



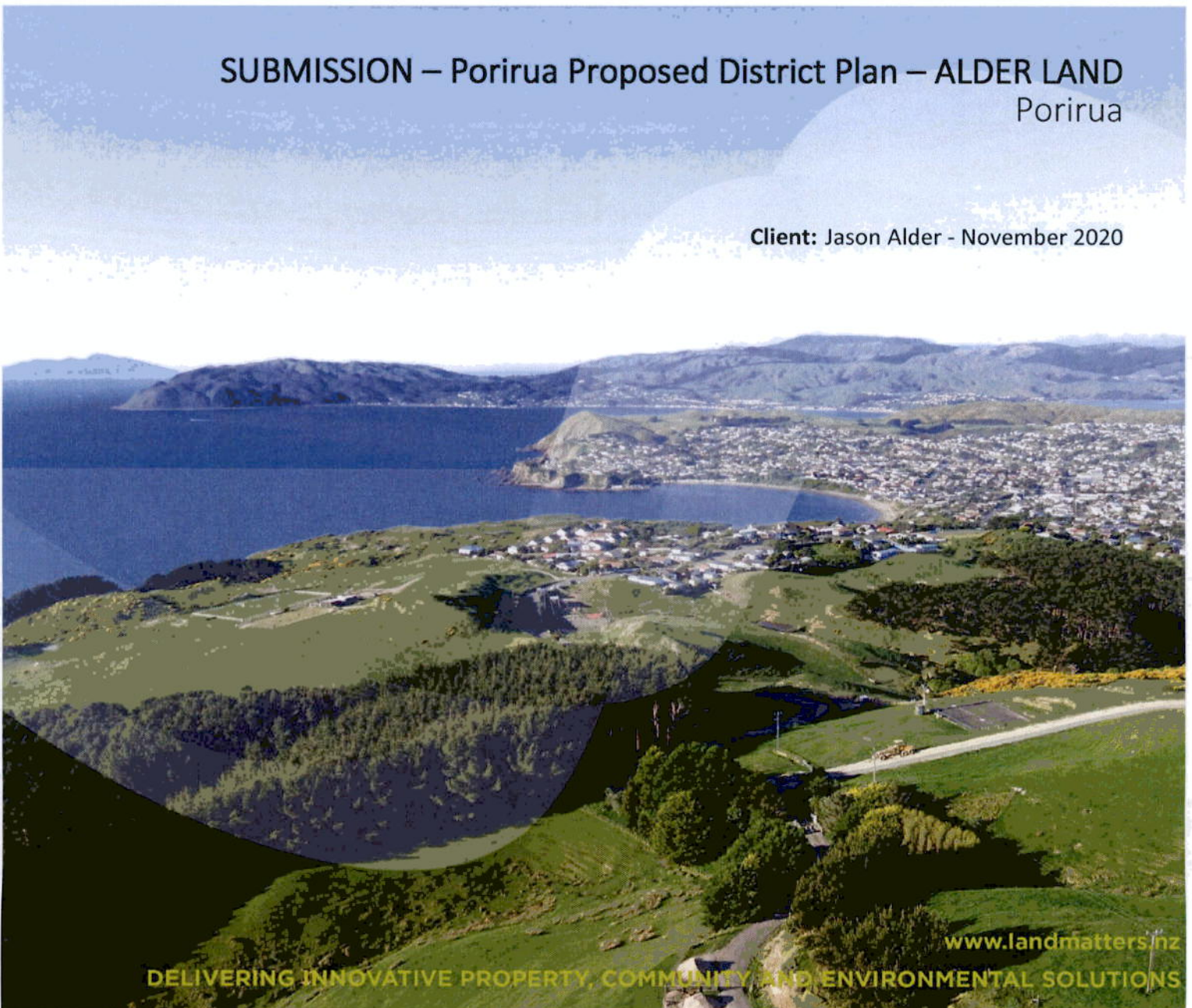
Porirua City Council

20 NOV 2020

Customer Service

SUBMISSION – Porirua Proposed District Plan – ALDER LAND
Porirua

Client: Jason Alder - November 2020



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DELIVERING INNOVATIVE PROPERTY, COMMUNITY AND ENVIRONMENTAL SOLUTIONS



SUBMISSION FOR: Jason Alder

Prepared by:



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Principal Planner and Director

Date: November 2020
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Job Ref: J000

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RMA FORM 5

Submission on publicly notified Proposed Porirua District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Porirua City Council

1. **Submitter details:**

Full Name			
Company/Organisation <i>if applicable</i>	Jason Alder		
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2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could not gain an advantage in trade competition through this submission.

If **you could** gain an advantage in trade competition through this submission please complete point four below:

4. I am directly affected by an effect of the subject matter of the submission that:



(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Note:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

- 5. I wish to be heard in support of my submission.

- 6. I will not consider presenting a joint case with other submitters, who make a similar submission, at a hearing.

Please complete section below (insert additional boxes per provision you are submitting on):

The specific provision of the proposal that my submission relates to:
See part 3.
Do you: Support? Oppose? Amend?
See part 3.
What decision are you seeking from Council?
What action would you like: Retain? Amend? Add? Delete?
Reasons:
See part 3.



1. BACKGROUND AND INTRODUCTION

Porirua City Council (PCC) is reviewing its Growth Strategy to guide how the City changes over the next 30 years. The Growth Strategy includes a review of the Northern Growth Area 2014 (NGA). Porirua City Council are looking to implement its Growth Strategy through its new District Plan. This document is a submission on Porirua's Proposed District Plan.

The Alder Property is east of Transmission Gully in the Judgeford Hills area.

This document briefly describes the land, the general parts of the Proposed District Plan the submitter wish to have amended, and gives reasons for the requested amendments.

2. THE LAND

The land is located east of Whitby and Transmission Gully. The property details are:

- Address: 272A Belmont Road, Judgeford.
- Legal Description: Lot 3 DP 33209 (RoT 547236)
- Area: 6.5029ha

3. THE SUBMISSION AND CHANGES SOUGHT

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

- A. Amendment to the planning maps to provide an improved extent of the Rural Lifestyle Zone (RLZ) **or** Settlement Zone (SETZ) for its property. In the alternative the land can be added to the Future Urban Area (FUZ) which is adjoining;
- B. Amendment to the RLZ rules and standards to reinstate a 1ha minimum lot size and an average lot size of 2ha across the subdivision area;
- C. Removal of the Natural Hazard (NH) risk overlays from the land **or** amendment to the Natural Hazard provisions to provide a less restrictive planning framework for subdivision and development within those overlay areas.

Reason: *the Growth Strategy 2048 and Proposed District Plan shows the area around the subject land as FUZ. The submitter wishes to enjoy the same amenity proposed by Council for the surrounding areas so not to be left as General Rural Zoned land. A 1ha minimum and 2ha average has been a feature of earlier versions of the draft District Plan and should be reinstated in the Proposed Plan. The NH provisions have the potential to 'taint' applications for subdivision and development envisaged by the Proposed District Plan and consistency in activity status and planning framework will better implement the objectives for the RLZ, Settlement Zone or FUZ.*

Without limiting the general opposition in A, B, and C above, the specific changes of the plan the submitter seeks are in the following table:



Plan Provision	Support/ Oppose	Reason	Relief Sought
Part 2 – Natural Hazard: NH-P2 & NH-R8	Oppose	<p>The policy approach to hazards in High Hazard Areas needs to reflect that good information and assessment may provide for development activities in those overlays.</p>	<p>NH-P2 <i>Avoid <u>Manage</u> the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay <u>unless where</u> it can be demonstrated that:</i></p> <ol style="list-style-type: none"> <i>1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option;</i> <i>2. The activity incorporates mitigation measures that demonstrate that risk to people’s life and wellbeing; and building damage is avoided <u>or mitigated</u>;</i> <i>3. People can safely evacuate the property during a natural hazard event; and</i> <i>4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity.</i> <p>NH-R8.1 Activity Status: Non-complying. <u>Replace NH-R8 with a new restricted discretionary rule.</u></p>
Part 2 – Subdivision	Oppose	<p>There will be situations where landform and natural features dictate the pattern of subdivision layout. The policy wording needs to reflect this.</p> <p>The removal of a 1ha minimum lot size in the RLZ will limit the ability of subdivision design for landscape values. A 1ha minimum lot size in the RLZ is an appropriate method for</p>	<p><i>Amend the provisions of the subdivision part of the plan to the following (or similar intent):</i></p> <p><i>SUB-P9 Subdivision in the General Rural Zone, Rural Lifestyle Zone and Settlement Zone</i> <i>Provide for subdivision where it does not compromise the purpose, character and amenity values of the Zone, having particular regard to:</i></p>



		<p>innovative subdivision design.</p>	<p>1. <i>Enabling cluster development, where it ensures the retention of a large balance lot;</i> 2. <i>Discouraging the layout of lots in a linear pattern along roads;</i> SUB-S1 <i>Rural Lifestyle Zone</i> <i>All allotments created must have a minimum allotment size of <u>21ha</u> and an average allotment size of <u>2ha</u> across the subdivision site.</i></p>
<p>Part 3 – Area Specific Matters Rural Lifestyle Zone and Settlement Zones – entire chapters</p>	<p>Support in part.</p>	<p>The RLZ and SETZ will provide for opportunities for people to live in a rural setting but within a small allotment size. The submitter requests the RLZ and SETZ be retained but extended over the submitters land.</p>	<p><i>Retain the RLZ and SETZ and extend one or other over the submitters land (alternatively add the land to the FUZ).</i></p>
<p>Part 3 – Future Urban Zone (FUZ). Entire Chapter provisions FUZ-01 to FUZ-S7. Including APP11 – Future Urban Zone Structure Plan Guidance and planning maps as they relate to the land that the submitter has an interest in.</p>	<p>Oppose</p>	<p>The suite of provisions relating to the FUZ are essentially monopolizing future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side.</p>	<p><i>Amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ including (but not limited to)-</i></p> <p>FUZ-01 <i>The Future Urban Zone allows ...</i></p> <p>1. <i>The ... Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;</i></p> <p>FUZ-02 <i>The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned <u>or consented</u> for urban purposes.</i></p> <p>FUZ-P1 <i>Identify areas for future urban development as the Future Urban Zone where these:</i></p> <p>2. <i>Are of a size, scale and location which could accommodate</i></p>



			<p><i>comprehensive and integrated future development that:</i></p> <ol style="list-style-type: none"> 1. <i>Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site;</i> 2. <i>Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.</i> <p>FUZ-P2 <i>Only provide for urban development within a Future Urban Zone when:</i></p> <ol style="list-style-type: none"> 1. <i>A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and</i> 2. <i>The area has been rezoned or consented as a Development Area which enables urban development.</i> <p><u>FUZ-R16A Subdivision and Development in the Judgeford Precinct Area</u></p> <p><u>1. Activity Status:</u> <i>Discretionary</i></p> <p><u>Notification and Natural Hazards:</u></p> <ul style="list-style-type: none"> • <i>An application under this rule is precluded from being publicly notified in accordance with</i>
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			<p><u>section 95A of the RMA.</u></p> <ul style="list-style-type: none">• <u>Activities considered under this rule are exempt from the rules relating to Natural Hazards (NH) and those District Wide Matters will be considered under section 106 of the RMA.</u> <p>APP11 – Future Urban Zone Structure Plan Guidance <u>Where applicable, relevant and appropriate a structure plan is to identify, investigate and address the matters set out below.</u></p>
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