

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	<i>Last:</i> N/A - Company below	<i>First:</i> N/A - Company below	
Company/Organisation	Draycott Property Holdings Ltd		
Contact Person	Rhys Phillips Simplify planning Ltd		
Email Address for Service	rhys@simplifyplanning.co.nz		
Address	21 Severn St, Island Bay		
	<i>City:</i> Wellington	<i>Postcode:</i> 6023	
Address for Service <i>if different</i>	<i>Postal Address:</i> As above	<i>Courier Address:</i> As Above	
Phone	<i>Mobile:</i> 021 0631 999	<i>Home:</i> N/A	<i>Work:</i> 021 0631 999

2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could I could not
gain an advantage in trade competition through this submission.
(Please tick relevant box)

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

4. I am I am not
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.
(Please tick relevant box if applicable)

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 I do not wish
To be heard in support of my submission
(Please tick relevant box)

6. I will I will not
 Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.
 (Please tick relevant box)

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

The specific provision of the proposal that my submission relates to:

Background

The submitter is a long term provider of good quality rental accommodation in Cannons Creek and Waitangirua. As a result, they are very interested in the proposed rules and standards and the potential affect these may have upon the Eastern Porirua Area, their properties, and their tenants.

Of particular interest is the new Medium Density Residential Zone (MRZ) which applies to the majority of Cannons Creek and Waitangirua and the Eastern Porirua Residential Intensification Precent (EPRIP) which provides potential for higher density housing in very specific locations around the existing centres.

My client generally agrees with the idea of providing for a higher density of development in Cannons Creek and Waitangirua. The area was developed in the 1950 and 1960s and as a result the housing density is low by modern standards. Providing good quality higher density housing would be an efficient use of the limited urban land resource in a location where there are local services and facilities. Intensification in these areas is in accordance with the intent of the Resource Management Act (RMA) and National Policy Statement on Urban Development (NPS-UD) and will go some way to alleviate the housing shortage in Porirua and the Wellington Region.

However, upon reviewing the proposed District Plan several issues have been identified with the inconsistent way that the EPRIP is being applied.

There are two main inconsistencies that are discussed below, they are:

- 1) The EPRIP locations are based on a Kāinga Ora funded report by Studio Pacific Architecture and referenced in PCC's section 32 report. The section 32 report does not mention that one of the five criteria for selection of land for EPRIP was the extent of ownership by Kāinga Ora. This does not create a level playing field for Eastern Porirua residents/landowners.
- 2) The criteria for the ERRIP can be modified to better fit the long term strategic objectives of Porirua City Council, including becoming a "A diverse and inclusive city" and the specific direction to "plan for neighbourhoods that encourage a diverse range of living options for people that rent, and for people that own their homes" (Porirua Growth Strategy 2048).

1. Creating a level playing field for EPRIP locations and include ALL areas that meet the criteria in the Urban Design Technical Report.

The EPRIP was promoted by Porirua Development and Kāinga Ora & incorporated into the Proposed District Plan. The Urban Design Technical Report (UDTR) (09.06.2020) identifies areas of the Eastern Porirua Regeneration Project (EPRP) which are considered to be suitable for additional residential intensification, over and above that proposed by the PCC MDZ, based upon a variety of mapping indices.

The Eastern Porirua Residential Project's goals are to replace older state homes with modern homes built to suit tenants needs while also building affordable homes for sale and creating better neighbourhoods. Kāinga Ora owns just under 2,000 houses on 1,560 parcels of land in Eastern Porirua and the intention is to create 2,150 Kāinga Ora owned dwellings and 2000 market affordable dwellings, being an increase of approximately 2,150 dwellings (UDTR paras 1.7 & 1.8).

The rationale behind the EPRIP seems to stem from a target shortfall not what would deliver an overall benefit to the suburb or community.

Kāinga Ora has completed a yield study which forecasts that there will be a shortfall of approx. 150 dwellings across EPRP

and as a result they need to increase the density in specific areas in order to provide “*head room in the longer term development capacity of Eastern Porirua*” and as a result achieve their stated target (UDTR para 1.17).

While my client generally agrees that additional density is appropriate in close proximity to local centres, there are concerns about some of the input data and the selective way in which the EPRIP has been applied, to the benefit of one land owner.

One of the factors considered was “***the degree to which comprehensive development of the precinct may already be supported by existing Kāinga Ora ownership***” (para 5.1, UDTR). While it may be a relevant to consider land ownership when preparing the UDTR, it is not a relevant factor when considering District Plan zonings. The focus should be on providing sufficient development capacity to meet the current and future demand for housing as required by the National Policy Statement on Urban Development Capacity (NPS-UD), in areas which are suitable for that level of development.

The extent that EPRIP being designed to the benefit of one land owner (Kāinga Ora) is further highlighted by the final area recommended by Studio Pacific Architecture (the consultant for Kāinga Ora) and accepted into the PDP by PCC has 13 zones, 9 of those zones include sections which sit outside the area identified as suitable by their own analysis. There is a very strong co-relation between the lots included in the EPRIP that sits outside the zones identified as appropriate for higher density through the analysis and Kāinga Ora ownership.

Why does the EPRIP not apply to all areas which meet the criteria set out in UDTR regardless of property ownership?

One of the EPRIP’s objectives is to create opportunities for home ownership by building affordable homes and housing for sale on the open market. This is also one of PCC’s key goals.

The National Policy Statement on Urban Development Capacity (NPS-UD) directs local authorities to provide sufficient development capacity to meet the future demand for housing and business growth, and to prepare a Housing and Business Land Capacity Assessment (HBA) to help meet their obligations under the NPS.

The Wellington Regional Housing and Business Development Capacity Assessment (8 Nov 2019) estimates that based on predicted population growth across the five districts, and current development controls and patterns, the region faces a shortfall of approximately 9,000 to 21,000 dwellings.

The HBA for Porirua (Chapter 4) presents a number of key findings. Overall, Porirua has an inadequate supply of housing to meet long term future demand based on high growth population projections. Identifying and enabling an adequate supply of greenfield land for housing, along with areas suitable for further infill and medium density housing, will help address this issue.

Housing affordability is also getting worse in Porirua. The current undersupply of housing is contributing to increasing rents and house sale prices, which are increasing faster than incomes are rising. This is exacerbated by a declining number of existing houses for sale. (Porirua City Council, Housing and Business Development Capacity Assessment, 2020, P163). Including all areas which meet the UDTR’s criteria in the EPRIP would increase opportunities for well designed higher density developments in appropriate areas and increase the diversity of housing stock available in the Porirua. It would allow private property owners to increase the supply of houses for sale and rent in Porirua and would go some way towards achieving the goals of the NPS-UD, PCC and the EPRIP’s.

Levelling the playing field, by expanding the EPRIP to all land that meet the assessment criteria, will increased the opportunity for creation of economically viable sites. Either by having local home owners combining their properties to sell to developers or developers who currently own land being able to trade sites with HNZ to achieve scale required.

Excerpt from PCC section 32 Report referencing Medium Density Residential Development Feasibility Assessment Addendum Dec 19.

‘This report was a follow up to the earlier Medium Density Residential Development Feasibility Assessment. The purpose of the report was to understand the feasibility of different types of medium density housing together with the role of site amalgamation in achieving feasible development.

The report found that Porirua was achieving a lower market values for medium density housing than other areas in the Wellington region and that the need for site amalgamation to achieve developable sites was a key determinant in feasibility.'

What decision are you seeking from Council?

Apply the four UDTR's assessment criteria in the Studio Pacific Architecture report to Suburban Zone land regardless of ownership and create a level playing field for all residents / land owners.

The four criteria being :

- a) Precincts should be located in close or immediate proximity to a broad range of existing urban amenity infrastructure
- b) Precincts should be located closer to local centres than the MDRZ generally;
- c) In order to support the ability to provide suitable on-site amenity, precincts should not be predominantly south-facing; and
- d) Potential additional shading effects associated with the development of the precinct should be comparable to those observed for the case study (outlined in section 3)."

2. EPRIP criteria modification to better meet the Growth Principle of 'A diverse and inclusive city' via a "plan for neighbourhoods that encourage a diverse range of living options for people that rent, and for people that own their homes' (Porirua Growth Strategy, 2048).

The UDTR's criteria for the EPRIP rely on a number of factors and inputs that, with some modification can better achieve the PCC growth principles set out in the Porirua Growth Strategy via creating a larger area for intensification and an increased options for improving housing supply as well as better aligning with the NPS-JD requirements.

Page 45 of the "Section 32 Evaluation Report, Part 2: Residential Zones" August 2020, outlines the issue of "*The need to increase the supply of housing opportunities including the range of housing types, to respond to population growth and change*". This was followed by the commentary "*higher order documents require the provision of sufficient housing development capacity to meet community needs. This include encouraging higher densities...*"

With the right modification of the inputs to the EPRIP criteria, the type of housing options and quantity of housing could be improved while also limiting the impact on the surrounding environment, such as creating natural boundaries between zones / precincts (e.g. roads). This is discussed in more detail below.

a. Public Transport

One of the factors considered in the UDTR is the Public Transport Pedestrian Shed, being a 250m/5 minute walk from a "high frequency" bus stop. The only bus route considered to be high frequency is the No. 220 bus as this has a 10-15 minute frequency during the day and a 15-60 minute frequency in the evenings and at weekends.

However, there is a second bus route. The No. 226 bus (<https://www.metlink.org.nz/timetables/bus/226>) provides a link between the Porirua CBD and Cannons Creek. It travels via Champion St, stops at the Cannons Creek Centre, before travelling south through Cannons Creek via Bedford St, Hampshire St and Servers Gr, before turning on Swansea St and travelling back along the same route (Figures 1 & 2). This bus completes the entire route 20 times per day with a further 10 trips completing part of the route. This equates to one trip every half hour.

Just because the No. 220 bus route is the only high frequency route at present does not mean that this is the only area where higher density development is appropriate. As the population of Eastern Porirua increases it is logical that the existing services will change, with bus frequency, stop numbers and routes being changed or added to accommodate the changing demands of the population. So while it is appropriate that higher density area have convenient access to the existing public transport services, it is also important to note that the capacity and serviceable area of this network will change over time.

This is somewhat of a chicken and egg situation. Regional Council will not increase the frequency of a bus route or provide a new high frequency service unless there is demand for the service. If housing densities remain low public transport demand will remain low and the service will not be provided. If higher density housing is provided and there is demand for additional

services then service frequency can be added. For example, three new morning and afternoon-peak services were added to Route 36 from Lyall Bay through Haitaitai to the central city due to high customer demand: <https://www.stuff.co.nz/dominion-post/news/wellington/123067565/bustastrophe-to-bonanza-new-express-and-direct-routes-promise-end-to-wellingtons-bus-chaos>).

The No. 226 bus (<https://www.metlink.org.nz/timetables/bus/226>) provides a link between the Porirua CBD and Cannons Creek. While this is not considered “high frequency” at present, additional development in proximity to this bus route will increase patronage and as a result in additional services being added. In effect creating a second high frequency Bus Route improving transport options and accessibility for the residents of Eastern Porirua. Additional development potential should be provided along this existing bus route.

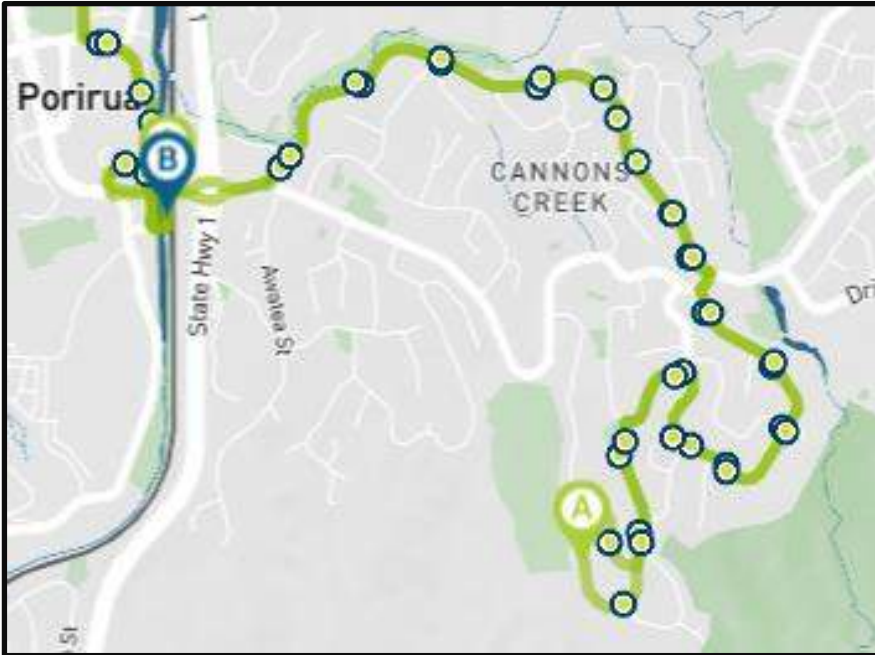


Figure 1: Eastern Porirua section of Bus Route 226.
See the full route and timetable at <https://www.metlink.org.nz/timetables/bus/226>

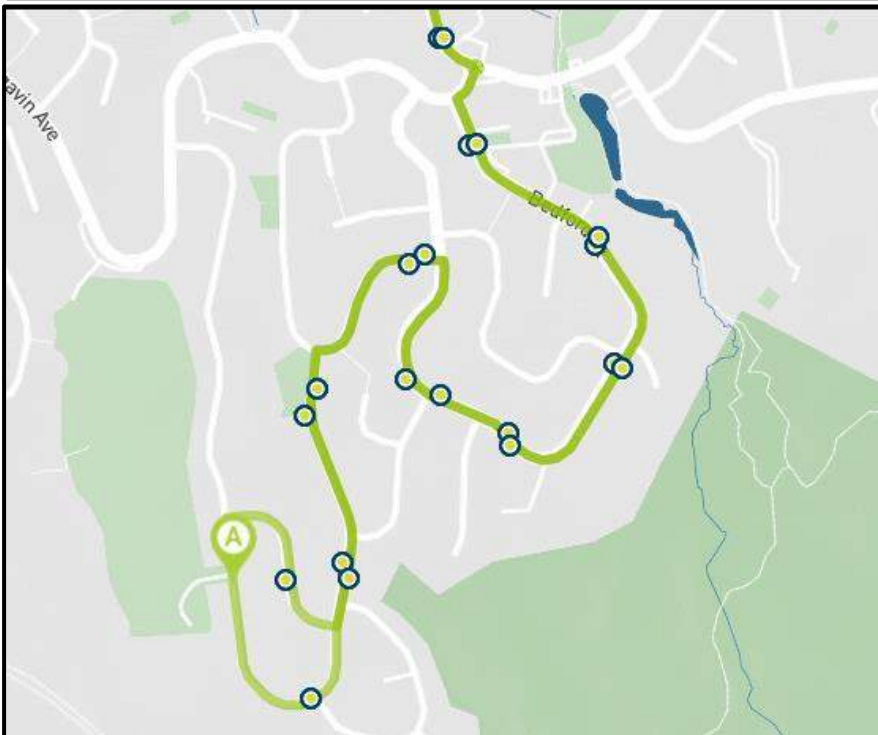


Figure 2: Southern portion of Bus Route 226.
See the full route and timetable at <https://www.metlink.org.nz/timetables/bus/226>

This bus route improves the accessibility of the Bedford St, and Hampshire St blocks and as such supports the fact that these blocks should be included in the EPRIP as well as opening up many sites along Champion Street.

What decision are you seeking from Council?

Provide additional development potential via the EPRIP along all current bus routes rather than just on the one high frequency bus route.

Include areas along the existing No. 226 Bus route into the shed analysis zones in the EPRIP as this is an existing bus route where the frequency of the service can be increased as demand increases.

b. Walking Speeds

The proximity of public transport, centres, open spaces and schools were factors used in the UDTR to assess which areas were appropriate for intensification. The table at paragraph 5.2 of the UDTR identified the following walking times.

Factor	Consideration for residential intensification precincts
Proximity to public transport	<ul style="list-style-type: none"> 10 minutes (500m) from an existing rail station; or 5 minutes (250m) from existing high frequency bus.
Proximity to centres	<ul style="list-style-type: none"> 10 minutes (500m) from existing local centres.
Proximity to open space	<ul style="list-style-type: none"> 5 minutes (250m) from any existing public open space.
Proximity to schools	<ul style="list-style-type: none"> 10 minutes (500m) from any existing school.

Paragraph 5.3 of the UDTR states:

For the proximity factors noted in the table above, our calculation of distance is based on a consideration of walking speeds and times. The NZTA Pedestrian Planning and Design Guide 12 notes average walking speeds of between 2.9 and 6.5 kilometres per hour. Our calculations adopt a 3.0 kilometre per hour walking speed. While this is relatively slow, it provides a conservative means of factoring in slower walking speeds that might be associated with the topographical complexity of Eastern Porirua.

- My clients consider the 3.0km per hour speed to be very conservative and inconsistent with industry recognised standards. While Eastern Porirua is not flat, nor is it extremely hilly as such a walking speed in the middle of the range provided by NZTA or google would be more appropriate:
- NZTA use a range of 2.9 km/h to 6.5 km/h with an average of 4.7 km/h.
- WCC Plan Change 72 introduced two medium density residential areas in Johnsonville and Kilbirnie. The WCC analysis for Johnsonville had an Inner residential shed (or walkable catchment) within 5 minutes’ walk or 400m from the commercial centre and an outer pedestrian shed within 5 – 10 minutes’ walk or 800m from the commercial centre. This equates to a speed of 4.8km/ph.
- Google maps estimates that an average human walks at 5 km/h.
- Policy 3 of The National Policy Statement on Urban development (NPS – UD) is as follows:

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- (c) building heights of least 6 storeys within at least a walkable catchment of the following:*
 - (i) existing and planned rapid transit stops*
 - (ii) the edge of city centre zones*
 - (iii) the edge of metropolitan centre zones; and*
- (d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
 - (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
 - (ii) relative demand for housing and business use in that location.*

Tier 1 local authorities will have to undertake detailed analysis and policy development to effectively implement these requirements. Part of this will be to determine how to measure accessibility and determine walkability. In this regard it is noted that

The WCC Draft Spatial Plan used an average walking speed of 5km/h. *“The NPS-UD has not provided guidance on their definition of a walkable catchment so we approached our analysis using 5 minute and 10 minute walking distances. These catchments were generated using a network analysis model. This model used a network of paths and tracks in Wellington City and an average walking speed of 5km/h.”*

https://planningforgrowth.wellington.govt.nz/search-results?collection=planning-for-growth&query=walkable&start_rank=1&sort=relevance

Based upon these factors a walking speed of 3 km/ph is very conservative and a more appropriate figure would be 5 km/ph. Using a 5 km/ph walking speed a significant number of additional areas come within the 5 and 10 minute walking distances specified in the EPRIP.

Pedestrian shed maps from the Cannons Creek Shops, Mungavin Shops and Waitangirua Mall are attached at Appendix A. These have been prepared using <https://app.traveltime.com>.

For example, UDTR Area F includes 195 – 231 Bedford St and 204 & 206 Mungavin Ave. This area borders a number of other properties on Mungavin Ave, Bedford St and Leicester St. However, as Figures 3 – 7 show, the entire block encompassed by Bedford St (Figures 6 & 7) and the vast majority of the block encompassed by Hampshire St is within 10 minutes’ walk of the Cannons Creek Centre using a 5kmph walking speed. As such this entire area should be within the EPRIP.

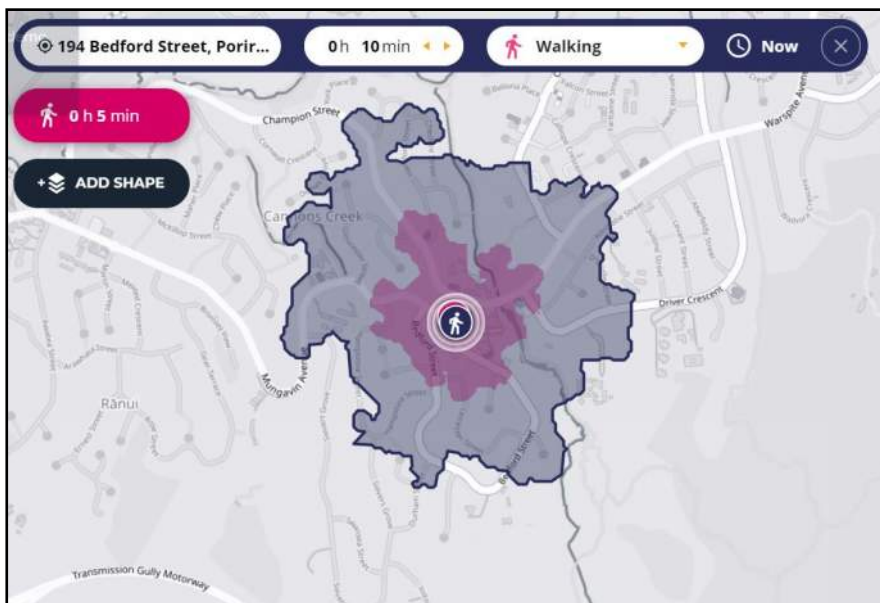


Figure 3: 5 & 10 Min Walk from Cannons Creek Shops

<https://app.traveltime.com/>

Note: The same analysis for Mungavin Shops & Waitangirua Mall is attached at Appendix A.



Figure 4: 10 minute walk from Cannons Creek town centre to 111 Bedford St. Three possible routes.
Source: Google Maps

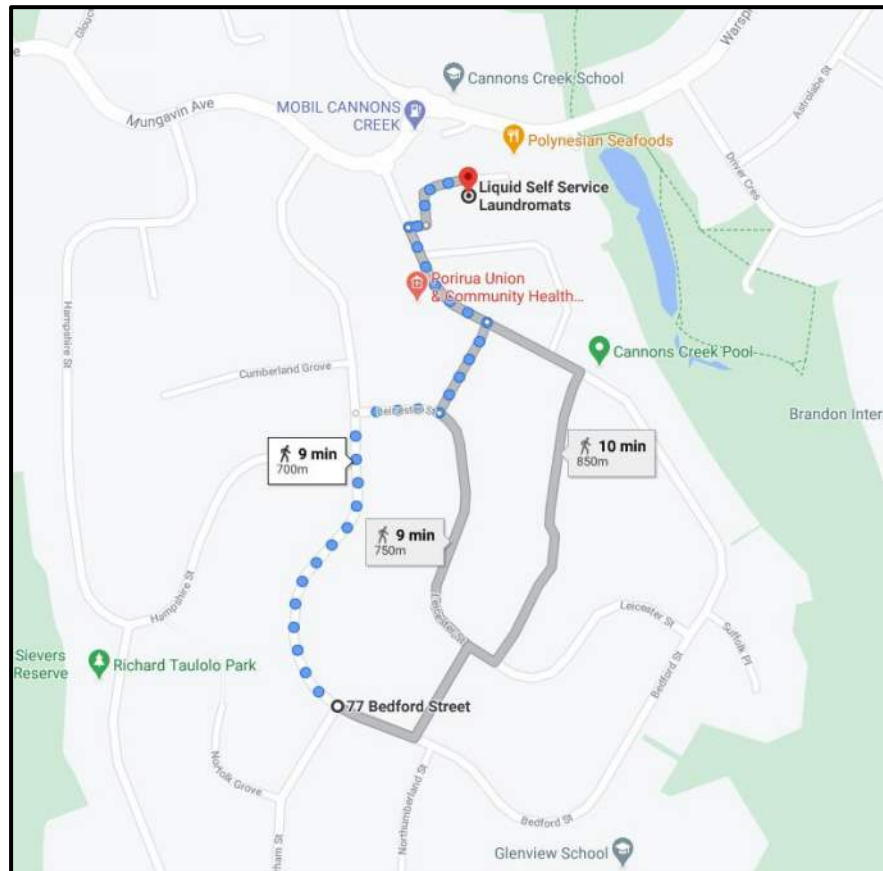


Figure 5: 10 minute walk from Cannons Creek town centre to 77 Bedford St. Three possible routes.
Source: Google Maps

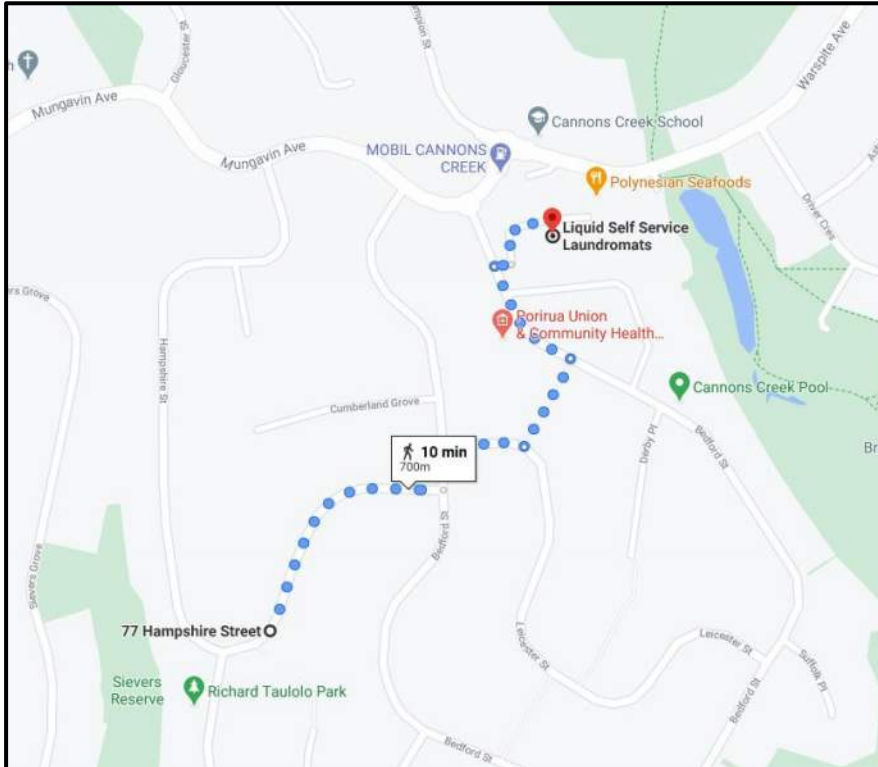


Figure 6: 10 minute walk from Cannons Creek town centre to 77 Hampshire St.
Source: Google Maps

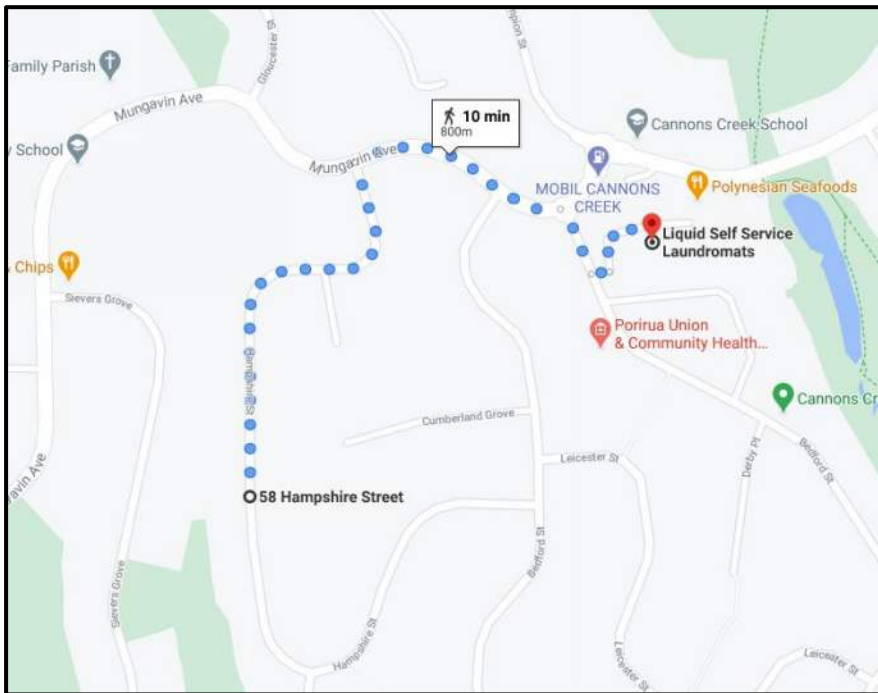


Figure 7: 10 minute walk from Cannons Creek town centre to 58 Hampshire St.
Source: Google Maps

What decision are you seeking from Council?

Amend the EPRIP based upon a 5 km/h waking speed and a 10 minute walking time to rail stations, bus routes (all routes not just high frequency routes), centres, open spaces and schools.

c. Precinct boundary locations.

The boundaries of proposed EPRIPs do not consistently align with adjacent road network or other natural break points such as public walkways, parks and reserves. While the proposed permitted activity standards try to mitigate the potential for cross boundary issues, having a property boundary as a zone boundary will result in a greater potential for adverse effects

including reverse sensitivity, privacy, shading, and building bulk and dominance effects. Where zone boundaries are positioned at road boundaries a bigger buffer is provided between activities of different densities and types. This reduces the potential for cross boundary adverse effects.

Example: EPRIP 'F' currently has 11 Property boundaries that would form a boundary between the EPRIP and the MDZ. The proposed EPRIP 'F' is to the North East of an MDZ and would create significant shading issues for these 11 adjoining properties.

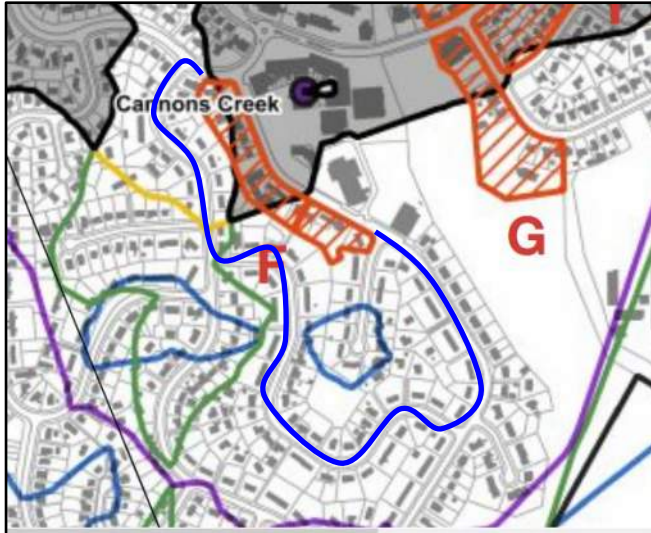


Figure 8: Current EPRIP area 'F' with 11 property boundaries in the MDZ. From an extract from Studio Pacific Architecture Drawing 2498/B.7/B
Brown is current proposed EPRIP 'F'
Blue dashed line is the zone with road boundaries applied

Example: Changing the EPRIP 'F' boundary to use a natural boundary – the road



Figure 9: EPRIP 'F' expanded to use the road as a natural boundary. Using google maps.

Identifying blocks of development also opens up the possibility of master planning the development of these areas and improving connectivity between adjacent streets. Eastern Porua already has a number of pedestrian walkways which provide access across the suburb eg: Leicester St / Bedford St pedestrian walkway, Leicester St to Derby St pedestrian walkway, Bedford St / Leicester St pedestrian walkway and Hampshire St / Norfolk Gr pedestrian walkway.

These walkways can be upgraded and additional walkways provided when developments occur in order to improve the permeability of the area and decrease walking times to key facilities. For example, a walkway linking Cumberland Gr and Hampshire St would increase permeability and decrease walking times.

What decision are you seeking from Council?

Amend the EPRIP boundaries to better reflect the natural breakpoints such as roads and parks to create more developable blocks and minimise the potential for adverse effects between different zones.

d. Non-Residential Uses:

The EPRIP focuses on the residential capacity of areas in close proximity to the identified centres and their associated services and facilities. Consideration also needs to be given to the scale of the centres and their ability to provide for the needs of a growing population over time.

The properties at 195 – 231 Bedford St and 204 & 206 Mungavin Ave are located directly opposite the existing Cannons Creek Centre. A number of the properties in this area are or have in the past been used for non-residential purposes. Wesley House is located at 206 Mungavin Ave, The Porirua Union and Community Health Service occupies a large building at 221 Bedford St and 201 & 203 Bedford Street have been used for commercial purposes in the past. The presence of these activities in a Suburban Area adjacent to the town centre indicates that there is demand for commercial space in the community which is not provided for within the town centre.

The proposed MDZ rules and standards allow for Home Businesses, but the permitted standards limit this to 40m² and no more than one full time employee who resides off site (MRZ-R9). A significant number of small businesses would not fit within these standards and would either have to relocate to a commercial zone or apply for consent to operate from a residential zone. A mixed use zone would provide a half way point where small to medium sized businesses who need a slightly larger footprint or who have more than one employee can operate and grow.

Providing a mixed use zone, where the ground and first floors of residential developments adjoining the town centres can be used for commercial activities, will have a number of benefits including enabling the existing activities to remain and/or expand, enable further small scale businesses to be located adjacent to commercial centres and increasing the range of employment opportunities available locally.

The Ministry for the Environment (MFE) website lists the following benefits for mixed use development:

- allow parking and transport infrastructure to be used more efficiently
- lower household expenditure on transport
- increase the viability of local shops and facilities
- encourage walking and cycling - bringing health benefits, reducing the need to own a car and thus reducing emissions
- enhance social equity
- increase personal safety
- offer people convenience, choices and opportunity which lead to a sense of personal wellbeing.

<https://www.mfe.govt.nz/publications/towns-and-cities/summary-value-urban-design-economic-environmental-and-social-benefi-12>

What decision are you seeking from Council?

Amend the zoning of sites adjacent to the existing centres to allow mixed use development on the ground and first floors.

e. Aesthetic Cohesiveness

The UDTR discusses how increasing the density of development towards a centre forms a density gradient. This is “a recognisable (but not abrupt) increase in the intensity of built form close to nodes of urban amenity infrastructure (such as local centres, and in this case, the Cannons Creek local centre). This is a way of signifying through urban form the presence of that node of activity. By doing so, this contributes to the aesthetic cohesiveness of the overall urban form.” (UDTR para 3.17)

While the submitters agree with this concept, they struggle to see how this is achieved by the UDTR proposal. For example, there are four roads leading to the Cannons Creek Centre, Champion St from the northwest, Mungavin Ave from the west, Bedford St from the south and Warspite Ave from the east. However, intensification is only proposed along the western side

of Bedford St opposite the centre and to the east Cannons Creek Lake on Warspite Ave.

The Bedford St intensification will complement the centre opposite but it is not the primary access to Cannons Creek centre and by the time you see this intensified area you would effectively be in the centre, as a result this area of intensification would not signify that you are approaching a node of activity. Conversely, the Warspite Ave EPRIP covers numerous properties on both sides of the road and would signify through urban form the presence of that node of activity.

Mungavin Ave is the main access between Eastern Porirua and the city centre with Campion St being a convenient alternative access between these two important nodes. Despite this, and the fact that many areas along these roads meet the assessment criteria described in the UDTR, EPRIP's have not been identified along these roads. Why?

As the proposed EPRIP are not identified on all roads into the Cannons Creek Centre, and in particular the main access roads from the west the ability of the EPRIP to signify the presence of a node through urban form or contribute to the aesthetic cohesiveness of the overall urban form is questionable.

A similar situation occurs with the EPRIP areas around the Waitangirua Centre as the identified areas are small, and do not encompass the centre.

Including land along all of the access routes to these centres in the EPRIP, would contribute to the aesthetic cohesiveness and be a better way to signify the presence of these nodes of activity through built form as discussed in the UDTR.

What decision are you seeking from Council?

Apply the UNTR's assessment criteria to all Suburban Zone land along all access routes to the existing centres.

Rezone land along all approaches to each centre EPRIP to provide aesthetic cohesiveness.

Don't provide voids or exceptions which would punctuate the streetscape and adversely impact upon the aesthetic cohesiveness.

f. **Bulk and Location Provisions**

The proposed standards:

- increase the permitted height in the EPRIP to 15m, up from 11m for the MDZ (MRZ-S1),
- allow 8m vertical and 60 degree height recession plan (HRP) along the first 20m of a side boundary when measured from the road (MRZ-S2), up from 3m and 45 or 55 degrees for the MDZ, and
- specifies 45% site coverage for both EPRIP and MDZ (MRZ-S3)

Given the width of properties in these areas the likely result is that we will have a lot of tall thin buildings adjacent to the road boundaries with largely undeveloped rear lots. Consideration should be given to allowing higher site coverage in the EPRIP where the design guide is met, and appropriate open space can be provided, and to allowing the 8m vertical and 60 degree height recession plan along the full length of a the side and rear boundaries where the site abuts a road or another property within the EPRIP.

Adding building bulk is far more pronounced when that additional bulk is in the form of additional height as opposed to building footprint. For example, adding a third floor to an existing two storey building would be far more noticeable than adding an extension which increased the site coverage from 45% to 50%.

What decision are you seeking from Council?

Amend MRZ-S3 to increase the permitted site coverage in the EPRIP to 50%

Amend MRZ-S2 to all the 8m and 60 degree HRP to be taken from all side and rear boundaries. Retain the exception for a common boundary with a MDZ.

3. Other matters

a. Zone Islands

The District Plan maps have created what can best be described as isolated zoning island. These include but are not limited to the following islands of GRZ land located within the MRZ.

There is some discussion in Urban Design Memo 15 about the potential for more intensive development on the northern side of the Mungavin Park (Area 9) netball courts to adversely impact upon the amenity and to some extent the usability of the courts as a result of additional shading. However, the exact reasons for the exclusion of these other area is not specifically expressed.

It would appear that areas 1 – 8 above have been excluded from the MDZ be due to their distance to a specific facility or because they have a south facing aspect greater than 15 degrees.

As broader assessment is required when looking at these areas. When considering these areas on a broad scale their zoning is not practical. The northern end of Lincoln Grove (Area 6) and the north-eastern end of York Place for example are hardly a significant distance from Champion Street and only a few steps further than the properties which are zoned MDZ

Table 1: Zone Islands

Area No.	Description	Discussion
1	Ten properties at the western end of Cumberland Grove.	<p>All properties on the street are within a 9 minute walk/650m of the Cannons Creek Centre (two routes available). The western most GRZ property is just 70m or 1 minute walk from the furthest MDZ property. The area is surrounded by MDZ land so accessibility does not seem to be the issue.</p> <p>Topography is steeper than some in the area but not so much so that a medium density development cannot be built. Approx. half the properties have a northerly of western views would receive good sun, all properties have reasonably sized moderately sloped areas adjacent to the road.</p> <p>The current Zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed though.</p> <p>Should be rezoned MDZ.</p>
2	Nine properties on the western side of Norfolk Grove and the adjacent rear Lot 220 Sievers Grove.	<p>All properties on the street are within a 12 – 13 minute walk/850m to 1.1km of the Cannons Creek Centre (three routes available). It would take no time at all to walk across the road from the MDZ properties on the eastern side to the western side of the road and the area is surrounded by MDZ land so accessibility does not seem to be the issue.</p> <p>Topography is steeper than some in the area but not so much so that a medium density development cannot be built. The properties generally have a westerly or north-westerly views and would receive good sun, all properties have reasonably sized moderately sloped areas adjacent to the road.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed though.</p> <p>Should be rezoned MDZ.</p>

3	Seventy properties in the vicinity of Mungavin Ave, Wiltshire Pl Gloucester S, Somerset Pl and Dorset Grove	<p>This is the largest GRZ island within the MDZ. Its southern end is just 170m or 2 minute walk along Mungavin Ave from the Cannons Creek Centre, while the north-eastern most property is approx. 750m or a 9 minute walk via the Somerset Place to Dorset Grove walkway from the Cannons Creek Centre. The area is surrounded by MDZ land so accessibility does not seem to be the issue.</p> <p>The area is large and the topography varies. While parts are steep and south facing and as a result would be difficult to develop other areas are not. For example, 28 – 31 Dorset St have been zoned MDZ, while 7 – 27 have not. This despite the fact that the topography of 28 – 31 Dorset St is similar to and in some cases steeper than that of 7 – 27 Dorset St.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed through.</p> <p>The zoning of this area needs to be examined and areas which are suitable to MDZ should be rezoned.</p>	
4	Twenty-eight properties between Champion St and Herford St.	<p>The southern end of this area is 240m or 3 minutes walk from the Cannons Creek Centre, while the north-eastern most property is 550m or 7 minutes walk. The area is surrounded by MDZ land so accessibility does not seem to be the issue.</p> <p>The land slopes down at a moderate gradient from east to west and is less steep than the land to the north between Champion St and Herford St or on the western side of Champion St which Council has zoned MDZ. The topography is suitable for development for medium density housing and the properties could be oriented so that they face east, west or north so that they receive good sun.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed through.</p> <p>Should be rezoned MDZ.</p>	
5	Six properties to the southwest of the western intersection of Champion St and Cornwall Cres.	<p>Topography is steeper than some in the area but not so much so that a medium density development cannot be built. The properties generally have a westerly or north-westerly views and would receive good sun, all properties have reasonably sized moderately sloped areas adjacent to the road.</p> <p>These sites generally slope east to west at a moderate gradient. While some area might slope south they generally have a good sized area adjacent to the road where housing can be with views north across Champion St.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed through.</p> <p>Should be rezoned MDZ.</p>	
6	Seven Properties at the northern end of Lincoln Grove	<p>All properties on the street are within a 10 minutes walk/900m of the Cannons Creek Centre. The distance between the MDZ and the end of the GRZ section of the cul-de-sac is just 22m. So</p>	

		<p>accessibility does not seem to be the issue.</p> <p>The MDZ/GRZ boundary goes through the middle of the existing semi-detached dwelling at 3 and 5 Lincoln Gr.</p> <p>The sites are adjacent to Bothamley Park and the local pedestrian walkway provides safe and convenient access to the park.</p> <p>Topography is steeper than some in the area as the site is at the end of a local spur, but not so much so that a medium density development cannot be built. The properties have westerly or north-westerly views and would receive good sun, all properties have reasonably sized moderately sloped areas adjacent to the road.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed though.</p> <p>Should be rezoned MDZ.</p>
7	Sixteen properties at the eastern end of York Place	<p>All properties on the street are within a 12 minutes walk/1.2km of the Cannons Creek Centre. The distance between the MDZ and the end of the GRZ section of the cul-de-sac is just 100m. So accessibility does not seem to be the issue.</p> <p>The sites are adjacent to Bothamley Park.</p> <p>Topography is steeper than some in the area but not so much so that a medium density development cannot be built. The properties westerly or north-westerly views and would receive good sun, all properties have reasonably sized moderately sloped areas adjacent to the road.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed though.</p> <p>Should be rezoned MDZ.</p>
8	Nine properties to the southwest of the eastern Champion St/Cromwell Crescent intersection.	<p>All properties on the street are within a 12 minutes walk/900m of the Cannons Creek Centre. The area is surrounded by MDZ land so accessibility does not seem to be the issue.</p> <p>Properties are elevated above Champion St and accessed via a communal driveway, However only the first six properties using this drive have been zoned GRZ, the three properties at the eastern end and two properties further south where there is more limited access have been zoned MDZ. So this access arrangement does not seem to be the issue.</p> <p>Topography is steeper than some in the area but not so much so that a medium density development cannot be built. The properties westerly or north-easterly views and would receive good sun.</p> <p>The current zoning is disjointed and would lead to cross boundary issues as it does not follow natural barriers and the character of this area would be different to the MDZ it is accessed though.</p>

		Should be rezoned MDZ.
9	Ten properties along the northern side of the Mungavin Park netball courts.	Agree with zoning – protects amenity of the netball courts and their users.

Some of the areas identified for inclusion in the EPRIP don't fit the UDTR criteria. For example, 19 – 23 Caster Cres have been identified as being with the EPRIP Area H but are outside the 5 minute walk to a bus and the 10 minute walk to local services. 12 – 20 Driver Cres are outside the 5 minute walk to a bus stop. Presumably this area was included in EPRIP Area H because it made sense to group these properties together and have one block of land with the same zoning than have a small group of houses at the end of the group with a different zoning. This same approach should be taken to the above areas and they should be rezoned as noted in Table 1.

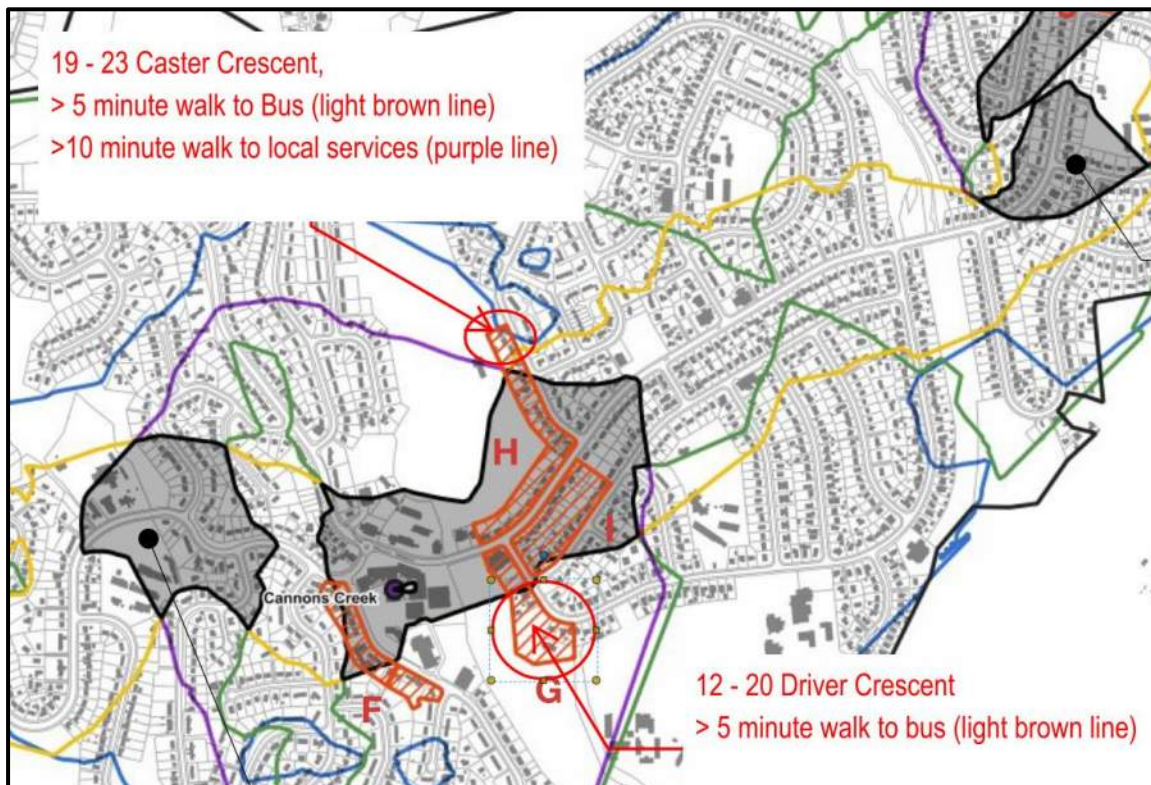


Figure 10: Marked up extract from Studio Pacific Architecture Drawing 2498/B.7/B

What decision are you seeking from Council?

Amend the District Plan zoning as described in Table 1 above to that Areas 1, 2, 4 – 8 are zoned MDZ.
Review the zoning of Area 3 and rezone suitable areas MDZ.

b. Policy MRZ-P5 - Multi-unit housing

Policy MRZ-P5 - Multi-unit housing

“Provide for multi-unit housing where it can be demonstrated that it:

1. Contributes positively to the anticipated built environment through high-quality urban design; and
2. Is consistent with the Multi-Unit Housing Design Guide contained in APP3-Multi-Unit Housing Design Guide.”

This policy provides for multi-unit developments, being “any development that will result in three or more residential units on any site” where it can be demonstrated that the proposal will make a “positive” contribution to the anticipated built environment.

While my client agrees with the general sentiment of the proposed policy the RMA does not require applications to make a "positive" contribution to the environment. Section s5(2)(c) seeks to avoid, remedy, or mitigating any adverse effects of activities on the environment and s104(ab) allows the Council to consider positive effects to offset or compensate for any adverse effects that will or may result from an activity. However, the RMA does not require the effects of an activity to be positive for it to be approved.

Would a multi-unit development whose effects are less than minor or no more than minor be considered to be in accordance with this policy?

What decision are you seeking from Council?

Amend the Policy MRZ-P5 - Multi-unit housing by deleting point 1.

c. MRZ-S2 - Height in relation to boundary

MRZ-S2 - Height in relation to boundary specifies various Height Recession Panes (HRP), with the first exception states that:

"Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side."

Access is defined as *"an area of land over which vehicle and/or pedestrian and cycling access is obtained to legal road. It includes:*

- a. an access area;*
- b. an access allotment; and*
- c. a right-of-way"*

An access area *"means an access allotment or an area of land defined by a legal instrument providing or intended to provide access to a site or sites, but excludes any area of land that is wider than 6m and not legally encumbered to prevent the construction of buildings."*

What adverse effect is Council trying to mitigate? If the access has a right-of-way or similar legal mechanism which provides for access it cannot be built on, or occupied on a permanent basis, regardless of its width. Taking the HRP from the far side of any access would allow the building to be built closer to the property boundary. The building would still need to comply in relation to the net site area of the adjacent property and as such the potential adverse effects upon the occupiable portion of the adjoining property would be the same as if the access did not exist.

For example, my clients properties at 209 Bedford St and 9 – 11 Leister St are on either side of a public pedestrian walkway which is approx. 2.4m wide (measurements taken from PCC GIS). This pedestrian walkway cannot be built on. Taking the HRP from the far side of the access would maximise the development potential of these properties, it would also allow the houses to overlook the walkway and improve safety which is one of the key principals of Crime Prevention Through Environmental Design (CPTED). Any potential adverse effects upon the properties on the far side of the walkway would be the same as if the walkway did not exist, as the proposed building would comply with the HRP at this properties boundary with the walkway.

What decision are you seeking from Council?

Amend MRZ-S2 - Height in relation to boundary, as follows:

"Where adjacent to an access the measurement shall be taken from the furthest side of the access."

d. National Policy Statement on Urban Development 2020 (NPS UD)

The NPS-UD came into effect on 20 August 2020 and the PDP was notified on 28 August 2020. As a result, it was not possible for PCC to consider the NPS-UD in the drafting of the PDP. As the PDP needs to be in accordance with and implement the NPS-UD the current PDP needs to be thoroughly reviewed and updated.

What decision are you seeking from Council?

Review the PDP and in particular the MDZ and EPRIP in light of the NPS-UD.

Do you: Support? Oppose? Amend?

See discussion above

What decision are you seeking from Council?

What action would you like: Retain? Amend? Add? Delete?

See discussion above

Reasons:

See discussion above

Please return this form no later than **5pm on Friday 20 November 2020** to:

- Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY or
- email dpreview@pcc.govt.nz

Signature of submitter
(or person authorised to sign
on behalf of submitter):



Date 19/11/2020

**Appendix A
Pedestrian sheds**

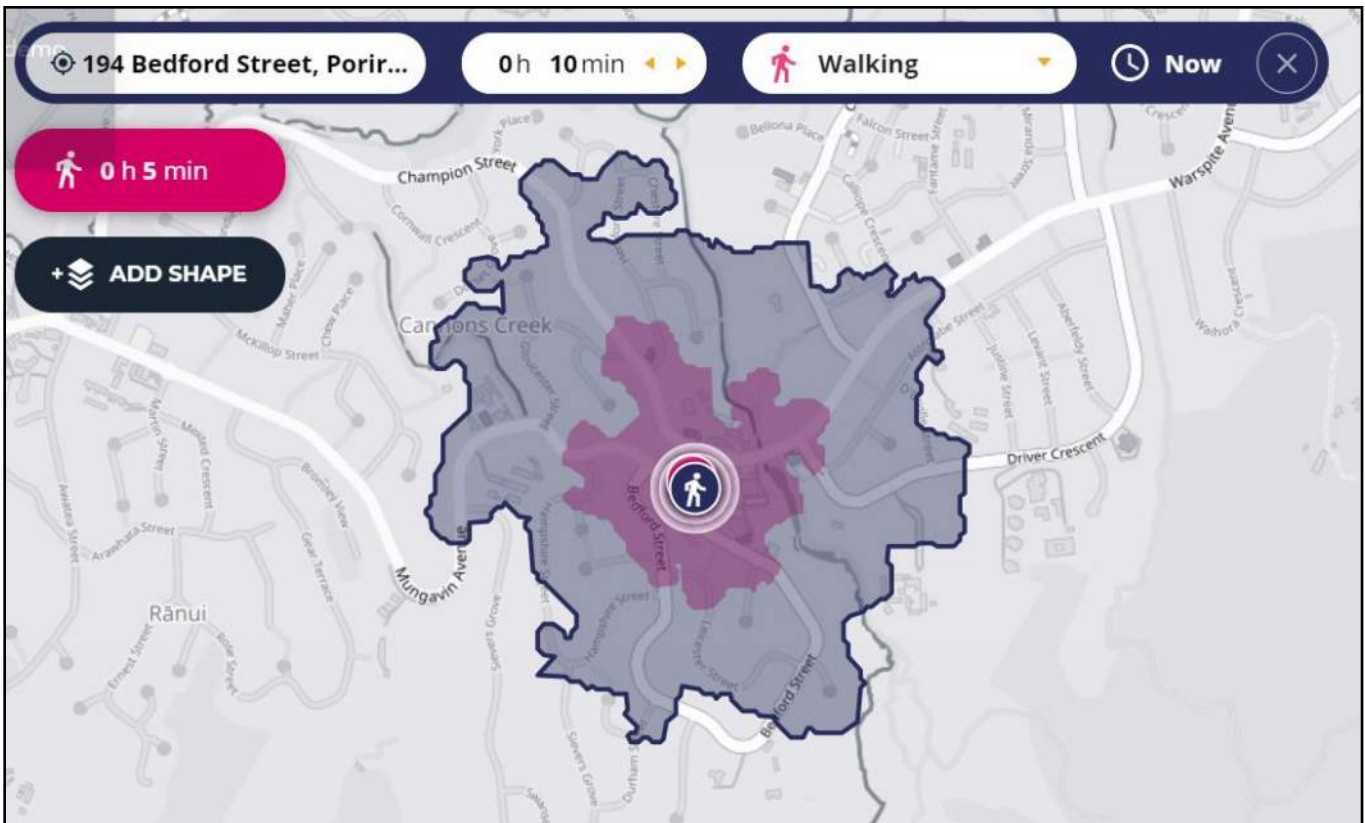


Figure 10: 5 & 10 minute pedestrian sheds from Cannons Creek Shops
Source: <https://app.traveltime.com/>

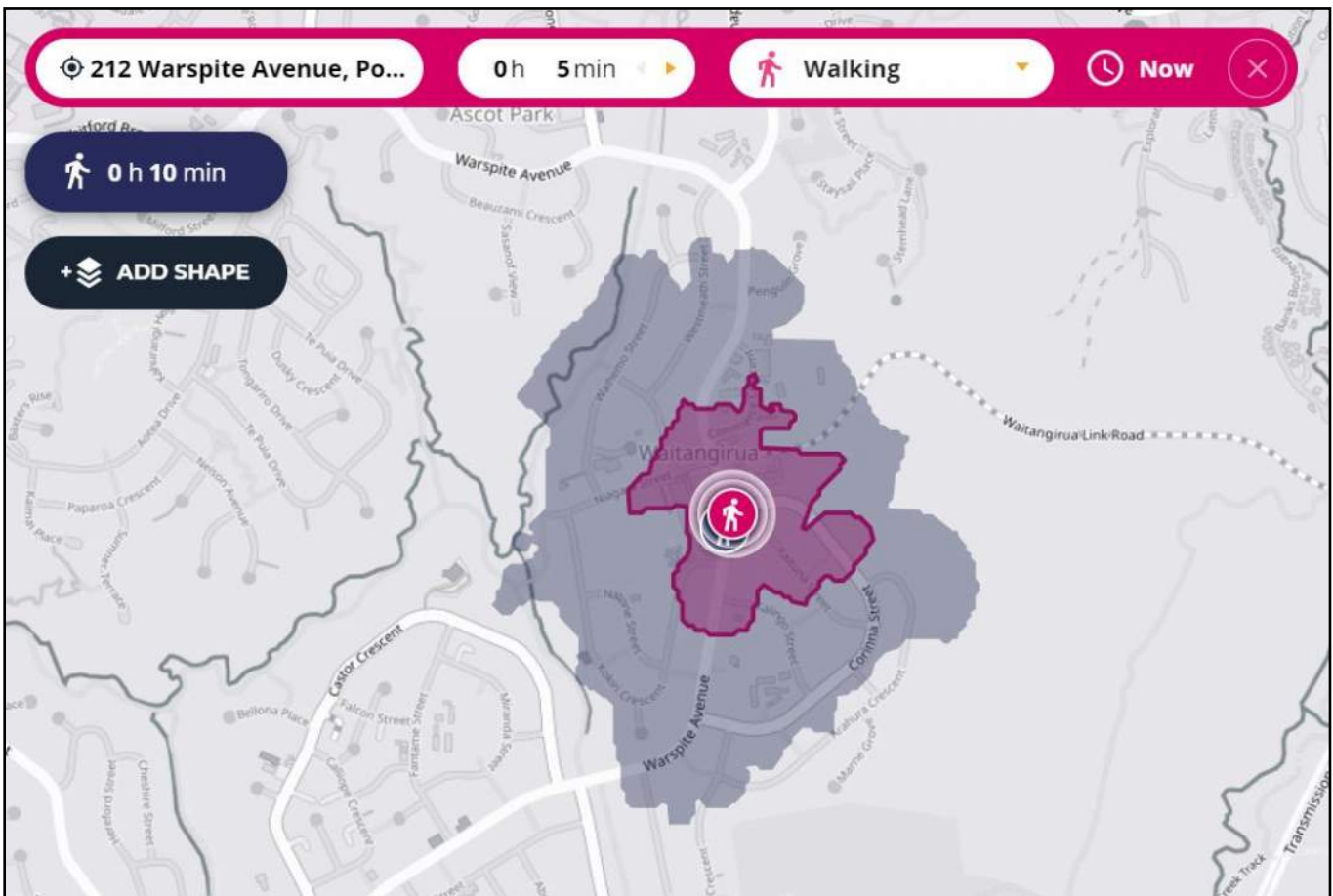


Figure 11: 5 & 10 minute pedestrian sheds from Waitangirua mall
Source: <https://app.traveltime.com/>

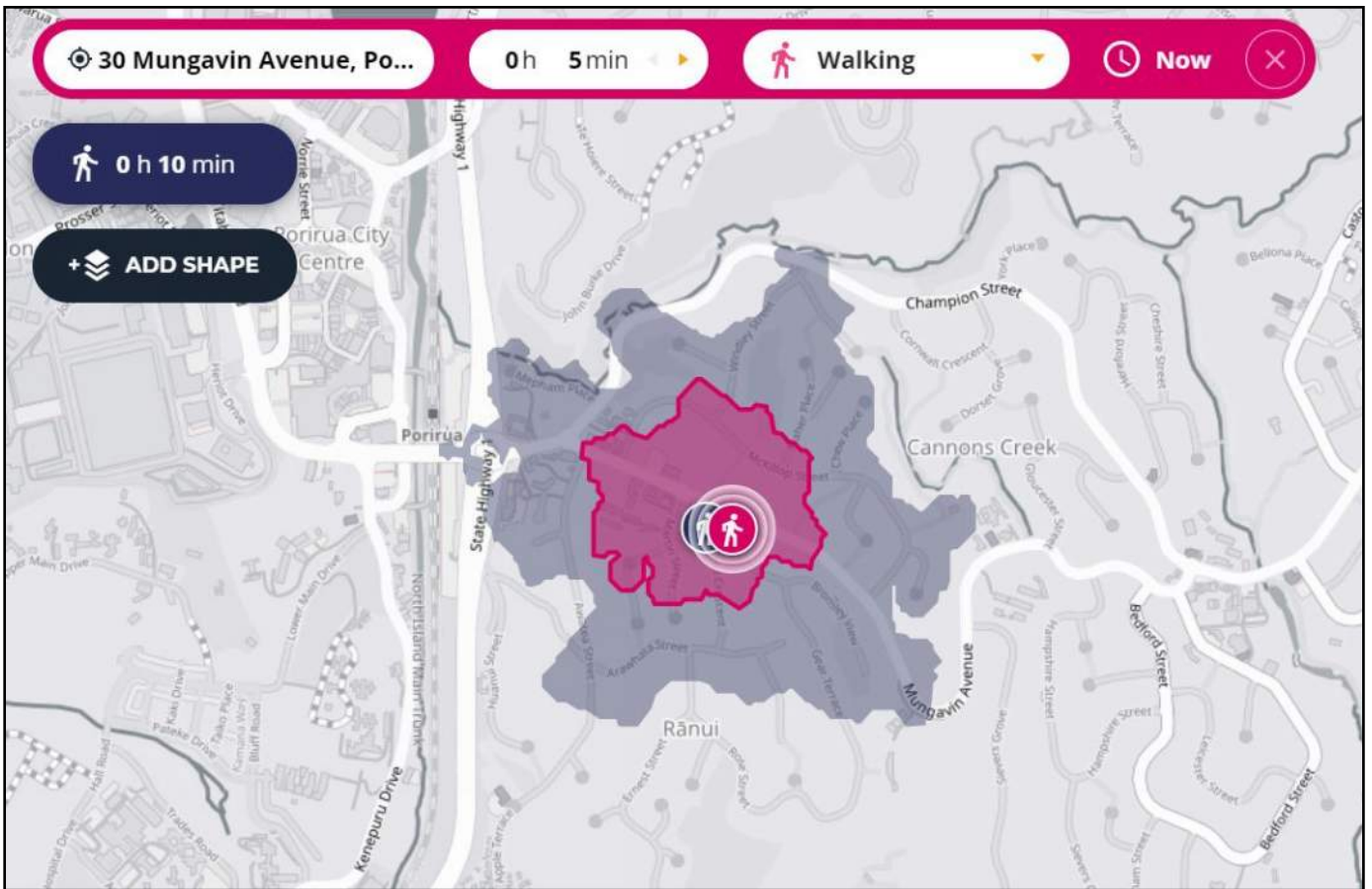


Figure 10: 5 & 10 minute pedestrian sheds from Mungavin Shops

Source: <https://app.traveltime.com/>