

**Before the Hearings Panel
At Porirua City Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Porirua District Plan

Between **Various**

Submitters

And **Porirua City Council**

Respondent

**Statement of supplementary planning evidence of Rory Smeaton on behalf of
Porirua City Council
Initial response to questions from the Panel**

Date: 21 March 2023

INTRODUCTION:

- 1 My full name is Rory Smeaton. I am employed as a Senior Policy Planner by the Porirua City Council.
- 2 I have prepared this statement of evidence on behalf of the Porirua City Council (**Council**) in respect of technical related matters arising from questions from the Panel relating to the submissions and further submissions on the Proposed Porirua District Plan (**PDP**).
- 3 Specifically, this statement of evidence relates to the matters in the DEV – NG – Northern Growth Development Area, District-Wide, FUZ, HOSZ and OSZ chapters.
- 4 I am authorised to provide this evidence on behalf of the Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 5 Appendix D of my section 42A report 'Officer's Report: Part B – Northern Growth Development Area' sets out my qualifications and experience.
- 6 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF EVIDENCE

- 7 My statement of evidence addresses the following matters raised by the Panel during the hearing:

7.1 Northern Growth Development Area:

Please provide a map showing the relief recommended in para 330.

Please advise on consequences of changing Policy 3.2d from adjacent to adjoining, and what other wording options might be available and appropriate.

Please advise the areal extent of the area east of the ridgeline road proposed to be zoned MRZ

Please provide a link to the Archaeological Report discussion of the potential archaeological site on the NGA land

Please advise whether additional provisions are required to ensure excessive shading is managed once subdivision lot layout and final levels confirmed.

7.2 District-Wide:

Is it possible to summarise in SUB-O2 the outcomes Council standards seek to achieve, rather than referring generically to those standards?

7.3 FUZ, HOSZ and OSZ:

Please advise response to reasoning in Colbert submission (OS66.2)

INITIAL RESPONSE TO QUESTIONS FROM THE PANEL

Northern Growth Development Area:

Please provide a map showing the relief recommended in para 330.

8 A map showing the recommended locations of the ecological connections will be provided as part of the Council's right of reply.

Please advise on consequences of changing Policy 3.2d from adjacent to adjoining, and what other wording options might be available and appropriate.

9 The terrestrial biodiversity on the site and surrounding area is described in section 1.7.4.1 of the Section 32 Evaluation Report: Part B – Northern Growth Development Area. The SNAs within and near the site are summarised in Table 3 of that report.

10 In my section 42A report I recommended that DEV-NG-P3-1.d¹ be amended as below:

Maintaining and enhancing ecological values within and adjacent to the Development Area;

11 While at paragraph 155 of my section 42A report I noted that the wording sought to be added should be clearer in relation to DEV-NG-R3 in relation to buffer areas, I did not specifically address DEV-NG-P3-1.d. I note that the buffer areas around the SNAs required through DEV-NG-R3 implements the direction set in clause DEV-NG-P2-5.a.

12 In relation to DEV-NG-P3-1.d, while at the hearing I stated that ‘adjoining’ may be appropriate, upon further consideration I consider that the word ‘adjacent’, as recommended in my section 42A report, is more appropriate. This clause refers more generally to ‘[m]aintaining and enhancing ecological values’. There are identified SNAs near the site, but not necessarily adjoining it, which may potentially be affected by development of the site. As such, the wording as proposed in my section 42A report ensures those effects are able to be addressed through consideration of the policy.

13 Other available options may include using the term ‘near to’, or simply removing the specific reference to the Development Area and therefore relying on the general reference to ecological values. I do not consider

¹ The version of the chapter in Appendix A of my section 42A report incorrectly numbered the clauses in DEV-NG-P3.

that either of these options to be more appropriate, as, in the context of the policy, I consider that they would be less clear than the use of the term 'adjacent'.

Please advise the areal extent of the area east of the ridgeline road proposed to be zoned MRZ

- 14 The area proposed to be zoned MRZ through Variation 1 east of the existing FUZ (as proposed in the PDP), is identified in the Section 32 Evaluation Report: Part B – Northern Growth Development Area as being approximately 80.7 hectares.

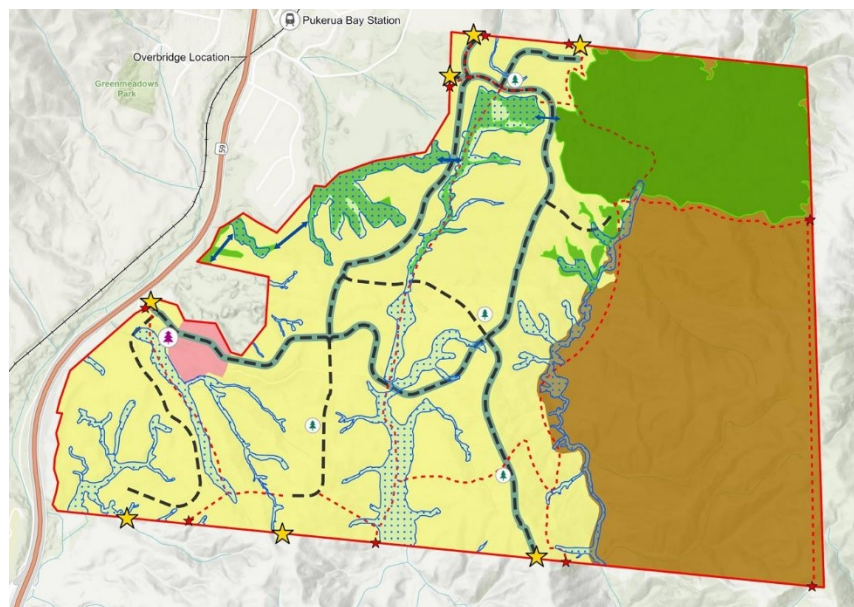


Figure 1: Northern Growth Development Area Structure Plan

- 15 There are two 'ridgeline roads' shown on the Structure Plan, reproduced in Figure 1 above. These run generally in a north-south direction across the site. The area of the proposed MRZ to the east of the eastern ridgeline road is roughly 32 hectares. The area of the proposed MRZ located east of the western ridgeline road is roughly 111 hectares (inclusive of the 32 hectares east of the eastern road).

Please provide a link to the Archaeological Report discussion of the potential archaeological site on the NGA land

16 Section 8.16 of the Section 32 Evaluation Report: Part B – Northern Growth Development Area discusses and summarises the archaeological reports undertaken for the site.

17 The two reports can be accessed on the Council’s website at the links below:

Title	Author	Date	Link
Mt Welcome Station: Archaeological Appraisal for Variation to The Proposed Porirua District Plan	Clough & Associates	March 2022	link
Archaeological Assessment 34 Muri Road Pukerua Bay	Subsurface Limited	October 2021	link

18 As identified in the ‘Archaeological Assessment 34 Muri Road Pukerua Bay’, four potential terrace sites were noted during the inspection. The assessment states that:

The surface features observed during the inspection had attributes of terraces associated with traditional Māori activity. Artificially levelled ground might be associated with house floors or gardens or may represent infilled storage pits.

It should be noted that there are other possible explanations for these terraces which commonly occur in farm and forest land, and that features with the appearance of terraces might equally be created as a result of tree throw, slumping, or sheep camps. Clustering of features or the presence of shell midden are usually good indicators that terrace features are a result of Māori cultural activity, but their absence does not necessarily preclude a cultural explanation. Similar terrace features have been excavated at Titahi Bay and Whitirea for the purposes of determining cultural or natural origin with mixed results (Walton 1991:105-111; 1992:45-51). A degree of caution is therefore warranted in interpretation until sites can be physically tested with excavation.

19 The Archaeological Assessment identifies the location of the four possible terrace sites via coordinates. As discussed at the hearing, the location is also identified on the ‘Environmental Framework’ plan identified as Figure 3 in the Graphic Supplement to the Landscape Assessment, available on the Council’s website [here](#).

Please advise whether additional provisions are required to ensure excessive shading is managed once subdivision lot layout and final levels confirmed.

20 I do not consider that any additional provisions are required in the DEV – NG – Northern Growth Development Area chapter to manage excessive shading.

21 As discussed at the hearing, the site is currently held in relatively large allotments, as identified in section 1.3 of the Section 32 Evaluation Report – Part B: Northern Growth Development Area, and is owned by a limited number of parties.

22 Additionally, I note that clause one of DEV-NG-P2 states:

Integrates the topographical, natural and physical characteristics, constraints and opportunities of the Development Area;

23 All proposed subdivision that is in accordance with the Structure Plan will be assessed against DEV-NG-P2. A similar clause is included at DEV-NG-P3-1.b, against which all proposed subdivision that is potentially not in accordance with the Structure Plan will be assessed.

24 The clauses above will enable consenting processes to take topographical characteristics of the site into account, including through imposing conditions. Those conditions could, if required, require consent notices to be placed on the created allotments.

District-Wide

Is it possible to summarise in SUB-O2 the outcomes Council standards seek to achieve, rather than referring generically to those standards?

25 The relevant standards are set out in the Wellington Water Regional Standard for Water Services May 2019. That document includes sections setting out objectives for each of the stormwater, wastewater and water supply components of the Three Waters Network. I consider that these objectives can be appropriately summarised and incorporated into SUB-O2, as set out in blue text below:

~~1. In Urban Zones allotments are serviced by the Three Waters Network, which meets Council standards:~~

~~a. Safeguards the health and wellbeing of people and communities;~~

~~b. Protects property, infrastructure and the environment; and~~

~~c. Is designed with sufficient capacity to accommodate any proposed or anticipated development; and~~

26 I consider that the revised wording above better articulates the actual outcome sought and therefore is more appropriate.

FUZ, HOSZ and OSZ

Please advise response to reasoning in Colbert submission (OS66.2)

27 The Section 42A Report Part B – FUZ, HOSZ and OSZ states:

Benjamin Colbert [OS66.2] does not seek any specific relief, but states that the rezoning to MRZ is opposed, specifically in relation to 97 Conclusion Street, formerly Limerick Reserve. The reasons include that the shape, topography, and orientation of the land does not lend itself well to viable residential development, and it currently provides an essential link between Conclusion Street and Limerick Grove which supports the walkability of the neighbourhood.

28 My section 42A report states that I agree with the relevant rezoning report due to the revocation of the reserve status of the land. I note that the rezoning report also describes and provides planning analysis for the site, and states that:

If the site were to be re-zoned General Residential Zone, it would be able to meet the shape factor (10m x 15m net site area) under the Subdivision Chapter and has the ability to fit a compliant dwelling with 1m setbacks for side yards There is good justification to re-zone the site "General Residential Zone" because the site could be purchased and developed 'as it is' or it could be subdivided and amalgamated with adjoining properties to be better utilised.


29 In relation to the shape of the site, as quoted above the rezoning report identifies that the site would be able to contain the required shape factor for residential development. The report also notes that there are requirements in relation to vehicle access; however, in accordance with the NPS-UD, car parks are not required to be provided under the PDP.

While the site is undulating, this is not significantly different to the surrounding existing residential area.

30 I agree with the submitter that the land has the potential to improve the walkability of the area through greater connectivity; however, given that there is no formal path for the majority of the site, and it is not fenced from the adjacent sites (potentially resulting in confusion in relation to wayfinding), this is likely to be limited. Additionally, the route via Conclusion Street is only approximately 160 metres farther than via the site and Limerick Grove, or approximately two minutes' walk. The rezoning report also notes that the site has limited community or recreational value, which was assessed through the revocation process.

31 As such, overall, and having further considered the reasons given by the submitter, I have not changed my position from that stated in my section 42A report.

Date: 21 March 2023



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Rory Smeaton
Senior Policy Planner