

The Resource Management (Direction to Porirua City Council to Enter the Streamlined Planning Process for a Proposed Change to the Porirua District Plan—Proposed Plimmerton Farm Plan Change) Notice 2020

Pursuant to clauses 78 and 79(2) of Schedule 1 of the Resource Management Act 1991, the Minister for the Environment gives the following notice.

Notice

1. Title and Commencement

(1) This notice is the Resource Management (Direction to the Porirua City Council to enter the Streamlined Planning Process for a Proposed Change to the Porirua District Plan—Proposed Plimmerton Farm Plan Change) Notice 2020.

(2) This notice shall come into force 10 working days following publication.

2. Direction to Enter Streamlined Planning Process

Minister for the Environment's Direction on the Application From Porirua City Council to use a Streamlined Planning Process for a Proposed Change to the Porirua District Plan (Proposed Plimmerton Farm Plan Change)

The Minister for the Environment received an application from Porirua City Council on 1 October 2019, pursuant to section 80C and clause 75 of Schedule 1 of the Resource Management Act 1991 (RMA), to use a streamlined planning process to prepare a planning instrument known as proposed Plimmerton Farm Plan Change, a plan change to the Porirua District Plan.

In accordance with clause 78 of Schedule 1 of the RMA, the Minister for the Environment directs that Porirua City Council uses the following streamlined planning process for proposed Plimmerton Farm Plan Change.

	Step	Time Frame
1	Publicly notify proposed Plimmerton Farm Plan Change for written submissions in accordance with clause 5 of Schedule 1 of the RMA. A period of 30 working days for submissions must be specified in the public notice.	To be publicly notified no later than 10 working days from when the Direction published in the <i>New Zealand Gazette</i> takes effect.
2	Provide an opportunity for written submissions in accordance with clause 6 of Schedule 1 of the RMA.	Public submissions to be received no later than 30 working days after public notification (Step 1).
3	Give public notice of submissions in accordance with clause 7 of Schedule 1 of the RMA (to the extent applicable under this Direction).	Public notice to be given no later than 10 working days after the close of the public submissions period (Step 2).
4	Provide an opportunity for further submissions in accordance with clauses 8 and 8A of Schedule 1 of the RMA (to the extent applicable under this Direction).	Further submissions to be received no later than 10 working days after public notice given (Step 3).
5	If considered appropriate (either following a request or on the initiative of Porirua City Council) undertake resolution of disputes in accordance with clause 8AA of Schedule 1 of the RMA (to the extent applicable under this Direction).	
6	Conduct a public hearing under clause 8B of Schedule 1 of the RMA (to the extent applicable under this Direction). The Hearing Panel may permit cross-examination.	Step 6 to be commenced no later than 85 working days after the close of further submissions (Step 4).
7	Hearing Panel to prepare a draft report showing how submissions have been considered and the changes (if any) recommended to the proposed Plimmerton Farm Plan Change. This report must include how the hearing panel gave particular regard to the section 32 evaluation report and any additional report prepared under section 32AA (as may be relevant).	Steps 7 and 8 to be completed no later than 50 working days after commencement of the public hearing (Step 6).
8	Hearing panel to request and consider comments on the draft report prepared at Step 7 from Porirua City Council and submitters before finalising the report. The scope of comments is limited to identification and correction of minor or technical errors or omissions. Comments cannot be made on the hearing panel's recommendation to the Minister for the Environment, or the reasons for its recommendation.	
9	Provide for the Minister for the Environment's consideration the written reports and documents required by clause 83(1) of Schedule 1 of the RMA.	To be submitted to the Minister no later than 10 working days after the completion of Steps 7 and 8.
The total time period within which the streamlined planning process for the proposed Plimmerton Farm Plan Change to the Porirua District Plan must be completed. The process is considered to be complete when the documents referred to in Step 9 above are submitted to the Minister for the Environment.		Steps 1-9 to be completed no later than 195 working days after the Direction notice in the <i>New Zealand Gazette</i> takes effect

In accordance with clause 78(5) of Schedule 1 of the RMA, the Minister directs that the hearing panel convened to hear submissions under Step 6 must include at least three independent hearing commissioners. The hearing panel must have:

- at least one member with knowledge of tikanga Māori and mātauranga Māori;
- member(s) with knowledge, skills and experience in sedimentation and freshwater ecology matters; and
- a Chair with experience in the Environment Court of the exercise of control over the manner of questioning and cross-examination of any party or witness.

Statement of Expectations

The Minister for the Environment's expectations for the proposed Plimmerton Farm Plan Change are that it:

- a. contributes to providing sufficient opportunities for the development of housing and business land to meet demand, and which will provide choices to meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;
- b. provides for the protection of significant natural areas, significant natural features, sites of ecological value, and the maintenance of indigenous vegetation and indigenous biodiversity; and
- c. ensures that future development will be undertaken in a manner that recognises the sensitive receiving and downstream environments, such as the Taupō Swamp, including minimising changes to the hydrological regime.

The Minister for the Environment's expectations for Porirua City Council are that in undertaking the streamlined planning process as directed, the Porirua City Council will:

- d. continue to engage with Te Rūnanga o Toa Rangatira and the New Zealand Transport Agency throughout the streamlined planning process;
- e. give careful consideration to the skills required to appropriately consider the particular issues relevant to proposed Plimmerton Farm Plan Change when appointing members of the hearing panel;
- f. agree with Te Rūnanga o Toa Rangatira on the appointment of the hearing panel member with knowledge of tikanga Māori and mātauranga Māori;
- g. place on a publicly accessible website, the dates and anticipated timeframes for the process steps (and updates as necessary); and
- h. make available on a publicly accessible website, all submissions and further submissions received no later than 5 working days after each submission period closes.

Reporting Requirements

The Porirua City Council shall provide a written report to the Ministry for the Environment within 10 working days of the completion of the period for making further submissions (Step 4). The report shall demonstrate compliance with the preceding steps and identify any issues which may affect the Council's ability to comply with the Minister's Direction.

Dated at Wellington this 28th day of April 2020.

HON DAVID PARKER, Minister for the Environment.

Notes

- i. This Direction must be complied with.
- ii. Section 80B(2)(a) and (b) specifies all mandatory Schedule 1 requirements in any Streamlined Planning Process (to the extent they are applicable to the particular planning instrument).
- iii. Clause 80 of Schedule 1 of the RMA provides the Minister with the ability to amend this Direction on his/her own initiative or following a request from the local authority.
- iv. The Local Authority may, in accordance with clause 81 of Schedule 1 of the RMA apply in writing to the Minister for an extension of timeframes.
- v. Clause 89 of Schedule 1 of the RMA provides the Minister with the ability to revoke a Direction made under clause 78 of Schedule 1 of the RMA.
- vi. Clause 88 of Schedule 1 of the RMA provides for the Council to withdraw the planning instrument at any time

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prior to the Minister making his/her decision on the proposed planning instrument under Clause 84 of Schedule 1 of the RMA.

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