

OFFICERS' REPORT FOR:

Independent Hearing Commissioners:

**Trevor Robinson (Chair)
David McMahon
Mark St Clair
Julia Williams**

SUBJECT:

**Proposed Porirua District Plan: Open Space
and Recreation Zones**

PREPARED BY:

Torrey James McDonnell

REPORT DATED:

14 April 2022

DATE OF HEARING:

16 to 27 May 2022

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant provisions of the Proposed Porirua District Plan (PDP) as they apply to Open Space and Recreation Zones. The report outlines recommendations in response to the key issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on Open Space and Recreation Zones. The following are considered to be the key issues in contention in the chapter:
 - Retaining the Open Space zoning of Whitireia Park and Owhiti Reserve;
 - Amendments in relation to specific areas including: Elsdon Reserve, Pauatahanui inlet, Titahi Bay Beach and Whitireia Park; and
 - Amendments in relation to various objectives, policies and rules in both the OSZ and SARZ.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. I have recommended some changes to the PDP provisions to address matters raised in submissions and are summarised below:
 - There are three minor amendments recommended to the OSZ chapter including:
 - the addition of natural and historic heritage values to the purpose of the zone outlined in OSZ-O1; and
 - allowing primary production on Te Rahui o Rangituhi through amendments to OSZ-P2 and OSZ-R10.
5. I do not recommend any amendments to the SARZ chapter.
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 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 Officers' reports utilise a number of abbreviations for brevity as set out in Table 1 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
NES-MA	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
RPS	Wellington Regional Policy Statement 2013
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

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
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	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

1 Introduction

1.1 Purpose

9. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the Open Space and Recreation Zones and to recommend possible amendments to the PDP in response to those submissions.
10. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, policies, rules, definitions and maps as they apply to the Open Space and Recreation Zones in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
11. 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.
12. The recommendations are informed by the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related Section 42A reports, including the Section 42A Report - Part B Natural Environment Strategic Objectives prepared by Gina Sweetman, and the Section 42A Report – Part A Overarching Report that addresses the higher order statutory planning and legal context.
13. 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.
14. 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

15. My name is Torrey James McDonnell. My qualifications and experience are set out in Appendix C of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for: Hongoeka and Papakāinga; Open Space and Recreation Zones, Rural Zones; Special Purpose Zone (BRANZ) and Hospital Zone; and the Overview to s32 Evaluation.
18. 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.
19. The scope of my evidence relates to this topic. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

20. 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.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

22. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes the following:
 - All legislation and documents outlined in the s32 evaluation report; and
 - All submissions and further submissions to the PDP.

1.4 Key Issues in Contention

23. A number of submissions and further submissions were received on the provisions relating to this topic. The submissions received were diverse and sought a range of outcomes including:
 - Retaining the Open Space zoning of Whitireia Park and Owhiti Reserve;
 - Amendments in relation to specific areas including: Elsdon Reserve, Pauatahanui inlet, Titahi Bay Beach and Whitireia Park; and
 - Amendments in relation to various objectives, policies and rules in both OSZ and SARZ.
24. This report addresses each of these key issues, as well as any other issues raised by submissions.
25. The following issues raised in relation to this topic are being addressed in other reports:
 - Amendments to objectives, policies and rules to further protect SNAs (covered in the Ecosystems and Indigenous Biodiversity s42A report)
 - Amendments to objectives, policies and rules to recognise infrastructure (covered in the Infrastructure s42A report)
 - Deletion of National Grid provisions (covered in the Infrastructure s42A report)

1.5 Procedural Matters

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

2 Statutory Considerations

2.1 Resource Management Act 1991

27. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- section 74 Matters to be considered by territorial authorities; and
 - section 75 Contents of district plans.
28. As set out in 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: Open Space and Recreation Zones. 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.
29. I have considered the implications of the NPS-UD and RMA-EHS on the provisions of the OSZ and SARZ and submissions on these chapters.
30. As outlined in the Section 32 Evaluation Part 1, the NPS-UD was gazetted on 23 July 2020 and came into effect on 20 August 2020 just prior to the notification of the PDP. The need for a variation was signalled to give effect to the NPS-UD. Policy 3 of the NPS-UD requires that plans provide for 6 storey buildings within at least a walkable catchment of existing and planned rapid transit stops and the edge of city centre and metropolitan centre zones. Policy 3 applies to all zones in an urban environment which is defined as follows:
- urban environment** means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:*
- is, or is intended to be, predominantly urban in character; and*
- is, or is intended to be, part of a housing and labour market of at least 10,000 people*
31. Policy 3 therefore applies as both the OSZ and SARZ occur within the urban environment, and many of these areas are predominantly urban in character.
32. However, Policy 4 allows for the modification of building height and density requirements to accommodate a qualifying matter. Subpart 6 of the NPS-UD sets out the qualifying matters and the requirements if a qualifying matter applies. Open space is a qualifying matter as follows:
- (3) In this National Policy Statement, **qualifying matter** means any of the following:*
- ...
- (d) open space provided for public use, but only in relation to the land that is open space*
33. Therefore, the enablement of 6 storey buildings needs to be considered in OSZ and SARZ zones, and if less enabling standards are used, this needs to be assessed in a Section 32 Evaluation as a qualifying matter.

34. Further, the recent RMA-EHS requires that an Intensification Planning Instrument be used to give effect to Policy 3 in non-residential urban zone (s77N). The evaluation requirements set out in s77O apply to all these zones, including the open space zones (s77O(f)).
35. Therefore, any amendments to these provisions to enable greater development must be done through the Intensification Planning Instrument. The Section 32 evaluation report that accompanies the variation would need to address the appropriateness of any intensification of the zone, or parts of the zone.

2.2 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 this topic is contained within the assessment of the relief sought in submissions in section 3 of this report, as required by s32AA(1)(d)(ii).

2.3 Trade Competition

38. Trade competition is not considered relevant to this topic within the PDP.
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 47 submitters who collectively made over 70 submission points on this topic.
41. There were four further submitters who collectively made 47 further submission points on this topic.

3.1.1 Report Structure

42. Submissions on this topic 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 Open Space Zone 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, the consideration of submissions has been undertaken in the following format:
 - Matters raised by submitters;
 - Assessment;
 - Recommendations; and
 - Section 32AA evaluation.

48. The recommended amendments to the Open Space Zone chapter are set out in Appendix A of this report where all text changes are shown in a consolidated manner.

3.2 Zoning of Whitireia Park

3.2.1 Matters raised by submitters

49. There were 26 submissions seeking that Whitireia Park retain its open space zoning and that it is protected from subdivision, land use and development. Relevant submission points include (see Table B1 for the full list):
- a. All of Whitireia Park must be protected from inappropriate subdivision, use and development [various];
 - b. All of Whitireia Park must be protected from inappropriate subdivision, use and development. Opposed to any provisions of the PDP (as notified and/or potentially amended by way of submissions by others, or by council officer evidence and/or recommendations) that do not provide for the required protection [Robyn Smith 168.1];
 - c. Whitireia Park in its entirety is protected for its Natural Environment Values and Historical and Cultural Values [Titahi Bay Community Group and Pestfree Titahi Bay 94.7];
 - d. All land in Whitireia Park continues to be zoned Open Space [various] [94.4];
 - e. This won't be affordable housing for anyone, so stop trying to disguise it as that. It's also Ngāti Toa land and sacred to them, has Council even considered talking to them about it? Have contacted couple of them who have said the council haven't notified them and that if they had they would go against it. [Tatiana Areora 87.9];
 - f. Go build on Pauatahanui or Plimmerton. This won't be affordable housing for anyone, so stop trying to disguise it as that. It's also Ngāti Toa land and sacred to them, has Council even considered talking to them about it? Have contacted couple of them who have said the council haven't notified them and that if they had they would go against it. [Chrissie Areora 88.1];
 - g. Stop the sale of the RNZ land. [Nathan Cottle 257.9];
 - h. The totality of Whitireia Park should continue to be classified as "Open Space", and protected from all subdivision and development—with no exceptions. Any development should be prohibited per the Open Space classification [Luke Davia 226.1, 226.2];
 - i. That the District Plan protects the whole of Whitireia Park as a Regional Park zoned Open Space and does not permit parts of the park to be available for residential development [Geoff Marshall 161.1].
50. The reason given for protecting Whitireia and retaining the open space zoning was outlined by many of the above submissions as follows:

Whitireia Park is a prominent headland on the southern side of the entrance to Te Awarua-o-Porirua Harbour. The Park includes all land owned by the Crown, some areas owned by Ngāti Toa, the golf course and the Radio New Zealand (RNZ) land

which leases most of the land to DOC and areas within the boundary of the park owned by Porirua City Council. The Park is open to the public to wander at will. It is used by a wide range of people from Porirua and the wider Wellington Region for a variety of activities. It has highly significant cultural, recreation, biodiversity, landscape, educational and open space values.

51. RNZ made a further submission in support of all of the above submissions except for 257.9 "stop the sale of the RNZ land" which they oppose, their stated reason being:

While RNZ supports preserving access and sites of cultural values, the District Plan should not be used to impose restrictions on the sale of land. This must be addressed through other processes.

3.2.2 Assessment

52. I agree that Whitireia Park must be protected from inappropriate subdivision, use and development. Whitireia has high natural, ecological, landscape and historic heritage values that need to be maintained and enhanced.
53. I consider that the provisions of the OSZ provide appropriate protection from subdivision, use and development to achieve the purpose of the Zone, subject to changes recommended in Appendix A of this report. Furthermore, there are a number of overlays that provide additional protections for areas of particular value¹.
54. Whitireia Park is zoned Open Space in the Operative District Plan and the Proposed District Plan. There are no submissions seeking any other zoning. I agree that the Park should retain its Open Space Zoning as the current recreational use of this area is consistent with the purpose of the Zone (OSZ-O1), and its high natural, ecological, landscape and historic values are consistent with the predominant character and amenity values of the Zone (OSZ-O2).
55. In regard to the submission from Tatiana Areora, Council has worked in partnership with Te Rūnunga o Toa Rangatira in developing the PDP. The PDP proposes Open Space Zoning for this site not residential zoning.
56. In regard to the submission from Chrissie Areora, the PDP does seek that residential development be directed to areas zoned for residential development such as Pāuatahanui or Plimmerton rather than Whitireia Park. I agree with this and consider that the PDP provides for appropriate opportunities for residential development in both these areas.
57. In regard to the submission from Nathan Cottle, I consider that this submission point is out of scope as the RMA does not provide powers for district plans to stop the sale of land. I concur with RNZ's further submission on this matter.
58. While I agree with the submission from Luke Davia seeking Open Space zoning be retained, I do not agree with protection from all development. This is inconsistent with OSZ-O2 which allows for "a low level of development". There is a certain level of development that is

¹ Natural Features and Landscapes, Ecosystems and Indigenous Biodiversity (Significant Natural Areas), Coastal Environment (Coastal High Natural Character Areas), Sites and Areas of Significance to Maori, and Historic Heritage,

necessary to enable permitted activities in the OSZ including development that is complementary with open space and recreation activities such as visitor centres, information kiosks and toilet blocks.

59. I agree with Geoff Marshall that it would be inappropriate for residential activity to be a permitted activity. I consider that the proposed restricted discretionary activity status is appropriate for this activity.

3.2.3 Recommendations

60. I recommend, for the reasons outlined above, that the submissions from [3.1, 80.1, 87.1, 88.2, 105.1, 127.1, 128.1, 129.1, 131.1, 132.1, 133.1, 142.1, 150.1, 161.2, 166.1, 171.1, 178.1, 197.1, 206.1, 208.1, 221.1, 236.1, 243.1, 245.1, 257.1, 268.1, 269.1, 270.1], [3.2, 80.2, 87.2, 88.3, 105.2, 127.2, 128.2, 129.2, 131.2, 132.2, 133.2, 142.2, 150.2, 161.3, 166.2, 171.2, 178.2, 197.2, 206.2, 208.2, 221.2, 236.2, 243.2, 245.2, 257.2, 268.2, 269.2, and 270.2], Chrissie Areora, [88.1], Tatiana Areora [87.9], Titahi Bay Community Group and Pestfree Titahi Bay [94.7] Geoff Marshall [161.1] and Robyn Smith [168.1, 168.2] be **accepted**.
61. I recommend that the submission from Luke Davia [226.1] be **accepted in part**.
62. I recommend that the submissions from Luke Davia [226.2] and Nathan Cottle [257.9] be **rejected**.
63. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.3 Decisions sought in relation to specific reserves

3.3.1 Matters raised by submitters

64. The Tawa Hockey Club [62.2, 62.3, 62.4, 62.5] seeks a range of changes to the SARZ - Sports and Recreation Zone to enable the development of a recreational and community facility at Elsdon Reserve. This includes making specific reference to the opportunity to create such a facility within SARZ-O1 and SARZ-O2, and modification of SARZ-S3 and SARZ-S4 to allow for construction of a 1,250m² building.
65. Alana Bowman [146.1] and Louise Child [250.1] seek controls be placed on jet skis operating within Pāuatahanui Inlet.
66. Robyn Smith [168.59, 168.60] seeks changes to the OSZ to:
- ensure activities on Titahi Bay beach and the use of the Boatsheds need to accord and be consistent with the rules of the regional plan [168.59]; and
 - prohibit residential activities within the Titahi Bay Boatsheds and adjoining land [168.60].
67. Robyn Smith [168.4, 168.5, 168.6] also seeks that OSZ-R16 Residential Activity, OSZ-R17 Visitor accommodation and OSZ-R18 be elevated from restricted discretionary activities to non-complying activities.

68. Robyn Smith [168.3, 168.96] and various other submitters [3.3, 80.3, 87.3, 88.4, 105.3, 127.3, 128.3, 129.3, 131.3, 132.3, 133.3, 142.3, 150.3, 161.4, 166.3, 171.3, 178.3, 197.3, 206.3, 208.3, 221.3, 236.3, 243.3, 245.3, 257.3, 268.3, 269.3, 270.3] seek the amendment of the OSZ bulk and location standards as they apply to Whitireia Park so that they are consistent with OSZ-02. The reason stated for this is:

The Open Space provisions do not limit the number of buildings – any number is possible so long as each is less than 50m² and the combined coverage is no more than 5 percent. Under the permitted standard relating to site coverage and floor area, up to 520 buildings could be built on the Radio New Zealand land. This would be contrary to the objective OSZ-02 'a low level of development and built form with few structures to support passive and active community activities'.

3.3.2 Assessment

69. I consider that there is no compelling case made to take a bespoke approach for a facility at Elsdon Reserve as opposed to another reserve. It is my view that a 300m² GFA and 10% building coverage is appropriate as a permitted baseline in this zone. I consider that it is appropriate that the construction of anything larger be assessed through a resource consent as a restricted discretionary activity where any adverse effects can be addressed.
70. The Pāuatahanui Inlet is seaward of Mean High Water Springs and is outside the jurisdiction of the District Plan. Activities within the Coastal Marine Area are regulated by the GWRC through the PNRP and operationally by the Harbour Master.
71. Alana Bowman also seeks that the Jet Sport Club be relocated to the more appropriate Porirua Harbour location. This facility would have existing use rights, and the District Plan cannot require it to be moved.
72. For the above reasons, I consider that these matters cannot be addressed by the PDP.
73. In regard to Titahi Bay Beach, the submitter does not outline in which way they consider the OSZ is inconsistent with the regional plan. It is possible that this is in reference to Policy 141 of the PNRP which seeks to avoid residential uses of boatsheds within the Coastal Marine Area. While the Titahi Bay Boatsheds are within the Council's jurisdiction, the GWRC regulates other boatsheds in Porirua, including the Onepoto, Paremata and Camborne boatsheds, through the PNRP.
74. The submission incorrectly asserts that residential use on Open Space zoned land is a permitted activity (refer section 7.3 p35 of submission 168). Residential Activity is a restricted discretionary activity under OSZ-R16. As outlined in the Open Space and Recreation Zones Section 32 Evaluation Report², residential activity can be consistent with public open space management, and does occur at several parks including Battle Hill Farm Forest Park (farm manager), Mana Island (ranger), and Mana Marina (numerous live aboard boats and associated onshore facilities).

² Section 32 Evaluation Report Part 2 - Open Space and Recreation Zones

75. However, these activities can also be potentially inappropriate at a certain scale as they could compromise existing or planned open space activities. Therefore, I consider that it is appropriate that they are managed through a restricted discretionary resource consent process to demonstrate they meet certain criteria including: consistency with reserves management plans, compatibility with relevant zone purpose, maintenance of character and amenity values etc.
76. The use of the Titahi Bay Boatsheds is also controlled through the Council's boatshed licensing system. Every boatshed owner is bound by a licence which says that they "must not use the Boatshed for accommodation including any short term or overnight stay".
77. In regard to the second point from Robyn Smith about OSZ-R16 to OSZ-R18, the only reason provided by the submitter is that the current activity statuses are inappropriate. I consider that restricted discretionary activity status is appropriate for these activities based on the reasons outlined in the Open Space and Recreation Zones Section 32 Evaluation Report. All three of these activities currently occur in Porirua's reserves. These activities can be complementary to the management of public open space. However, they could also be potentially inappropriate at a certain scale and could compromise existing or planned open space activities. New proposals would have potential adverse effects that would need to be managed through a restricted discretionary resource consent process to demonstrate they meet certain criteria including: consistency with reserves management plans, compatibility with relevant zone purpose, maintenance of character and amenity values etc.
78. For the above reasons, I consider that the OSZ provisions are appropriate.
79. In regard to the OSZ bulk and location standards, these are the same as in the ODP, given there is no evidence that this approach is failing to sustainably manage resources. I consider that the 5% maximum building coverage and maximum gross floor area of 50m² is consistent with OSZ-O2 and 'a low level of development and built form'.
80. Furthermore, the RNZ land is subject to designation RNZ-01 for the purpose of "Radio-communication, telecommunication and ancillary purposes and land uses". This designation allows RNZ to undertake works in the designated area without the need for resource consent, as long as the works are within scope of the designation. Therefore, RNZ could theoretically build more than 520 buildings of greater than 50m² as long as it is within the scope of the designation.

3.3.3 Recommendations

81. I recommend, for the reasons outlined above, that the submissions from Tawa Hockey Club [62.2, 62.3, 62.4, 62.5]; Alana Bowman [146.1], Louise Child [250.1]; Robyn Smith [168.59, 168.60, 168.3, 168.4, 168.5, 168.6, 168.96] and [3.3, 80.3, 87.3, 88.4, 105.3, 127.3, 128.3, 129.3, 131.3, 132.3, 133.3, 142.3, 150.3, 161.4, 166.3, 171.3, 178.3, 197.3, 206.3, 208.3, 221.3, 236.3, 243.3, 245.3, 257.3, 268.3, 269.3, 270.3] be **rejected**.
82. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 Objectives

3.4.1 OSZ-01

3.4.1.1 Matters raised by submitters

83. Forest and Bird [225.257] seeks:

Include a focus on conservation of natural values which is apart from and not subject to recreation or other activities.

84. The submitter is:

Concerned that this zoning does not provide clear direction for the protection of SNAs which are captured within this zone. This zoning creates uncertainty for conservation requirements associated with Taupo swamp.

3.4.1.2 Assessment

85. I agree that OSZ-01 as proposed does have a singular focus on recreation values, whereas the introduction to the chapter and OSZ-02 both recognise that Porirua has areas of open space with high natural, ecological, landscape and historic heritage value. Reserve management plans for these areas are broader than recreation, and look to maintain and enhance natural, ecological, landscape and historic heritage values.

86. I consider that the purpose should be broadened to include these values. This would better align the objective with strategic objective NE-02, particularly the last sentence:

2. Areas with natural, ecological and landscape values are protected.

87. However I do not agree with the qualifier "as well as supporting" is necessary as it does not add any value and it unnecessarily lengthens the objective.

88. While I largely agree with the relief sought by the submitter, I do not completely agree with the reasoning provided. I consider that the Ecosystems and Indigenous Biodiversity Chapter provides adequate protection for SNA in any Zone, subject to the recommended amendments in my Reply for Hearing Stream 2.

3.4.1.3 Recommendations

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

- **Amend OSZ-01 as outlined below and in Appendix A.**

OSZ-01 Purpose of the Open Space Zone

The Open Space Zone supports the conservation of natural, ecological, landscape and historic heritage values and a wide range of passive and active recreational and community activities.

90. I recommend that the submission from Forest and Bird [225.257] be **accepted in part**.

3.4.1.4 Section 32AA evaluation

91. In my opinion, for the reasons provided in my evaluation, the amendment to OSZ-O1 is more appropriate in achieving the purpose of the RMA than the notified objective.
92. The amended objective would better address resource management issue 1 as outlined in the Section 32 Evaluation for this topic:

Need to protect the natural, heritage, landscape and cultural values of the City's parks and reserves from inappropriate use and development

93. I consider that the recommended amendment better outlines what the purpose of the Zone is, which will guide decision making when considering a resource consent application under s104.
94. The recommended amendment also better aligns with strategic objective NE-02, particularly the last sentence: "2. Areas with natural, ecological and landscape values are protected."
95. Consequently, I consider that it is more appropriate than the notified objective in achieving the purpose of the Act.

3.4.2 OSZ-O2**3.4.2.1 Matters raised by submitters**

96. Forest and Bird [225.258] seeks the following amendment to OSZ-O2:

Amend O2 so that there is no expectation for "a low level of development and built form with few structures to support passive and active community activities"

97. The submitter is:

Concerned that this zoning does not provide clear direction for the protection of SNAs which are captured within this zone. This zoning creates uncertainty for conservation requirements associated with Taupo swamp.

98. Radio NZ [121.30] also seeks an amendment to OSZ-O2:

Amend the objective by adding the following subparagraph:

4. Network utilities with a functional or operational need to be located in an open space zone.

99. The submitter seeks a "specific acknowledgment of the need for its network utility operations to be located in the open space zone."

3.4.2.2 Assessment

100. I do not agree with the relief sought by Forest and Bird as there is currently built development throughout the OSZ that is compatible with the purpose of this Zone. This is outlined in OSZ-O1 and includes parks facilities such as toilet blocks. It also includes development with a conservation purpose such as signage, boardwalks and bird hides.

101. I also do not agree with the relief sought by RNZ. While network utilities are present in most of Porirua's open space areas, they form a very small part of their overall footprint. For this reason, they could not be considered to be part of the predominant character and amenity values of open space areas.

3.4.2.3 Recommendations

102. I recommend, for the reasons given in the assessment, that the submissions from Forest and Bird [225.258] and RNZ [121.30] be **rejected**.

3.5 Policies

3.5.1 OSZ-P3 and OSZ-P4

3.5.1.1 Matters raised by submitters

103. Radio NZ seeks the following criterion be added to OSZ-P3 [121.31] and OSZ-P4 [121.32]:

Do not interfere with the operation of network utilities, including avoiding reverse sensitivity effects.

104. The submitter "seeks to ensure that any use and development in the Open Space Zone does not interfere with the operation of its existing facilities at Titahi Bay."

3.5.1.2 Assessment

105. I consider that amendments sought in RNZ's submission [121.31 and 121.32] are not needed. RNZ has a designation over their radio transmission site on Whitireia. All other subdivision, use and development in Whitireia is regulated by the rules and standards of the OSZ which provide for open space and recreation activities and a low density built form. There are also numerous additional district-wide overlays including ONFL-003 which covers the majority of the Park. Further, in addition to the PDP the Park is regulated under a reserves management plan. It is therefore very unlikely that any activity would occur in the Zone as a permitted activity that would result in reverse sensitivity effects for the radio transmission site.

3.5.1.3 Recommendations

106. I recommend, for the reasons given in the assessment, that the submission from RNZ [121.31 and 121.32] be **rejected**.

3.5.2 OSZ-P5

3.5.2.1 Matters raised by submitters

107. Transpower [60.111] seeks the following amendment to OSZ-P5:

Avoid use and development that is incompatible with the purpose, character and amenity values of the Open Space Zone, unless there is a functional need or operational need to operate on the site.

108. RNZ's original submission [121.33] seeks that this policy be retained as notified, but their further submission supports Transpower's above [60.111].

3.5.2.2 Assessment

109. OSZ-P5 is primarily linked to non-complying rules OSZ-R20 to OSZ-R24. It is highly unlikely any of these activities would have either a functional or operational need to operate within an open space site.
110. However, it is possible that there could be an activity considered under OSZ-R19 that is not anticipated by this chapter. As a discretionary activity, OSZ-P5 would need to be considered. OSZ-P5 is an "avoid" policy for inappropriate use and development, and as such limiting the policy to "functional need" is appropriate as it is a higher bar than "operational need". Functional need means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. I consider that limiting inappropriate use and development to a functional need is appropriate.
111. Infrastructure activities are regulated by the infrastructure chapter, so OSZ-P5 and OSZ-R19 are not relevant to these activities.

3.5.2.3 Recommendations

112. I recommend, for the reasons given in the assessment, that the submission from RNZ [121.33] be **accepted**.
113. I recommend that the submission from Transpower [60.111] be **rejected**.
114. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6 Standards

3.6.1 OSZ-S1 and OSZ-S3

3.6.1.1 Matters raised by submitters

115. FENZ [119.74] seeks OSZ-S1 be amended to exempt emergency service facilities from the permitted height standard and allow for hose drying towers to be up to 15m as a permitted activity.
116. Robyn Smith [168.124] seeks OSZ-S3 be amended to limit the number of buildings on a site to one.

3.6.1.2 Assessment

117. The permitted height standard in OSZ-S1 is 5m. A 15m tower would be three times as tall as the standard. Two of the other exemptions in OSZ-S1 are for much smaller exceedances of three metres for small structures including playgrounds and any building or structure within Battle Hill Farm Forest Park or Belmont Regional Park.
118. I acknowledge that light poles are exempted up to 18m, but these are skinny unobtrusive structures compared to all other buildings and structures. I consider a 15m hose drying tower would likely have an impact on open space character and amenity. Accordingly, I consider it is appropriate that it is assessed through a restricted discretionary activity consent.
119. I note that the Plimmerton fire station is the only fire station in Porirua in the Open Space Zone. Any new structures or buildings associated with this facility would require a restricted discretionary consent under NATC-R1 in addition to any consents required by the OSZ.
120. The submitter seeks an exemption for emergency service facilities altogether. I consider this is inappropriate for the reasons outlined above, especially as this exemption is proposed to be unlimited in scale.
121. In regard to the submission from Robyn Smith, OSZ-S3 was rolled over from the ODP and there is no evidence that this approach is failing to sustainably manage resources. I consider that a 5% maximum building coverage and maximum gross floor area of 50m² is consistent with OSZ-O2 and 'a low level of development and built form'. There is a certain level of development that is necessary to enable permitted activities in the OSZ including development that is complementary with open space and recreation activities such as visitor centres, information kiosks and toilet blocks. Therefore, limiting development to one building per site would be inconsistent with OSZ-O1.

3.6.1.3 Recommendations

122. I recommend, for the reasons given in the assessment, that the submissions from FENZ [119.74] and Robyn Smith [168.124] be **rejected**.

3.7 Non-regulatory methods

3.7.1 OSZ-S1, SARZ-S1 and OSZ-S3

3.7.1.1 Matters raised by submitters

123. The Porirua Pacific Services Network make several submission points relating to investment decisions relating to the management of public open space [214.6, 214.7, 214.8]:
- *Investment into the recreational spaces in the suburbs. Ensure that the recreational facilities in Eastern Porirua are met with the same maintenance as Aotea Lagoon and Whitby.*
 - *Appropriate fencing added to the Calliope Park to make it a safe environment for play. This same process is to be implemented across Porirua in parks beside main roads.*

- *Development into the recreational areas in Porirua. Make physically and intellectually engaging for parents and youth using them. Inclusion of exercise equipment for general public use.*

124. The submitters give a number of reasons including the disparity between suburbs in Porirua in terms of the quality of recreational spaces, as well as the inadequacy and under-utilisation of existing spaces.

3.7.1.2 Assessment

125. These submissions request investment in recreational facilities such as fencing for Calliope Park, and installation of more exercise equipment for general public use. Investment decisions are made through the Long Term Plan not the District Plan. As such, I consider that these submissions are out of scope³.

126. The provisions of both Open Space Zones are supportive of these types of facilities. Parks facilities and parks furniture are permitted activities in both zones.

3.7.1.3 Recommendations

127. I recommend, for the reasons given in the assessment, that the submission from the Porirua Pacific Services Network [214.6, 214.7 and 214.8] be **rejected**.

³ These submission points have been forwarded to both the PCC Parks Team and Community Partnerships Team for their consideration in respect to the next Long Term Plan

4 Conclusions


128. Submissions have been received in support of and in opposition to the PDP. Some submissions related to the chapters as notified, but others sought a range of outcomes.
129. 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.
130. 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	Torrey McDonnell Principal Policy Planner, Porirua City Council	

Appendix A. Recommended Amendments to the Open Space Zone

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

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

Objectives

OSZ-O1 Purpose of the Open Space Zone

The Open Space Zone supports the conservation of natural, ecological, landscape and historic heritage values and⁴ a wide range of passive and active recreational and community activities.

OSZ-P2 Primary production

Allow for primary production activities that are complementary to the purpose, character and amenity values of Battle Hill Farm Forest Park ~~and~~ Belmont Regional Park and Te Rahui o Rangituhi⁵.

OSZP4	Potentially inappropriate activities
	<p>Only allow potentially inappropriate activities in the Open Space Zone where they can demonstrate that they are:</p> <ol style="list-style-type: none"> 1. Consistent with Porirua City Reserves Management Plan 2013, the Greater Wellington Parks Network Plan 2020, Whitireia Park Management Plan and Whitireia Park Bylaws 2016 or the Wellington Conservation Management Strategy 2019 (whichever applies to the site); 2. Compatible with the purpose, character and amenity values of the Zone; 3. Ancillary to and/or support open space activities; 4. Of an appropriate scale and location; 5. Not constraining the establishment and operation of open space activities or restrict public access to and across open space; 6. <u>Undertaken in a manner that minimises the loss of indigenous biodiversity, where located on privately-owned land;</u>⁶ 7. Of a form, scale, location and nature that will not compromise established and planned open space activities and result in any conflict; and 8. Able to be serviced with adequate on-site infrastructure and services

OSZ-R10 Primary production, excluding quarrying activities, mining, intensive indoor primary production and rural industry

⁴ Forest and Bird [225.257]

⁵ Porirua City Council [11.66]

⁶ Forest and Bird [225.42] (note – this is a consequential change – refer Gina Sweetman's Hearing Stream 2 Reply)

1. Activity status: **Permitted**

Where:

- a. The activity is undertaken within the Battle Hill Farm Forest Park, ~~or~~ the Belmont Regional Park and [Te Rahui o Rangituhi](#)⁷

2. Activity status: **Restricted discretionary**

Where:

- a. Compliance not achieved with OSZ-R10-1.a.

Matters of discretion are restricted to:

1. The matters in OSZ-P3 and OSZ-P4.

⁷ Porirua City Council [11.67]

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 Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
General submissions							
81.813	Kāinga Ora	SARZ – Whole Chapter	Retain as notified.	N/A	Accept	Agree with submitter	No
Zoning of Whitireia Park							
3.1, 80.1, 87.1, 88.2, 105.1, 127.1, 128.1, 129.1, 131.1, 132.1, 133.1, 142.1, 150.1, 161.2, 166.1, 171.1, 178.1, 197.1, 206.1, 208.1, 221.1, 236.1, 243.1, 245.1, 257.1, 268.1, 269.1, 270.1	Lesley Wilson [3], Robert Hughes [80], Tatiana Areora [87], Chrissie Areora [88], Gay Ojuan [105], Melissa Radford [127], Rebecca Cray [128], Sharon Hilling [129], Zachariah Paraone Wi-Neera [131], Tina Watson [132], Nikita Howe [133], Emma Weston [142], Whitireia Park Restoration Group [150], Geoff Marshall [161], Miriam Freeman-Plume [166], David Nicholson [171], Friends of Taupo Swamp [178], Donna Lee Ford-Tuveve [197], Josh Twaddle [206], Thomas Graham [208], Andrew Brunton [221], Paula Birnie [236], Fraser Ebbett [243], Edmund Stephen-Smith [245], Nathan Cottle [257], Kavas Yasemin Ileana [268], Hilliam Anita [269], Saad Adibah [270]	Whitireia Park	All of Whitireia Park must be protected from inappropriate subdivision, use and development.	3.2	Accept	See body of report	No
FS60.2, FS60.3, FS60.4, FS60.5, FS60.6, FS60.7, FS60.8, FS60.9, FS60.10, FS60.11, FS60.12, FS60.13, FS60.14, FS60.53	RNZ	Whitireia Park	Support	N/A	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
168.1 ⁸	Robyn Smith	Whitireia Park	All of Whitireia Park must be protected from inappropriate subdivision, use and development. Opposed to any provisions of the PDP (as notified and/or potentially amended by way of submissions by others, or by council officer evidence and/or recommendations) that do not provide for the required protection.	3.2	Accept	See body of report	No
94.7 ⁹	Titahi Bay Community Group and Pestfree Titahi Bay	General	Whitireia Park in its entirety is protected for its Natural Environment Values and Historical and Cultural Values.	3.2	Accept	See body of report	No
3.2, 80.2, 87.2, 88.3, 105.2, 127.2, 128.2, 129.2, 131.2, 132.2, 133.2, 142.2, 150.2 ¹⁰ , 161.3, 166.2, 171.2, 178.2, 197.2, 206.2, 208.2, 221.2, 236.2, 243.2, 245.2, 257.2, 256.1, 268.2, 269.2, 270.2	Lesley Wilson [3], Robert Hughes [80], Tatiana Areora [87], Chrissie Areora [88], Gay Ojuan [105], Melissa Radford [127], Rebecca Cray [128], Sharon Hilling [129], Zachariah Paraone Wi-Neera [131], Tina Watson [132], Nikita Howe [133], Emma Weston [142], Whitireia Park Restoration Group [150], Geoff Marshall [161], Miriam Freeman-Plume [166], David Nicholson [171], Friends of Taupo Swamp [178], Donna Lee Ford-Tuveve [197], Josh Twaddle [206], Thomas Graham [208], Andrew Brunton [221], Paula Birnie [236], Fraser Ebbett [243], Edmund Stephen-Smith [245], Nick Hartley [256], Nathan Cottle [257], Kavas Yasemin Ileana [268], Hilliam Anita [269], Saad Adibah [270]	Planning maps – Retain zoning	All land in Whitireia Park continues to be zoned Open Space.	3.2	Accept	See body of report	No

⁸ Support - RNZ [FS60.8]⁹ Support - RNZ [FS60.15]¹⁰ Support - [Name withheld for privacy reasons] [FS17.4]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
<i>FS60.17, FS60.18, FS60.20, FS60.21, FS60.22, FS60.23, FS60.24, FS60.25, FS60.26, FS60.27, FS60.29, FS60.30, FS60.31, FS60.33, FS60.34, FS60.35, FS60.36, FS60.69</i>	RNZ	<i>Planning maps – Retain zoning</i>	<i>Support</i>	<i>N/A</i>	<i>Accept</i>	<i>Agree with submitter</i>	<i>No</i>
168.2	Robyn Smith	Retain Zoning	Supports the Open Space zoning for Whitireia Park. Opposed to any provisions of the PDP as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, that do not provide for this zoning	3.2	Accept	See body of report	No
94.4 ¹¹	Titahi Bay Community Group and Pestfree Titahi Bay	Planning maps – Retain zoning	Keep the entire Whitireia Park area, including Radio New Zealand land Open Space	3.2	Accept	See body of report	No
87.9	Tatiana Areora	General	This won't be affordable housing for anyone, so stop trying to disguise it as that. It's also Ngāti Toa land and sacred to them, has Council even considered talking to them about it? Have contacted couple of them who have said the council haven't notified them and that if they had they would go against it.	3.2	Accept	See body of report	No
88.1	Chrissie Areora	General	Go build on Pauatahanui or Plimmerton. This won't be affordable housing for anyone, so stop trying to disguise it as that. It's also Ngati Toa land and sacred to them, has Council even considered talking to them about it? Have contacted couple of them who have said the council haven't notified them and that if they had they would go against it.	3.2	Accept	See body of report	No
257.9 ¹²	Nathan Cottle	General	Stop the sale of the RNZ land.	3.2	Reject	See body of report	No
226.1 ¹³	Luke Davia	Planning maps – Retain Zoning	The totality of Whitireia Park should continue to be classified as "Open Space", and protected from all subdivision and development—with no exceptions	3.2	Accept in part	See body of report	No
226.2	Luke Davia	General	All of Whitireia Park should continue to be consistent with the OSZ - O2 objective, which states: "Large areas of open space with high natural, ecological, landscape and historic heritage value, and A low level of development and built form with few structures to support passive and active community activities. This includes the area owned/leased by Ngāti Toa, Titahi Bay Golf Club, and Radio New Zealand. Development on any of these sites should be prohibited per the Open Space classification	3.2	Reject	See body of report	No

¹¹ Support – RNZ [FS60.19]¹² Oppose – RNZ [FS60.16]¹³ Support – RNZ [FS60.28]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
161.1 ¹⁴	Geoff Marshall	Planning maps - general	That the District Plan protects the whole of Whitireia Park as a Regional Park zoned Open Space, and does not permit parts of the park to be available for residential development.	3.2	Accept	See body of report	No
Zoning of Owhiti Reserve							
121.1	RNZ	Planning maps – Retain zoning	Two lots of feedback provided to Council on the rezoning of Owhiti Park. The draft District Plan iterations sought that Owhiti Park be rezoned from Open Space Zone to General Residential Zone. Strongly opposed this rezoning on the basis that it would result in sensitive activities being established in extremely close proximity to its transmitter which would have resulted in significant reverse sensitivity effects. Pleased to see that the Proposed Plan retains Owhiti Park's zoning as Open Space Zone and supports this.	N/A	Accept	Agree with submitter	No
Zoning of Titahi Bay Beach, Stuart Park and Arnold Park							
168.97 ¹⁵	Robyn Smith	Planning maps – Retain zoning	<ul style="list-style-type: none"> Supports Titahi Bay Beach, Stuart Park and Arnold Park as being within the OSZ. Opposed to any provision of the PDP by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of the PDP applicable to land in the OSZ not applying to Titahi Bay Beach, Arnold Park or Stuart Park. 	N/A	Accept	Agree with submitter	No
Decisions sought in relation to specific reserves							
62.5	Tawa Hockey Club	SARZ-O1	The Plan should make specific reference to the opportunity to create a recreational and community facility at Elsdon, and pave the way for the development to occur.	3.3	Reject	See body of report	No
62.4	Tawa Hockey Club	SARZ-O2	Specific reference is made to the opportunity to develop a 1250m ² community facility at Elsdon Park relative to the existing astroturf.	3.3	Reject	See body of report	No
62.2	Tawa Hockey Club	SARZ-S3	Modify SARZ-S3 so that a structure up to 1250m ² can be constructed at Elsdon Park.	3.3	Reject	See body of report	No
62.3	Tawa Hockey Club	SARZ-S4	Amend SARZ-S4 as it applies to Elsdon to allow for the construction of a 1250m ² building supported by car parking.	3.3	Reject	See body of report	No
146.1 ¹⁶	Alana Bowman	SARZ - General	Exclude jet skis from the Inlet, and require the Jet Sport Club to be relocated to the more appropriate Porirua Harbour where the water is deeper and the environment is not as fragile and vulnerable as the Pauatahanui Inlet.	3.3	Reject	See body of report	No
250.1	Louise Child	SARZ - General	Propose that a larger 5 knot zone is created in Pauatahanui Inlet which takes in the area which is intensively used by a wide range of people especially non-motorised craft and swimmers. [Refer to original submission, including map]	3.3	Reject	See body of report	No

¹⁴ Support – RNZ [60.39]¹⁵ Support – RNZ [60.32]¹⁶ Support – TROTR [FS71.31]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
168.59	Robyn Smith	Titahi Bay	The rules of the District Plan regarding activities on Titahi Bay beach and the use of the Boatsheds need to accord and be consistent with the rules of the regional plan.	3.3	Reject	See body of report	No
168.60	Robyn Smith	OSZ-General	Amend the PDP in respect of the Titahi Bay Boatsheds so that: <ul style="list-style-type: none"> a. Residential use of the boatsheds and the immediately adjacent land is explicitly prohibited. b. All cabinetry and facilities (including plumbing) inside the buildings that would normally be expected in a kitchen or bathroom is prohibited. It is clear that there are no existing use rights for residential occupation.	3.3	Reject	See body of report	No
168.4	Robyn Smith	Whitireia Park, OSZ-R16	Amend OSZ-R16 in relation to Whitireia Park to be a non-complying activity. Opposed to any provisions of the PDP as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, which do not provide for the protection required under section 6(a) of the RMA.	3.3	Reject	See body of report	No
168.5	Robyn Smith	Whitireia Park, OSZ-R17	Amend OSZ-R17 in relation to Whitireia Park to be a non-complying activity. Opposed to any provisions of the PDP as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, which do not provide for the protection required under section 6(a) of the RMA.	3.3	Reject	See body of report	No
168.6	Robyn Smith	Whitireia Park, OSZ-R18	Amend OSZ-R18 in relation to Whitireia Park to be a non-complying activity. Opposed to any provisions of the PDP as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, which do not provide for the protection required under section 6(a) of the RMA.	3.3	Reject	See body of report	No
168.96	Robyn Smith	Whitireia Park, standards	Amend the building bulk conditions to reflect OSZ-02. Opposed to any provision of the PDP by way of submissions by others, or by council officer evidence and/or recommendations, that would result in, or attempt to result in, the provisions of PDP facilitating the use of land in the OSZ for residential, commercial or accommodation purposes.	3.3	Reject	See body of report	No
3.3, 80.3, 87.3, 88.4, 105.3, 127.3, 128.3, 129.3, 131.3, 132.3, 133.3,	Lesley Wilson [3], Robert Hughes [80], Tatiana Areora [87], Chrissie Areora [88], Gay Ojuan [105], Melissa Radford [127], Rebecca Cray [128],	Whitireia Park, standards	Amend the bulk and location standards as they apply to Whitireia Park so that they are consistent with OSZ-02.	3.3	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
142.3, 150.3 ¹⁷ , 161.4, 166.3, 171.3, 178.3, 197.3, 206.3, 208.3, 221.3, 236.3, 243.3, 245.3, 257.3, 268.3, 269.3, 270.3	Sharon Hilling [129], Zachariah Paraone Wi- Neera [131], Tina Watson [132], Nikita Howe [133], Emma Weston [142], Whitireia Park Restoration Group [150], Geoff Marshall [161], Miriam Freeman- Plume [166], David Nicholson [171], Friends of Taupo Swamp [178], Donna Lee Ford-Tuveve [197], Josh Twaddle [206], Thomas Graham [208], Andrew Brunton [221], Paula Birnie [236], Fraser Ebbett [243], Edmund Stephen-Smith [245], Nathan Cottle [257], Kavas Yasemin Ileana [268], Hilliarn Anita [269], Saad Adibah [270]						
<i>FS60.60, FS60.61, FS60.62</i>	<i>RNZ</i>	<i>Whitireia Park, standards</i>	<i>Support in part</i>	<i>N/A</i>	<i>Reject</i>	<i>See body of report</i>	<i>No</i>
168.3	Robyn Smith	Whitireia Park, standards	Amend the bulk and location standards as they apply to Whitireia Park so they are consistent with objective OSZ-02. Opposed to any provisions of the PDP as potentially amended by way of submissions by others, or by council officer evidence and/or recommendations, which do not provide for the protection required under section 6(a) of the RMA.	3.3	Reject	See body of report	No
Amend objectives							
62.1	Tawa Hockey Club	SARZ - General	Retain the overall intent of the objectives, including allowing for sport and recreational facilities to develop.	N/A	Accept	Agree with submitter	No
225.257	Forest and Bird	OSZ-O1	Include a focus on conservation of natural values which is apart from and not subject to recreation or other activities.	3.4	Accept in part	See body of report	Yes

¹⁷ Support - [Name withheld for privacy reasons] [FS17.4]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
225.258	Forest and Bird	OSZ-O2	Amend O2 so that there is no expectation for "a low level of development and built form with few structures to support passive and active community activities"	3.4	Reject	See body of report	No
121.30	RNZ	OSZ-O2	Amend the objective by adding the following subparagraph: 4. Network utilities with a functional or operational need to be located in an open space zone.	3.4	Reject	See body of report	No
Amend policies							
11.66	Porirua City Council	OSZ-P2	Amend the policy as follows: Allow for primary production activities that are complementary to the purpose, character and amenity values of Battle Hill Farm Forest Park, and Belmont Regional Park, <u>or Te Rahui o Rangituhi.</u>	N/A	Accept	Agree with submitter	Yes
121.31	RNZ	OSZ-P3	Amend the policy by adding the following subparagraph: <u>7. Do not interfere with the operation of network utilities, including avoiding reverse sensitivity effects.</u>	3.5	Reject	See body of report	No
121.32	RNZ	OSZ-P4	Amend the policy by adding the following subparagraph: <u>8. Not going to interfere with the operation of network utilities, including avoiding reverse sensitivity effects.</u>	3.5	Reject	See body of report	No
121.33	RNZ	OSZ-P5	Retain as notified.	3.5	Accept	See body of report	No
60.111 ¹⁸	Transpower	OSZ-P5	Amend Policy OSZ-P5 as follows: OSZ-P5 Inappropriate use and development Avoid use and development that is incompatible with the purpose, character and amenity values of the Open Space Zone, unless there is a functional need <u>or operational need</u> to operate on the site. And Any consequential amendments.	3.5	Reject	See body of report	No
FS60.59	RNZ	OSZ-P5	<i>Support</i>	3.5	Reject	See body of report	No
Amend rules							
11.67	Porirua City Council	OSZ-R10	Amend the rule as follows: The activity is undertaken within the Battle Hill Farm Forest Park, or the Belmont Regional Park, <u>or Te Rahui o Rangituhi.</u>	N/A	Accept	Agree with submitter	Yes
84.28	Firstgas	OSZ-R12	Retain as proposed.	N/A	Accept	Agree with submitter	No
134.32	Ministry of Education	OSZ-R19	Retain as proposed.	N/A	Accept	Agree with submitter	No

¹⁸ Oppose – Kainga Ora [FS65.406], Support – RNZ [60.58]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Sought	Section of this Report	Officer's Recommendation	Officer's Reasons/Comments	Recommended Amendments to PDP?
134.33	Ministry of Education	SARZ-R14	Retain as proposed.	N/A	Accept	Agree with submitter	No
Amend standards							
119.74	FENZ	OSZ-S1	Amend the standard as follows: OSZ-S1 Height 1. All buildings and structures must not exceed a maximum height above ground level of 5m, except: a. Any building or structure within Battle Hill Farm Forest Park or Belmont Regional Park must not exceed a maximum height above ground level of 8m; b. A light pole must not exceed a maximum height above ground level of 18m; and c. Playground equipment must not exceed a maximum height above ground of 8m. <u>d. Emergency service facilities and hose drying towers associated with hose drying towers must not exceed a maximum height above ground level of 15m.</u>	3.7	Reject	See body of report	No
168.124	Robyn Smith	OSZ-S3	Amend to limit the number of buildings on a site to one.	3.6	Reject	See body of report	No
Non-regulatory							
214.6	Porirua Pacific Services Network	Health, Safety and Wellbeing (non-regulatory)	Investment into the recreational spaces in the suburbs. Ensure that the recreational facilities in Eastern Porirua are met with the same maintenance as Aotea Lagoon and Whitby.	3.7	Reject	See body of report	No
214.7	Porirua Pacific Services Network	Health, Safety and Wellbeing (non-regulatory)	Appropriate fencing added to the Calliope Park to make it a safe environment for play. This same process is to be implemented across Porirua in parks beside main roads.	3.7	Reject	See body of report	No
214.8	Porirua Pacific Services Network	Health, Safety and Wellbeing (non-regulatory)	Development into the recreational areas in Porirua. Make physically and intellectually engaging for parents and youth using them. Inclusion of exercise equipment for general public use.	3.7	Reject	See body of report	No

Appendix C. Report Author's Qualifications and Experience

I hold the following qualifications:

- Bachelor of Science (Majoring in Geography), Otago University
- Master of Planning, Otago University
- New Zealand Certificate in Te Reo Māori (Level 4), Te Wānanga o Aotearoa

I have 12 years' experience working as a planner for local and central government organisations.

My work experience includes working as a planner for the Transit New Zealand Otago/Southland regional office (consent processing and plan advocacy), and as a Senior Analyst for the Ministry for the Environment (developing national direction under the RMA).

I have been employed by the Porirua City Council since May 2017 as a Principal Policy Planner within the Environment and City Planning Team.

I am a full member of the New Zealand Planning Institute.