar level of performance.</u></p> <p>5. Ensuring telecommunications and power supply is provided to all allotments, <u>including consideration of wireless solutions for telecommunication.</u></p>				
81.444 ¹⁰⁰	Kāinga Ora – Homes and Communities	SUB-P5	<p>Amend: Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ol style="list-style-type: none"> 1. Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of the allotment creation; 2. Ensuring that subdivisions in Urban Zones, Settlement Zone and Māori Purpose Zone (Hongoeka) are hydraulically neutral; 3. Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of the Wellington Water's Regional Water Standard May 2019; 4. Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and 5. Ensuring telecommunications and power supply is provided to all allotments. 	Deferred			
72.13 ¹⁰¹	Survey + Spatial New Zealand (Wellington Branch)	SUB-P5	<p>Amend: Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ol style="list-style-type: none"> 1. Ensuring infrastructure meets Council standards and has the capacity to accommodate the development or anticipated future development in accordance with the purpose of the zone, and is in place at the time of allotment creation; 2. Ensuring that subdivisions in Urban Zones, Settlement Zone and Maori Purpose Zone (Hongoeka) are hydraulically neutral; 3. Requiring reticulated wastewater, reticulated water and stormwater management systems in all Urban Zones to meet the performance criteria of <u>to be assessed against the Wellington Water's Regional Water Standard May 2019;</u> 4. Where reticulated services are not available, ensuring allotments are of a sufficient size and shape with appropriate soil conditions to accommodate on-site wastewater, stormwater and water supply 	Deferred			

¹⁰⁰ Opposed by Greater Wellington Regional Council [FS40.83] and Fire and Emergency New Zealand [FS54.34]

¹⁰¹ Supported by Kenepuru Limited Partnership (KLP) [FS20.45] and Kāinga Ora – Homes and Communities [FS65.261]; opposed by Fire and Emergency New Zealand [FS54.35]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			infrastructure, and that there is sufficient water supply capacity for firefighting purposes; and 5. Ensuring telecommunications and power supply is provided to all allotments.				
81.445	Kāinga Ora – Homes and Communities	SUB-P6	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
81.446	Kāinga Ora – Homes and Communities	SUB-P7	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
86.52	KiwiRail Holdings Limited (KiwiRail)	SUB-P7	Retain as proposed	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
82.137 ¹⁰²	Waka Kotahi NZ Transport Agency	SUB-P7	Amend provision: "1. The <u>safe</u> , efficient and effective operation of the local and wider transport network being compromised;"	n/a	Accept	The requested amendment is consistent with strategic direction UFD-O3, objective INF-O3, INF-P13-2 and INF-P14.	Yes
81.447	Kāinga Ora – Homes and Communities	SUB-P8	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
86.53	KiwiRail Holdings Limited (KiwiRail)	SUB-P9	Retain as proposed.	n/a	Accept	There are no recommended amendments to this policy.	No
81.448	Kāinga Ora – Homes and Communities	SUB-P9	Retain as notified	n/a	Accept	There are no recommended amendments to this policy.	No
20.8	PHR Limited	SUB-P9	Objective SUB-P9 to be confirmed as notified	n/a	Accept	There are no recommended amendments to this policy.	No
253.16	Anita and Fraser Press	SUB-P9	Amend the policy to the following (or similar intent): SUB-P9 Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No
237.16	James Mclaughlan	SUB-P9	Amend the provisions of the subdivision part of the plan to the following (or similar intent): SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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; 3. Ensuring any building platforms are sited to be sympathetic to existing landform and vegetation; 4. Opportunities to obtain public access to rivers and the coastal marine area, other than through esplanade reserves or strips;	3.9.4	Reject	See body of the report	No

¹⁰² Supported by Greater Wellington Regional Council [FS40.99]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			5. Opportunities to undertake planting and fencing of erosion-prone land, areas of indigenous vegetation, wetlands and riparian areas; and Avoiding, remedying or mitigating reverse sensitivity effects				
234.16	Graham and Janet Reidy	SUB-P9	Amend the policy to the following (or similar intent): SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No
230.8	Carolyn Vasta and Carole Reus	SUB-P9	Amend the provisions of the subdivision part of the plan to the following (or similar intent): SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No
233.16	Quest Projects Limited	SUB-P9	Amend the policy as follows: SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No
232.7	Jason Alder	SUB-P9	Amend the policy as follows: SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No
231.17	John Carrad	SUB-P9	Amend the provisions of the subdivision part of the plan to the following (or similar intent): SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to: 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;	3.9.4	Reject	See body of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.449	Kāinga Ora – Homes and Communities	SUB-P10	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
11.61 ¹⁰³	Porirua City Council	SUB-P11	Amend the policy as follows: Control the creation of allotments for the purposes of infrastructure to ensure that: 1. Any allotments are of a sufficient <u>size</u> , design and layout to accommodate its required use; 2. There is adequate access to any proposed allotments; and 3. Infrastructure with sufficient capacity is provided to service any proposed allotment.	n/a	Accept	Agree that the policy should identify that the resulting allotments need to be of a sufficient size to accommodate the intended infrastructure.	Yes
51.45	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited	SUB-P11	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
60.85 ¹⁰⁴	Transpower New Zealand Ltd	SUB-P11	Retain	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.450	Kāinga Ora – Homes and Communities	SUB-P11	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
82.138	Waka Kotahi NZ Transport Agency	SUB-P11	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.451	Kāinga Ora – Homes and Communities	SUB-P12	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
Rules							
81.452 ¹⁰⁵	Kāinga Ora – Homes and Communities	SUB-R1	Amend: All Zones: 1. Activity status: Controlled Where: a. Compliance is achieved with i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7. Matters of control are limited to: 1. The matters in SUB-P2; and 2. The matters in SUB-P4. All Zones: 2. Activity status: Restricted discretionary Where:	3.10.1	Reject	See body of the report	No

¹⁰³ Supported by Craig Parker [FS41.9]¹⁰⁴ Supported by Firstgas Ltd [FS63.30]¹⁰⁵ Opposed by Te Rūnunga o Toa Rangatira [FS70.15]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard. 2. The matters in SUB-P2; 3. The matters in SUB-P4; and 4. The matters in SUB-P5. <p>Notification: An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>Residential Zones, Māori Purpose Zone (Hongoeka):</p> <p>3. Activity status: Restricted discretionary Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1; <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P2; 2. The matters in SUB-P4; 3. The matters in SUB-P5; and 4. The matters in SUB-P6. <p>Notification: An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</p> <p>Rural Lifestyle Zone, Settlement Zone, Commercial and Mixed Use Zones, General Industrial Zone, Open Space and Recreation Zones, Special Purpose (BRANZ) Zone, Hospital Zone:</p> <p>4. Activity status: Discretionary Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1. <p>General Rural Zone:</p> <p>5. Activity status: Discretionary Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1; and b. Any resulting allotment is between 5ha and 40ha in area. <p>General Rural Zone:</p> <p>6. Activity status: Non-complying Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1; and b. Any resultant allotment is less than 5ha in area. <p>Future Urban Zone:</p> <p>7. Activity status: Non-complying Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1. 				
81.453	Kāinga Ora – Homes and Communities	SUB-R2	<p>Amend:</p> <p>All Zones:</p> <p>1. Activity status: Controlled Where:</p>	3.10.2	Reject	See body of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>a. The update complies with, or does not increase any, existing or previously approved non-compliance with:</p> <ol style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P3; 2. The matters in SUB-P4; and 3. The matters in SUB-P5. <p>2. Activity status: Restricted discretionary Where:</p> <p>a. —Compliance is not achieved with <u>SUB-R2(1)(a) SUB-S2; SUB-S3, SUB-S4, SUB-S5, SUB-S6 and SUB-S7.</u></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P3; 3. The matters in SUB-P4; and 4. The matters in SUB-P5. <p>Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> <p>3. Activity status: Discretionary Where:</p> <p>a. —Compliance is not achieved with SUB-S1.</p>				
81.454 ¹⁰⁶	Kāinga Ora – Homes and Communities	SUB-R3	<p>Amend:</p> <p>All Zones:</p> <p>1. Activity status: Controlled Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> i. SUB-S1; ii. SUB-S2; iii. SUB-S3; iv. SUB-S4; v. SUB-S5; vi. SUB-S6; and vii. SUB-S7; <p>b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8.</p>	3.10.3	Reject	See body of the report	No

¹⁰⁶ Opposed by Te Rūnunga o Toa Rangatira [FS70.16]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; and 3. The matters in SUB-P5. <p>2. Activity status: Restricted discretionary Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; and 4. The matters in SUB-P5. <p>Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> <p>Residential Zones, Māori Purpose Zone (Hongoeka):</p> <p>3. Activity status: Restricted discretionary Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S1; <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; 3. The matters in SUB-P5; and 4. The matters in SUB-P6. <p>Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u> (.....)</p>				
82.139	Waka Kotahi NZ Transport Agency	SUB-R3	Amend provision to provide clarification on what activity status applies to each zone.	3.10.3	Reject	See body of the report	No
20.9	PHR Limited	SUB-R3	Rule SUB-R3 to be confirmed as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
20.10	PHR Limited	SUB-R4	Rule to SUB-R4 to be confirmed as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.455	Kāinga Ora – Homes and Communities	SUB-R4	<p>Amend:</p> <p>All Zones:</p> <p>1. Activity status: Controlled Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved or any existing or previously approved non-compliance is not increased with: <ol style="list-style-type: none"> i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; 	3.10.4	Reject	See body of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>b. Where the site shares a boundary with, or contains, a river whose bed has an average width of 3m or more or adjoins MHWS, compliance is achieved with SUB-S8.</p> <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; and 3. The matters in SUB-P5. <p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any infringed standard; 2. The matters in SUB-P1; 3. The matters in SUB-P4; and 4. The matters in SUB-P5. <p>Notification:</p> <p><u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> <p>(.....)</p>				
81.456	Kāinga Ora – Homes and Communities	SUB-R5	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
81.457 ¹⁰⁷	Kāinga Ora – Homes and Communities	SUB-R6	<p>Amend:</p> <p>All Zones:</p> <p>1. Activity status: Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. SUB-S2; ii. SUB-S3; iii. SUB-S4; iv. SUB-S5; v. SUB-S6; and vi. SUB-S7; b. The building platform is not located within an identified Flood Hazard - Overland Flow or Flood Hazard - Stream Corridor Overlay. <p>Matters of control are limited to:</p> <ol style="list-style-type: none"> 1. The matters in SUB-P1; 2. The matters in SUB-P4; 3. The matters in SUB-P5; 4. For allotments in a Natural Hazard Overlay, the matters in NH-P3; and 5. For allotments in a Coastal Hazard Overlay the matters in CE-P10. <p>Note: this rule applies in addition to SUB-R1 to SUB-R5.</p>	3.10.5	Reject	See body of the report	No

¹⁰⁷ Supported by Kenepuru Limited Partnership (KLP) [FS20.49]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. Activity status: Restricted discretionary Where:</p> <p>a. Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters of discretion of any infringed standard; The matters in SUB-P1; The matters in SUB-P4; The matters in SUB-P5; For allotments in a Natural Hazard Overlay, the matters in NH-P3; For allotments in a Coastal Hazard Overlay the matters in CE-P10. <p>Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> <p>3. Activity status: Restricted discretionary Where:</p> <p>a. The building platform is located in an identified Flood Hazard - Overland Flow Overlay.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters contained in NH-P6. <p>4. Activity status: Non-complying Where:</p> <p>a. The building platform is located in an identified Flood Hazard - Stream Corridor Overlay.</p>				
81.458	Kāinga Ora – Homes and Communities	SUB-R7	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
11.60	Porirua City Council	SUB-R7	Amend the rule as follows:	3.10.6	Accept	See body of the report	Yes
			<p>Rural Lifestyle Zone</p> <p>2. Activity status: Restricted discretionary Where:</p> <ol style="list-style-type: none"> Compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5, SUB-S6 or SUB-S7. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters of discretion of any infringed standard; The matters in SUB-P1; The matters in SUB-P4; The matters in SUB-P5; The matters in SUB-P3; and The matters in NFL-P5. 				
			<p>Rural Lifestyle Zone</p> <p>3. Activity status: Restricted discretionary Where:</p> <p>a. Compliance is not achieved with SUB-R7-1.b.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters in SUB-P1; The matters in SUB-P3; 				

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>3. The matters in SUB-P4; 4. The matters in SUB-P5; and The matters in NFL-P5.</p> <p>All zones except the Rural Lifestyle Zone 34. Activity status: Restricted discretionary Where: 1. A proposed building platform is identified for each proposed allotment that is capable of accommodating a building that complies with the permitted activity standards for the underlying zone. Matters of discretion are restricted to: 1. The matters in NFL-P3; and 2. The matters in NFL-P8. Note: This rule applies in addition to SUB-R1 to SUB-R5.</p> <p>All zones 35. Activity status: Discretionary Where: Compliance is not achieved with SUB-R7-1.b, SUB-R7-1.c or SUB-R7-34.a.</p>				
237.5 ¹⁰⁸	James McLaughlan	General	Removal of the Significant Amenity Landscape Area (SALA) from the land or amendment to the Natural Features and Landscape (NFL) provisions to provide less restrictive planning framework for subdivision and development within an SALA.	3.10.6	Reject	See body of the report	No
81.459 ¹⁰⁹	Kāinga Ora – Homes and Communities	SUB-R8	<p>Amend: <u>SUB-R8 Subdivision that creates building platforms for Potentially Hazard-Sensitive Activities and Hazard Sensitive Activities within the Low, Medium or High Hazard Areas of the Natural Hazard Overlay or Coastal Hazard Overlay</u> Overlay</p> <p>All Zones: 1. Activity status: Restricted discretionary Where: a. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay. Matters of discretion are restricted to: 1. For allotments in a Natural Hazard Overlay, the matters in NH-P3; and 2. For allotments in a Coastal Hazard Overlay the matters in CE-P12. Note: This rule applies in addition to SUB-R1 to SUB-R5. Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u></p> <p>2. Activity status: Discretionary</p>	3.10.7	Accept in part	See body of the report	Yes

¹⁰⁸ Opposed by Craig Parker [FS41.6]¹⁰⁹ Supported by Kenepuru Limited Partnership (KLP) [FS20.50]; opposed by Te Rūnunga o Toa Rangatira [FS70.17]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Where a. All subdivisions where the building platform would be located within an identified Medium Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay. 3. Activity status: Non-complying Where a. All subdivisions where the building platform would be located within an identified High Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.				
59.8 ¹¹⁰	Kenepuru Limited Partnership (KLP)	SUB-R8	Remove the Non-Complying Activity Status in this Rule.	3.10.7	Reject	See body of the report	No
230.5	Carolyn Vasta and Carole Reus	General	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.	3.10.7	Reject	See body of the report	No
59.9 ¹¹¹	Kenepuru Limited Partnership (KLP)	SUB-R9	Remove the Non-Complying Activity component in the Rule	3.10.7	Reject	See body of the report	No
81.460 ¹¹²	Kāinga Ora – Homes and Communities	SUB-R9	Delete: All Zones: 1. Activity status: Restricted discretionary Where: a. The building platform is entirely located within an identified Low Hazard Area of either the Natural Hazards Overlay or the Coastal Hazard Overlay. Matters of discretion are restricted to: 1. For allotments in a Natural Hazard Overlay, the matters in NH-P3; and 2. For allotments in a Coastal Hazard Overlay, the matters in CE-P12. Note: This rule applies in addition to SUB-R1 to SUB-R5. 2. Activity status: Discretionary Where a. All subdivisions where the building platform would be located within an identified Medium Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay. 3. Activity status: Non-complying Where: a. All subdivisions where the building platform would be located within an identified High Hazard Area of either the Natural Hazard Overlay or the Coastal Hazard Overlay.	3.10.7	Accept	See body of the report	Yes

¹¹⁰ Opposed by Greater Wellington Regional Council [FS40.19]

¹¹¹ Opposed by Greater Wellington Regional Council [FS40.20]

¹¹² Supported by Kenepuru Limited Partnership (KLP) [FS20.51]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.461 ¹¹³	Kāinga Ora – Homes and Communities	SUB-R10	Amend: All Zones: 1. Activity status: Restricted discretionary Matters of discretion are restricted to: 1. The matters in HH-P15. Note: This rule applies in addition to SUB-R1 to SUB-R5. Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u>	3.10.8	Reject	See body of the report	No
65.52 ¹¹⁴	Heritage New Zealand Pouhere Taonga	SUB-R10	If HNZPT submission asking for a setting to be defined for every item in SCHED 3 is not accepted [refer to submission point on SCHED3 - Historic Heritage Items (Group B)], then amend as follows: Any subdivision within the heritage setting of a site which contains a heritage item listed in SCHED2... SUB-R10 Any subdivision of a site which contains within the heritage setting of a heritage item listed in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED4 - Historic Heritage Sites (...)	3.10.8	Accept in part	See body of the report	Yes
65.53	Heritage New Zealand Pouhere Taonga	SUB-R11	Retain provision.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.462	Kāinga Ora – Homes and Communities	SUB-R11	Amend: All Zones: 1. Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. The matters in SASM-P6; and 2. The matters in SASM-P8. Note: This rule applies in addition to SUB-R1 to SUB-R5. Notification: <u>An application under this rule is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</u>	3.10.9	Reject	See body of the report	No
81.463	Kāinga Ora – Homes and Communities	SUB-R12	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
168.95	Robyn Smith	SUB-R12	Amend the matters for discretion under SUB-R12 to include provisions relating to: <ul style="list-style-type: none"> • controls over the use and control of pest plants; • controls over the keeping of pest and predatory exotic animals; and 	3.10.10	Reject	See body of the report	No

¹¹³ Opposed by Heritage New Zealand Pouhere Taonga [FS14.25]

¹¹⁴ Opposed by Kāinga Ora – Homes and Communities [FS65.265]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> mechanisms relating to monitoring, compliance, enforcement, penalty, prosecution provisions, etc. 				
168.94	Robyn Smith	SUB-R12	<p>Amend to:</p> <p>All Zones 1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a A future building platform to contain a residential unit is identified for each new undeveloped lot that:</p> <p>i. Complies with the underlying zone provisions; and</p> <p>ii. Is located outside of the Significant Natural Area</p> <p><u>b. All access and utility services can be provided to all building sites on all lots without creating any non-compliance with the provisions of the plan relating to SNAs.</u></p> <p>2. Activity status: Discretionary Non-complying</p> <p>Where:</p> <p>a. Compliance is not achieved with SUB-R12-1.a or <u>SUB-R12-1.b.</u></p>	3.10.10	Accept in part	See body of the report	Yes
81.464	Kāinga Ora – Homes and Communities	SUB-R13	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
81.465	Kāinga Ora – Homes and Communities	SUB-R14	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
60.83 ¹¹⁵	Transpower New Zealand Ltd	General	Relocate the relevant National Grid rule (SUB-R15) to the Infrastructure Chapter. And Any consequential amendments.	3.10.11	Reject	See body of the report	No
81.466 ¹¹⁶	Kāinga Ora – Homes and Communities	SUB-R15	<p>Delete:</p> <p>All Zones:</p> <p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. — A proposed building platform is identified for each proposed allotment that is capable of accommodating a building which is located entirely outside of the National Grid Yard and National Grid Pāuatahanui Substation Yard.</p> <p>Matters of discretion are restricted to:</p> <p>1. — The matters in INF-P5.</p> <p>2. Activity status: Non-complying</p> <p>Where:</p> <p>a. — Compliance is not achieved with SUB-R15-1.a</p>	3.10.11	Reject	See body of the report	No
60.86 ¹¹⁷	Transpower New Zealand Ltd	SUB-R15	Retain Rule R15 and make the following amendments:	3.10.11	Accept in part	See body of the report	Yes

¹¹⁵ Opposed by Kāinga Ora – Homes and Communities [FS65.253]

¹¹⁶ Opposed by Transpower New Zealand Ltd [FS04.46]

¹¹⁷ Opposed by Kāinga Ora – Homes and Communities [FS65.266]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>SUB-R15 INF-Ry Subdivision of land to create new allotment(s) within the National Grid Subdivision Corridor or National Grid Pauatahanui Substation Yard</p> <p>1. Activity status: Restricted discretionary Where:</p> <p>1. <u>All resulting allotments, except allotments for access or a public work, demonstrate a proposed building platform is identified for each proposed allotment they are capable of accommodating a the principal building and any dwelling or sensitive activity which is located entirely outside of the National Grid Yard and/or National Grid Pauatahanui Substation Yard.</u></p> <p>2. <u>Vehicle access to National Grid assets is maintained.</u></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P5.</p> <p>2. Activity status: Non-complying Where:</p> <p>1. Compliance is not achieved with SUB-R15-1.a or b</p> <p><u>Notification</u> <u>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</u> <u>When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower New Zealand Limited.</u></p> <p>And Any consequential amendments.</p>				
42.3 ¹¹⁸	Bill McGavin	SUB-R16	It should remain as it is.	3.10.12	Reject	See body of the report	No
81.467	Kāinga Ora – Homes and Communities	SUB-R16	Retain as notified	n/a	Accept	There are no recommended amendments to this rule.	No
84.22	Firstgas Limited	SUB-R16	Retain as proposed.	n/a	Accept	There are no recommended amendments to this rule.	No
81.468	Kāinga Ora – Homes and Communities	SUB-R17	<p>Amend:</p> <p>General Rural Zone:</p> <p>1. Activity status: Discretionary Where:</p> <p>a. The subdivision is of a General Rural Zone site that is adjacent to a site in the General Residential Zone in the Coastal Environment and is parallel to the coastline; or</p> <p>b. Compliance is not achieved with SUB-S1.</p> <p>2. Activity status: Non-complying Where:</p> <p>a. Compliance is not achieved with SUB-R17-1.a or SUB-R17-1.b.</p>	n/a	Accept	The decision sought corrects a typographical error in the rule.	Yes
Standards							

¹¹⁸ Opposed by Firstgas Ltd [FS63.31]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?	
59.10	Kenepuru Limited Partnership (KLP)	SUB-S1	Amend the standard to: <ul style="list-style-type: none"> Remove min lot size in MDZ or reduce min area to 250m². Amend minimum rectangle to 15x7m. 	Deferred				
FS68.3	Stanislav Vyskocil		Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.					
20.11 ¹¹⁹	PHR Limited	SUB-S1	Standard SUB-S1 to be confirmed as notified	n/a	Accept	There are no recommended amendments to this standard.	No	
11.62 ¹²⁰	Porirua City Council	SUB-S1	Amend the policy as follows: SUB-S1 Minimum allotment size and shape 1. All allotments created must comply with the minimum allotment size and allotment shape set out in SUB-Table 1. 2. All minimum allotment shape rectangles required under SUB-S1-1 must be clear of any: a. <u>Yards;</u> b. <u>Access allotments;</u> c. <u>Right-of-way easements;</u> d. <u>Infrastructure, including public and private infrastructure; and</u> e. <u>Other easements, including any new easement to be registered against the new allotment.</u> <u>Note: Easements will be required to be registered against new allotments containing public or shared infrastructure. Compliance with SUB-S1-2.d will be considered to be achieved where the minimum allotment shape rectangle is located outside of the area to be registered with an easement over this infrastructure.</u> SUB-Table 1 Minimum allotment size and shape ... General Residential Zone and Maori Purpose Zone (Hongoeka) All vacant allotments must be able to contain a rectangle measuring 10m x 15m clear of any yards, access allotments and right of way. Medium Density Residential Zone All vacant allotments must be able to contain a rectangle measuring 9m x 14m clear of any yards, access allotments and right of way.	Deferred				
81.469	Kāinga Ora – Homes and Communities	SUB-S1	Retain as notified	n/a	Accept	There are no recommended amendments to this standard.	No	
258.7	Milmac Homes Limited	SUB-Table 1	Such further amendments as considered appropriate and necessary to address the submitter's concerns regarding the sustainable management and use of the submitter's property, including the minimum allotment size of 40 hectares in the General Rural Zone if that zoning is retained for some or all of the property.	3.11.1	Reject	See body of the report	No	
81.470	Kāinga Ora – Homes and Communities	SUB-Table 1	Retain as notified	n/a	Accept	There are no recommended amendments to this standard.	No	

¹¹⁹ Supported by Craig Parker [FS41.10]¹²⁰ Opposed by Kāinga Ora – Homes and Communities [FS65.267]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?			
20.12	PHR Limited	SUB-Table 1	Retain as notified	n/a	Accept	There are no recommended amendments to this standard.	No			
72.11 ¹²¹	Survey + Spatial New Zealand (Wellington Branch)	SUB-Table 1	For General Residential Zone: <ul style="list-style-type: none"> The minimum lot area should be 300m²; The minimum shape factor should be 8m x 12m. For Medium Density Residential Zone: <ul style="list-style-type: none"> The minimum lot area should be 200m²; The minimum shape factor should be 8m x 10m. 	Deferred						
FS68.1	Stanislav Vyskocil		Supports the submission. Provides additional amendments sought to standard SUB-S1, noting that the required minimum allotment size is too large for GRZ and MRZ.							
81.471	Kāinga Ora – Homes and Communities	SUB-S2	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No			
82.141	Waka Kotahi NZ Transport Agency	SUB-S2	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No			
86.54	KiwiRail Holdings Limited (KiwiRail)	SUB-S2	Amend standard as follows: 1. All new allotments created must have legal and physical access to a road in accordance with TR-S1-TR-S4 and INF-S26.	3.11.2	Reject	See body of the report	No			
119.46	Fire and Emergency New Zealand	SUB-S2	Retain as proposed.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No			
119.48	Fire and Emergency New Zealand	SUB-S2	SUB-S2 Access <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">All zones</td> <td style="width: 30%;">1. All new allotments created must have legal and physical access to a road in accordance with TR-S1 - TRS4.</td> <td style="width: 60%;">Matters of discretion are restricted to: 5. The safe, efficient and effective functioning of any private way, including firefighting <u>access in compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008</u>, and the safety of pedestrians and cyclists; 6. The suitability of any alternative design options. 7. The safe, efficient and effective functioning of the transport network; and 8. Site and topographical constraints.</td> </tr> </table>	All zones	1. All new allotments created must have legal and physical access to a road in accordance with TR-S1 - TRS4.	Matters of discretion are restricted to: 5. The safe, efficient and effective functioning of any private way, including firefighting <u>access in compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008</u> , and the safety of pedestrians and cyclists; 6. The suitability of any alternative design options. 7. The safe, efficient and effective functioning of the transport network; and 8. Site and topographical constraints.	3.11.2	Reject	See body of the report	No
All zones	1. All new allotments created must have legal and physical access to a road in accordance with TR-S1 - TRS4.	Matters of discretion are restricted to: 5. The safe, efficient and effective functioning of any private way, including firefighting <u>access in compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008</u> , and the safety of pedestrians and cyclists; 6. The suitability of any alternative design options. 7. The safe, efficient and effective functioning of the transport network; and 8. Site and topographical constraints.								
72.33 ¹²²	Survey + Spatial New Zealand (Wellington Branch)	SUB-S2	Delete reference to standards TR-S3. Standard TR-S4 only to apply as/if relevant.	3.11.2	Accept in part	See body of the report	Yes			
81.472 ¹²³	Kāinga Ora – Homes and Communities	SUB-S3	Delete: 1. All new roads and connections to roads must comply with INF-R23-1.a and INF-R23-1.b. Matters of discretion are restricted to:	3.11.3	Accept in part	See body of the report	Yes			

¹²¹ Supported by BLAC Property [FS56.13] and Kāinga Ora – Homes and Communities [FS65.268]

¹²² Opposed by Fire and Emergency New Zealand [FS54.36]

¹²³ Supported by Kenepuru Limited Partnership (KLP) [FS20.52]; opposed by Fire and Emergency New Zealand [FS54.37]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			1. The matters in INF-P14.				
82.142 ¹²⁴	Waka Kotahi NZ Transport Agency	SUB-S3	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
119.47 ¹²⁵	Fire and Emergency New Zealand	SUB-S3	Retain as proposed.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
119.49	Fire and Emergency New Zealand	SUB-S4	Retain as proposed.	n/a	Accept	There are no recommended amendments to this standard.	No
81.473	Kāinga Ora – Homes and Communities	SUB-S4	Retain as notified	n/a	Accept	There are no recommended amendments to this standard.	No
72.32 ¹²⁶	Survey + Spatial New Zealand (Wellington Branch)	SUB-S4	Delete item c of standard SUB-S4.	3.11.4	Reject	See body of the report	No
81.474	Kāinga Ora – Homes and Communities	SUB-S5	Retain as notified	n/a	Accept	There are no submissions opposing or seeking amendments to this policy.	No
81.475	Kāinga Ora – Homes and Communities	SUB-S6	Consequential changes resulting from the submission point(s) made by Kāinga Ora on the THWT chapter of the PDP.	3.11.5	Reject	See body of the report	No
82.143	Waka Kotahi NZ Transport Agency	SUB-S6	Retain as notified.	n/a	Accept	There are no recommended amendments to this standard.	No
72.30 ¹²⁷	Survey + Spatial New Zealand (Wellington Branch)	SUB-S6	<p>Amend:</p> <ol style="list-style-type: none"> Where a connection to Council's stormwater management systems is available, all new allotments must be provided with a connection at the allotment boundary, that provides the level of service in Chapter 4 Stormwater Table 4.1, Table 4.2 and 4.3 of the Wellington Water Regional Standard for Water Services May 2019. All subdivisions within Urban Zones and the Maori Purpose Zone (Hongoeka) must achieve hydraulic neutrality <u>for rain events up to 10% AEP event</u>. Where a connection to Council's stormwater systems is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or inundation or be used for the disposal of wastewater. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> For Urban Zones and the areas of the Settlement Zone and Maori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: <ol style="list-style-type: none"> The matters in THWT-S2; and The matters in THWT-P3; For sites that are not within Urban Zones and the areas of the Settlement Zone and Maori Purpose Zone (Hongoeka) serviced by all or part of the three waters network: 	3.11.5	Reject	See body of the report	No

¹²⁴ Opposed by Kāinga Ora – Homes and Communities [FS65.269]

¹²⁵ Opposed by Kāinga Ora – Homes and Communities [FS65.269]

¹²⁶ Opposed by Greater Wellington Regional Council [FS40.42]; supported by Kāinga Ora [FS65.270]

¹²⁷ Opposed by Greater Wellington Regional Council [FS40.38]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			1. Any potential impacts on any downstream flooding hazard from the proposed stormwater disposal from the site; and The size and scale of the development and the additional stormwater that the proposal will generate compared to the existing situation.				
70.1	Chorus New Zealand Ltd	SUB-S7	Retain as notified.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
81.476 ¹²⁸	Kāinga Ora – Homes and Communities	SUB-S7	Amend: 1. All new allotments must have provision for fibre optic cable connections to the legal boundary of the allotments. 2. All new allotments must have provision for electricity connections to the legal boundary of the allotments 1. For all new allotments within the General Residential, Medium Density Residential, Centres, Mixed Use or General Industrial zones, and in other zones where power lines, and telecommunication lines are available within 200m of any boundary of any lot of proposed subdivision, services must be provided to the boundary of each new lot. 2. At the time of subdivision, sufficient land for telecommunications, transformers and any associated ancillary services must be set aside. Matters of discretion are restricted to: 1. Alternative provision of telecommunication and power supply.	3.11.6	Accept in part	See body of the report	Yes
63.1	Spark NZ Trading Ltd & Vodafone NZ Ltd	SUB-S7	Request to meet Council and any other parties with an interest in this topic to discuss amendments to the SUB-S7.1. There are a number options that could be explored including agreeing the outcome/s of what the requirement is trying to achieve. The outcomes should probably achieve amongst other things the following: 1. requirement for developers to provide telecommunications infrastructure and the ability to supply telecommunications services to each subdivided lot; 2. prior to the release of final Council clearance (S224c) for a subdivision developers should be required to provide written confirmation that the telecommunications infrastructure owner's installation requirements have been met along with written evidence from a telecommunications operator that there is appropriate network. Options provided for replacing SUB-S7.1: Option A <i>All new allotments must have provision for telecommunication infrastructure.</i> Comment: as a subdivision requires resource consent the developer is required to show prove to Council how the requirement is achieved.	3.11.6	Accept in part	See body of the report	Yes

¹²⁸ Opposed by Wellington Electricity Lines Limited [FS28.7]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Option B <i>All new allotments must have provision for telecommunication infrastructure, as follows;</i></p> <ol style="list-style-type: none"> 1. <i>All new allotments must have provision for telecommunication infrastructure; and</i> 2. <i>That the applicant shall provide as part of the subdivision application written confirmation from a telecommunication network operator/s how and what the telecommunication infrastructure will be provided as required by SUB-S7.1; and</i> <p><i>That the applicant shall provide from a telecommunication network operator/s how and what the telecommunication infrastructure has been provided as required in SUB-S7.1 to Council prior to the sign-off of the subdivision condition related to the telecommunication conditions.</i></p>				
85.37	Wellington Electricity Lines Limited	SUB-S7	Retain as drafted.	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
72.31 ¹²⁹	Survey + Spatial New Zealand (Wellington Branch)	SUB-S7	Delete item 1 of standard SUB-S7.	3.11.6	Reject	See body of the report	No
81.477	Kāinga Ora – Homes and Communities	SUB-S8	Retain as notified	n/a	Accept in part	Accept in part, subject to amendments made in response to other submissions	No
168.93	Robyn Smith	SUB-S8	<p>Amend SUB-S8 to read as follows: <i>"An esplanade reserve at least 20m wide must be set aside in accordance with section 230 of the RMA from land being subdivided where the subdivision would result in one or more allotments less than 4ha in area, and where any part of the land adjoins or encompasses:</i></p> <ol style="list-style-type: none"> a. <i>the line of the MHWS; or</i> b. <i>the bank of a river the average bed width of which is 3m or more."</i> 	3.4.2	Accept in part	See body of the report	Yes
247.16	Linda Dale	SUB-S8	<p>Amend this sub-section to allow for an esplanade reserve of up to 20m, rather than a minimum of 20m. Suggests a wording change below but appreciates that following the RMA exactly may require different formal wording. SUB-S8 Esplanade Reserve All zones</p> <ol style="list-style-type: none"> 1. Any subdivision involving the creation of one or more sites less than 4ha which adjoins: <ol style="list-style-type: none"> 3. The line of MHWS; or 4. The bank of a river whose bed has an average width of 3m or more must provide an minimum 20m wide esplanade reserve <u>of up to 20m wide</u> in accordance with section 230 of the RMA. 2. The esplanade reserve must be measured in a landward direction at 90° to the line of MHWS, or the bank of a river. <p>There are no matters of discretion for this standard.</p>	3.4.2	Reject	See body of the report	No

¹²⁹ Supported by Kenepuru Limited Partnership (KLP) [FS20.48]

Appendix C. Report Author's Qualifications and Experience

My name is Rory McLaren Smeaton.

I hold the following qualifications:

- Bachelor of Science in Geography (University of Canterbury);
- Postgraduate Diploma in Science in Geography (with Distinction) (University of Canterbury);
and
- Master of Planning Practice (First Class Honours) (University of Auckland).

I am a full member of the New Zealand Planning Institute. I have nine years' experience in working as a planner for local and central government organisations, and a multi-disciplinary consultancy.

I have been employed by the Porirua City Council since April 2020 as a Senior Policy Planner within the Environment and City Planning Team. My work at PCC has included finalising PDP chapters and preparing the associated section 32 reports, summarising submissions, and preparing section 42A reports.