

RMA Form 6

Further submission – Proposed Porirua District Plan

Clause 8 of First Schedule, Resource Management Act 1991

To: Porirua City Council
Email to: dpreview@porirua.govt.nz
Subject: Further submission - PDP
Post: Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY
Delivery: Ground Floor, Council Administration Building, Cobham Court, Porirua City, marked "Attention: Proposed District Plan, Environment and City Planning"

Closing date for further submissions is 5pm Tuesday, 11 May 2021

Submissions, a summary of decisions requested and submitter contact details can be viewed at:

www.porirua.govt.nz/proposeddistrictplan

| Further Submitter Contact Details | | | |
|--|--|------------------------------|-------------------|
| Full Name | <i>Last Name</i> | | <i>First Name</i> |
| | Morrison | | Russell |
| | <i>[insert additional rows if needed]</i> | | |
| Or Company/Organisation Name <i>if applicable</i> | Paremata Residents Association Inc. | | |
| Contact Person <i>if different</i> | | | |
| Email Address for Service | russellmorrison@xtra.co.nz | | |
| Address | P O Box 54 186, Mana | | |
| | <i>City</i> Porirua | <i>Postcode</i> 5026 | |
| Mail Address for Service <i>if different</i> | | | |
| Phone | <i>Mobile</i> | <i>Home</i> (04) 233 1056 | <i>Work</i> |
| | | | |
| Attendance and wish to be heard at the hearing: <i>you must fill in both rows below</i> | | | |
| <input type="checkbox"/> I do not wish <input checked="" type="checkbox"/> I wish To be heard in support of my further submission <i>(Please tick relevant box)</i> | | | |
| <input checked="" type="checkbox"/> I will <input type="checkbox"/> I will not consider presenting a joint case with other submitters, who make a similar further submission, at a hearing. <i>(Please tick relevant box)</i> | | | |

Relevance - you must select one box that applies to you:

- I am a person representing a relevant aspect of the public interest
- I am a person who has an interest in the proposal that is greater than the interest the general public has
- I am the local authority for the relevant area

Explain/specify the grounds for saying that you come within this category (you must fill this in):

Submission number 81 supports removal of designation conditions that were imposed by the Environment Court during hearings instigated by the Association and which directly concern the operation of SH1 through Paremata.

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- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

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Signature of person making further submission
(or person authorised to sign on behalf of
person making further submission)

.....

Date

(A signature is not required if you make your submission by electronic means.)

Your further submission:

Please complete section below and insert additional rows per submission point or submitter if required by using the enter button
Delete examples provided and enter your own further submission points

| Submitter Name/ Submission Number <i>[See submission contact list]</i> | Submitter Address/Email <i>[if provided]</i> | Support or Oppose <i>[Only choose support or oppose]</i> | The particular parts of the submission I support or oppose are: <i>[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal]</i> | The reasons for my support or opposition are: <i>[give reasons]</i> | Allow or disallow <i>[Only choose allow or disallow]</i> | I seek that the whole or part (describe part) of the submission be allowed or disallowed: <i>[give precise details]</i> |
|--|--|--|---|---|--|---|
| Kainga Ora [Submission 81 – Point number 81.870] | <i>Kainga Ora – Homes and Communities, PO Box 2628, Wellington 6140. Email: developmentplanning@hnzc.co.nz</i> | <i>Oppose</i> | Kainga Ora has supported the replacement of NZTA designations K0411 and K0412 with modified provisions – identified as Designation NZTA-01. The modified designation does not include most of the conditions imposed by the Environment Court under K0411 and K0412 because Waka Kotahi considered they were “no longer relevant as the works they related to have already been completed”. | We believe that removing some of the conditions is a mistake because they are still relevant. The reasons for our opposition and the conditions that we believe should be retained were conveyed to the Chief Executive, PCC in an email dated 17 February 2021 [SEE ATTACHMENT1]. | Disallow | We seek that the proposed amalgamated designation (NZTA-01) be disallowed in its current form. It may in fact be best if the original designations were not amalgamated or all the conditions were included in an Appendix. We would be happy to meet with representatives from PCC and Waka Kotahi to discuss the alternatives and, if necessary, to go through the conditions with the intention of getting consensus on which conditions should be retained. Our current thoughts on this are listed in ATTACHMENT2. |
| | | | | | | |
| | | | | | | |
| | | | | | | |

ATTACHMENT 1

17 February 2021

The Chief Executive
Porirua City Council
PO Box 50218
Porirua 5240

Dear Wendy

Removal of Waka Kotahi/NZTA Designation Conditions from District Plan

It has recently been brought to our notice that the Council has replaced former NZTA designations K0411 and K0412 with modified provisions in the proposed District Plan and has deleted most of the conditions imposed under those former designations.

The designations concerned relate to the four-laning of the Rural Section of SH1 between Pukerua and Plimmerton (K0411) and the clearways/four-laning work carried out on the Urban Section between Plimmerton and Paremata (K0412). Because of our involvement during the drawing-up of these conditions (especially those for K0412, both during the Court hearings and subsequently when formulating a Consent Order), the Paremata Residents Association obviously has a strong interest in whether or not the conditions are retained.

The changes appear to have emanated from an invitation from PCC for NZTA to confirm its existing designations as part of the District Plan Review. The “rollover” report provided by NZTA at that time (June 2019) justified removing the conditions by stating that:

“The conditions for K0411 ... [and] most of the conditions for K0412 are no longer relevant as the works they related to have already been completed.”

We query this reasoning as we believe that the obligation to comply with conditions should not necessarily expire when the construction has been completed. Some conditions, for instance, include expectations that NZTA will maintain certain structures or landscaping standards well beyond completion of construction.

The report initially proposed that only Condition 59 from designation K0412 (which requires NZTA to consult with some stakeholders prior to completion of Transmission Gully) needed to be retained and rolled over into the new designation. Subsequently Conditions 55, 55A and 56 were also included in those to be retained. However, we believe there are other conditions - from both designation K0411 and designation K0412 – that should also have remained.

These include, for instance, the following conditions from designation K0412:

- 3. Building line restrictions
- 5A. Maintenance of built structures (and associated conditions 8.7, 8.8, 11, 12, 23, 29, 35 & 46)
- 7A. Maintenance of landscaping (and perhaps other conditions relating to landscaping)

- 22 & 22A. Noise mitigation and road surfacing
- 35 & 37. Directional signage at Acheron Road and Plim Roundabout
- 36. Signs about use of engine brakes
- 48. Keeping a community feedback register
- 52.2. Parking at Redoubt Lane.

Similarly, we believe there are some conditions attached to designation K0411 which should probably be retained – particularly those that refer to standards (of landscaping, noise, lighting, etc) that should be met. Removal of these conditions risks eliminating future knowledge of the requirements and any obligation to continue meeting them.

It would also be sensible to show the current clearway hours in the new designation or at least add a note advising readers that the clearway hours have subsequently been changed from those shown in designation K0412.

We appreciate that the Association made no submission on the proposed District Plan relating to these designation changes (as we weren't aware of them) but suggest it would be useful to meet with PCC (and perhaps Waka Kotahi) officers to discuss this matter further?

We would be grateful if you could consider this issue. I can be contacted by email or mobile as below.

Yours sincerely

Tony Shaw
President, Paremata Residents Association
Email: tony.shaw@xtra.co.nz
Mobile: 027 575 5789

ATTACHMENT 2

Initial list of suggested conditions that need to be retained**A. From Existing Designation K0412:**

| <u>Condition</u> | <u>Subject</u> |
|------------------|---|
| 3 | Building Line Restrictions |
| 5A | Maintenance of built structures |
| 7A | Maintenance of landscaping |
| 8.1 | Landscape design principles |
| 8.7 | Cut Face at Steyne Avenue Intersection |
| 8.8 | Goat Point accessway and fence or wall |
| 10A | Earthworks |
| 11 & 12 | Lighting |
| 22 & 22A | Noise mitigation and road surfacing |
| 23 | Acoustic fence |
| 29 | Plimmerton pedestrian overbridge |
| 35 & 37 | Directional signage at Acheron Road and Plimmerton Roundabout |
| 36 | Signs about use of engine brakes |
| 38 & 39 | Sewer and water main protection and fire hydrants |
| 46 to 47A | Footpath widths and handrails |
| 48 | Community feedback register |
| 52 | Parking area at Redoubt Lane |
| 55 | Restrictions on the operation of kerbside lanes |
| 55A | Monitoring Parking |
| 56 | Notices |
| 59 | Review of designation prior to completion of Transmission Gully |

B. From Existing Designation K0411:

| <u>Condition</u> | <u>Subject</u> |
|------------------|--|
| 2 | Scope and extent of work |
| 4 | Complaints Register |
| 5 | Protocol for discovery of koiwi, taonga or other artefact material |
| 6 | Protection of landscape and ecological values of Taupo Swamp |
| 8 | Restoration and enhancement of southern remnant wetland area |
| 10 | Retention of key views of Taupo Swamp |
| 14 & 15 | Landscape Management Plan |
| 17 & 18 | Noise |
| 19 | Overhead lighting at Airlie Road intersection |

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|--|------------------------------------|------|---------------|
| Full Name | Last Name | | First Name |
| | Shaw | | Tony |
| | [insert additional rows if needed] | | |
| Or Company/Organisation Name <i>if applicable</i> | Paremata Residents Association | | |
| Contact Person <i>if different</i> | | | |
| Email Address for Service | Tony.shaw@xtra.co.nz | | |
| Address | 31 Kahu Road Paremata | | |
| | City Porirua | | Postcode 5024 |
| Mail Address for Service <i>if different</i> | | | |
| Phone | Mobile | Home | Work |
| | 027 575 5789 | | |
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Explain/specify the grounds for saying that you come within this category (you must fill this in):

Example: "Submission number [insert submission reference number here] directly affects the property at XXX, which I own"

Paremata Residents Association represents the residents of Papakowhai, Paremata, Mana and south Camborne, many of whom will be affected by the potential impact of submissions related to medium and high-density residential zones in the Association's area, and in particular on the Mana Esplanade.

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Signature of person making further submission
(or person authorised to sign on behalf of
person making further submission)

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Date

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|---|--|--|--|--|--|--|
| Kainga Ora (Submission 81) | developmentplanning @hnzc.co.nz | Oppose | New Provision – Section 32 Evaluation Report, Submission Point 81.1 Introduce High Density Residential Zone Provisions (objectives, policies, rules, standards and chapter introduction) into Proposed District Plan as set out in Appendix 2 to submission. | The proposed high density residential zone includes a large part of Mana Esplanade residential area, plus higher areas of Mana. It appears this is proposed simply on the basis of closeness to Mana Rail Station and the local shopping area. Much of the higher area will not meet the 5-minute walking rule and the suitability of the Esplanade for multi-storey building development is questionable given its vulnerability to hazards such as liquefaction, earthquake shaking, flooding, high water table (rising with climate change), storm surges, tsunami, high winds. Although I have focused on Mana, this could also apply to many Porirua coastal sites. | Disallow | We seek the Council's rejection of a high-density residential zone in areas that are vulnerable to current and future natural hazards. Also, the rejection of a high-density residential zone where properties are not within 400 metres (walking distance) of rapid transport or reasonably walkable to or from rapid transport within 5 minutes. |
| Kainga Ora (Submission 81) | developmentplanning @hnzc.co.nz | Oppose | New Provision, Rezoning, new Town Centre Zone. Submission Point 81.926 The submitter seeks consideration be given to incorporating a new Town Centre Zone in the PDP, which would be applicable to Mana and Waitangirua. | The submitter has proposed a new Town Centre Zone to include Mana, but no information was found in the submission on what a new zone would achieve. Mana is not a town or in a town. We believe the Local Centre Zone appropriately describes the function of the local shopping centre on Mana Esplanade. | Disallow | A new town centre zone is unnecessary and not appropriate for Mana. We request that the submitters proposal is disallowed. |
| Kainga Ora (Submission 81) | developmentplanning @hnzc.co.nz | Oppose | Local Centre Zone LCZ-S1 Submission Points 81.719 & 81.948 Kāinga Ora opposes the maximum height limit in the Local Centre Zone and Mixed Use Zone and seeks an increase to 16m. This is relevant city-wide. | The request to increase maximum height to 16 metres allows for a 4-storey building in the local centre zone. For Mana Esplanade this would be too intrusive to the environment and dominating in scale with other buildings. It would also require special design and provisions to provide adequate resilience to natural hazards and climate change issues expected in this area in the future. | Disallow | A height increase to 16 metres in the LCZ in Mana is not considered appropriate, sensible, or necessary. We request that the submitters request is disallowed at least for Mana. |
| Kainga Ora (Submission 81) | developmentplanning @hnzc.co.nz | Oppose | Planning Maps – Rezoning Section 32 Submission Point 81.941 The submitter seeks to re-zone larger areas of the city to medium density shown in maps in Attachment 3 of their submission | Maps 4 and 6 from the submitter show many area of Mana, Camborne, Paremata and Papakowhai as proposed Medium-Density Residential Zones. The maps do not consider the topography of this area. Apart from the unlikely ability to build to medium density in much of this area without impacting negatively on adjacent properties, large parts do not have a public bus service and are well in excess of a 5-minute walk to or from a bus stop or rail station. | Disallow | We request that the MRZ re-zoning proposal on Maps 4 and 6 from the submitter is disallowed. |
| Kainga Ora (Submission 81) | developmentplanning @hnzc.co.nz | Oppose | Planning Maps – Rezoning Section 32 Submission Point 81.942 Introduction of provisions for High Density Residential Zones | Maps 4 and 6 from the submitter show lower areas of Paremata and Mana as proposed High-Density Residential Zones. The argument for why this is not a good idea is given under Submission point 81.1 above. | Disallow | We request that the HRZ re-zoning proposal on Maps 4 and 6 from the submitter is disallowed. |
| Chamber of Commerce (Submission 136) | kenny@lillisclark.com | Oppose | GRZ - General Submission Point 136.3 & MRZ – General Submission Point 136.4 The submitter has requested Mana Esplanade to maintain two general traffic lanes in each direction and does not revert to one general traffic lane in each direction | Mana Esplanade currently does not meet roading standards for a 4-lane arterial road in many respects and was only allowed by the Environment Court on a temporary basis until completion of Transmission Gully Motorway. The future format of Mana Esplanade is a matter of discussion with PCC, the NZ roading agency, local resident | Disallow | We request that part of the submission seeking to prevent Mana Esplanade reverting to one general traffic lane in each direction is disallowed. |

Your further submission:

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|---|--|--|--|---|--|---|
| | | | | associations and Iwi (as required by the Environment Court). We believe this is not a matter for inclusion in the District Plan. | | |
| Greater Wellington (Submission 137) | Fleur.Matthews@gw.govt.nz | Support | Housing Opportunities HO-02 Submission Point 137.12 Submitter seeks to amend HO-02, adding 5. Has access to water and drainage infrastructure of adequate capacity suitable for carrying peak flows anticipated during the asset lifetime. | We support this addition because access to drinking water and wastewater infrastructure of adequate capacity is a basic necessity that must not be compromised by excessive building development. | Allow | We seek inclusion of the text from submission point 137.12 in HO-02. |