

20 November 2020

Porirua City Council  
PO Box 50-218  
PORIRUA CITY 5240

***Submission by email via: [dpreview@porirua.govt.nz](mailto:dpreview@porirua.govt.nz)***

**RE: Submission on the Porirua City Proposed District Plan by Kāinga Ora – Homes and Communities.**

Please find **attached** details of the submission by Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) on the Proposed District Plan (“**PDP**”) from Porirua City Council (“**the Council**”).

Porirua is a priority area for Kāinga Ora to ensure housing supply is enabled to assist in alleviating the region’s housing crisis in addition to its focus on the recent establishment of the Eastern Porirua Regeneration Programme (“**EPRP**”). The EPRP is a 25-year programme of work undertaken in partnership between Kāinga Ora, Porirua City Council and Ngāti Toa Rangatira. The EPRP will deliver and reconfigure housing stock in eastern Porirua, which will allow Kāinga Ora to provide efficient and effective public, affordable and market housing that is aligned with current and future residential demand in the area, and the country as a whole.

The review of the PDP by Kāinga Ora has been broad and has focused not only on its own existing land holdings and interests (approximately 2,700 dwellings across the city<sup>1</sup>), but the strategic objectives of the PDP in the context of the National Policy Statement on Urban Development (“**NPS-UD**”) and the wider urban development statutory obligations of Kāinga Ora, particularly its statutory objectives regarding the establishment of sustainable, inclusive, and thriving communities<sup>2</sup>. One of the key operating principles of Kāinga Ora<sup>3</sup>, is ensuring that the housing it develops is appropriately mixed (with public, affordable and market housing) and is of good quality. Kāinga Ora’s submission has been informed by its statutory objectives and functions<sup>4</sup>, as well as a wider perspective which seeks to enable a range of housing typologies to be delivered in appropriate locations and contribute to the provision of quality, affordable housing choices that meet the diverse needs of the community.

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<sup>1</sup> Current as of October 2020.

<sup>2</sup> Section 12 of Kāinga Ora – Homes and Communities Act 2019

<sup>3</sup> Section 14 of Kāinga Ora – Homes and Communities Act 2019

<sup>4</sup> Sections 12 & 13 of Kāinga Ora – Homes and Communities Act 2019

Overall, Kāinga Ora considers that the PDP does not sufficiently and appropriately provide for the long-term residential development capacity needed to meet the population growth expected in Porirua City, nor does it meet the requirements of the NPS-UD.

Further compact urban growth needs to be enabled in proximity to the City Centre and other centres, and along key strategic transport corridors and public transport routes in Porirua. In particular, the newly identified and zoned Local Centres have a significant number of strategic advantages, such as public transport connectivity, proximity to significant open space amenities, community facilities, schools and centres, which means that the PDP should be providing for greater intensification around these areas. This is in line with the imperatives of the NPS-UD which notes that compact urban form in the context of existing urban areas requires further intensification. As such, Kāinga Ora is seeking changes to both the PDP provisions and planning maps.

The Council is required to notify a plan change/variation to implement intensification policies of the NPS-UD no later than 20 August 2022. Kāinga Ora seeks that the current misalignment between the PDP and the NPS-UD is resolved at this stage of the District Plan review process, i.e. through responding to submissions, to assist in efficacy of plan-making and to reduce further complexity to the process being introduced through a subsequent variation/plan change process.

Kāinga Ora recognises their role within the local community as a both a public housing provider and as a lead agency offering support to the wider community. Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on the PDP to address the matters raised in its submission.

Please do not hesitate to contact me should you require any further explanation of the above.

Sincerely



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**Brendon Liggett**  
**Development Planning Manager**  
**Kāinga Ora – Homes and Communities**

**SUBMISSION ON THE PORIRUA CITY PROPOSED DISTRICT PLAN 2020 BY  
KĀINGA ORA - HOMES AND COMMUNITIES**

**TO:** Porirua City Council  
PO Box 50-218  
PORIRUA CITY 5240

**KĀINGA ORA - HOMES AND COMMUNITIES** (“Kāinga Ora”) at the address for service set out below makes the following submission on the Porirua City Proposed District Plan 2020 (“**PDP**”).

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

This submission letter provides an overview of the matters of interest to Kāinga Ora with **Attachments (1, 2, and 3)** providing the substantive detail of submission matters.

**Background to Kāinga Ora and its Submission**

1. Kāinga Ora was established in 2019 as a statutory entity established under the Kāinga Ora - Home and Communities Act 2019, and brings together Housing New Zealand Corporation, HLC (2017) Ltd and parts of the KiwiBuild Unit. Under the Crown Entities Act 2004, Kāinga Ora is listed as a Crown agent and is required to give effect to Government policies.
2. Kāinga Ora is now the Government’s delivery agency for housing and urban development. Kāinga Ora therefore works across the entire housing spectrum to build complete, diverse communities that enable New Zealanders from all backgrounds to have similar opportunities in life. As a result, Kāinga Ora has two core roles:
  - a) being a world class public housing landlord; and
  - b) leading and co-ordinating urban development projects.
3. Kāinga Ora’s statutory objective requires it to contribute to sustainable, inclusive, and thriving communities that:
  - a) provide people with good quality, affordable housing choices that meet diverse needs;
  - b) support good access to jobs, amenities and services; and

- c) otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
4. Kāinga Ora owns or manages approximately 63,800 properties throughout New Zealand comprising of rental properties, community group and transitional housing. Within Porirua, Kāinga Ora manages a portfolio of approximately 2,700 dwellings<sup>5</sup>. Porirua is a priority region, with the recent establishment of the Eastern Porirua Regeneration Programme to deliver and reconfigure housing stock in eastern Porirua over time, which will allow Kāinga Ora to provide efficient and effective public, affordable and market housing that is aligned with current and future residential demand in the area, and the country as a whole.
  5. As such, in addition to its role as a public housing provider, landowner, landlord, rate payer and developer of residential housing, Kāinga Ora will play a greater role in urban development more generally. The legislative functions of Kāinga Ora<sup>6</sup> illustrate this broadened mandate and outline two key roles of Kāinga Ora in that regard:
    - (a) initiating, facilitating and/or undertaking development not just for itself, but in partnership or on behalf of others; and
    - (b) providing a leadership or coordination role more generally.
  6. Notably, Kāinga Ora's statutory functions in relation to urban development extend beyond the development of housing (which includes public housing, affordable housing, homes for first home buyers, and market housing) to the development and renewal of urban environments, as well as the development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services or works.
  7. Kāinga Ora is interested in all issues that may affect the supply and affordability of housing and has a shared interest in the community as a key stakeholder, alongside local authorities. These interests include:
    - (a) Minimising regulatory barriers that constrain the ability to deliver housing development;
    - (b) The provision of public housing to persons who are unable to be sustainably housed in private sector accommodation;

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<sup>5</sup> Current as of October 2020.

<sup>6</sup> Section 13 of the Kāinga Ora – Homes and Communities Act 2019

- (c) Leading and co-ordinating residential and urban development projects;
  - (d) The provision of services and infrastructure and how this may impact on Kāinga Ora existing housing, planned residential and community development and Community Group Housing (“CGH”) providers; and
  - (e) Working with local authorities to ensure that appropriate services and infrastructure are delivered for its developments.
8. Policy decisions made at both central and local government level have impacts on housing affordability. The challenge of providing affordable housing requires close collaboration between central and local government to address planning and governance issues to reduce the cost of construction, land supply constraints, infrastructure provisions and capacity as well as an improved urban environment.
9. Kāinga Ora’s submission has focused on those provisions of the PDP that, in Kāinga Ora’s view, require amendment to ensure:
- (a) Kāinga Ora can economically and socially manage and reconfigure its housing portfolio to enable the provision of warm, dry and healthy homes that are in the right location, right condition and of the right type to meet the current and future needs of those people requiring public housing assistance;
  - (b) A range of typologies are enabled to be delivered in appropriate locations for both public and market housing; and
  - (c) The provision of quality, affordable housing choices that meet the diverse needs of the community.
10. Kāinga Ora’s approach in making its submission is also to support the strategic vision of the Wellington Regional Policy Statement (“RPS”) which proposes urban intensification and the adoption of the efficient urban development model as methods of improving housing choice and affordability and as a means of achieving the RPS strategic vision.
11. This submission is also informed by the National Policy Statement on Urban Development (“NPS-UD”) – which provides further direction around where growth should be located (i.e. within proximity to centres, jobs, education, amenities and services). The NPS-UD seeks to ensure the local authorities enable development capacity for housing and business — through their land-use planning and infrastructure.

12. From Kāinga Ora’s perspective, the PDP as notified by the Council, has the potential to increase housing supply, but does not sufficiently incentivise the intensification of existing urbanised areas of the district. If Kāinga Ora’s submission on the PDP is adopted, then the current constraints applied by the zoning and the provisions of the PDP in its notified form would be reduced, and additional development capacity for public and affordable dwellings would be provided for on both Kāinga Ora land and across the wider city.

### **Scope of Submission**

13. The submission relates to the Proposed Porirua City District Plan as a whole.

### **The Submission is:**

14. Kāinga Ora opposes the Proposed Porirua City District Plan, for the reasons set out below and in the attachments.
15. Provided that the relief sought below and attached is granted:
  - (a) The PDP will be in accordance with the purpose and principles of the Resource Management Act 1991 (“**the Act**”) and will be appropriate in terms of section 32 of the Act; and
  - (b) The potential adverse effects that might arise from activities allowed by the PDP will have been addressed appropriately.
16. In the absence of the relief sought, the PDP:
  - (a) will not meet statutory obligations under the NPS-UD;
  - (b) is contrary to the sustainable management of natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
  - (c) will in those circumstances impact significantly and adversely on the ability of people and communities to provide for their social, economic and cultural wellbeing; and
  - (d) does not provide a framework to enable the delivery of sustainable, inclusive, and thriving communities.
17. In particular, but without limiting the generality of the above:
18. Kāinga Ora recognises the importance of the PDP in setting the strategic framework for enabling and managing future development as well as achieving sustainable development of the district’s natural and physical resources. In particular, Kāinga Ora recognises the need to manage effects on Porirua Harbour, while enabling residential development throughout the city.
19. Due to Kāinga Ora’s operational and development requirements, its interest is broad and relates to the District Plan provisions proposed to be amended / introduced by

the PDP, including (but not limited to) provisions relating to achieving the objectives of the Eastern Porirua Regeneration Programme, district growth, residential development, business activities, subdivision, earthworks, natural hazards, transport, infrastructure, as well as the spatial application and extent of the proposed zones and overlays in the PDP.

20. There has been a marked change in the type of public housing that is required by Kāinga Ora's tenant base. As such, reconfiguring its housing stock is a priority for Kāinga Ora to better meet the needs of its tenants, as well as to align it with current and future demand in the area, and the country as a whole. The PDP provides opportunities to better facilitate these activities, by including objectives, policies and rules which will enable people and communities to provide for their social and economic wellbeing, and for their health and safety with regard to housing provision and particularly the importance of delivering a range of housing options within Porirua City.
21. However, Kāinga Ora considers that the provisions of the PDP as notified (28 August 2020) do not sufficiently enable and provide for the long-term residential development capacity needed to meet the population growth expected in Porirua, nor does it give effect to the NPS-UD. This position is informed by a review of the Council's section 32 analysis and available technical documents supporting the PDP.
22. Kāinga Ora supports the compact urban model for concentrating urban growth in and around existing urban settlements in Porirua City. However, more emphasis and priority needs to be placed on the compact urban model approach, in conjunction with the provision for expansion at the edge of the city.
23. Kāinga Ora considers that residential intensification in and around centres, and along rapid transit corridors should be emphasised and enabled further in accordance with the NPS-UD. The NPS-UD requires building heights of at least 6 storeys within a walkable distance of the city centre, as well as rapid transit stops. The directive NPS-UD policy provides an exception to this requirement in order to consider "qualifying matters", including where there is sufficient evidence to show that providing for development to the required density would be inappropriate. Kāinga Ora recognises that the hazard profile and location of SNA's within some areas will constitute as "qualifying matters" when considering the appropriateness of increasing enabling densities in these locations. However, as a starting point it is noted that the PDP as notified does not incorporate the required density uplifts as required by the NPS-UD.

24. The Council is required to notify a plan change/variation to implement intensification policies of the NPS-UD no later than 20 August 2022. Kāinga Ora seeks that the current misalignment between the PDP and the NPS-UD is resolved at this stage of the District Plan review process, i.e. through submissions, to assist in efficacy of plan-making and to reduce further complexity to the process being introduced through a subsequent variation/plan change process.
25. Porirua City sits within a wider metropolitan region that is connected through the rail network. The majority of the identified Centres of Porirua City have a significant number of strategic advantages, such as public transport connectivity, proximity to significant open space amenities, community facilities, and schools, which means that the PDP should be providing for greater intensification in these areas. This is in line with the requirements of the NPS-UD, which notes that intensification of urban areas must be enabled where there is demand or good accessibility to active or public transport to a range of commercial activities and community services.
26. In this regard, Kāinga Ora supports the introduction of a Medium Density Residential zone (“MRZ”) but considers that the Council is taking too narrow of a focus in its approach to the introduction of this zone, as opposed to focusing the analysis on “qualifying matters” for the *exclusion* of this enabling zone and its appropriate spatial extent. In this regard, Kāinga Ora notes that the section 32 analysis informing the PDP residential framework does not result in an adequate spatial extent of the MRZ across the city to accommodate housing demand across the long-term and does not provide any assessment against “qualifying matters” to justify the *exclusion* of a more widespread the MRZ throughout the city.
27. Kāinga Ora considers that there is a significant opportunity to redevelop its landholdings to increase intensity and variety of housing types, and free-up under-utilised land for private, affordable and community housing groups for the benefit (social and economic wellbeing) of the whole community. Kāinga Ora considers that future growth through intensification of existing urban areas should be further enabled – consistent with the direction of the NPS-UD.
28. Kāinga Ora is concerned that the PDP provisions, particularly the types of zones and rules proposed, are not the most appropriate policies and methods to achieve the residential capacity required in the long term, as required by the NPS-UD. This is particularly the case in respect of the spatial extent of the MRZ and more enabling zones and provisions in proximity to the City Centre and Rapid Transit Stops. Kāinga Ora considers there are additional methods and rules that can be inserted into the PDP

to fully optimise the development opportunities and outcomes and meet the requirements of the NPS-UD.

29. One such additional method is the creation of a High Density Residential Zone (“HRZ”), which is directed by the NPS-UD to be located within a walkable catchment of the City Centre and rapid transit stops. In this regard, Kāinga Ora has provided a set of HRZ provisions in **Attachment 2**, along with mapping analysis to demonstrate the proposed new zone spatial extent for this zone. Another such method would include the use of height variation controls within urban zones to enable greater intensification through provision of increased height limits in appropriate locations.
30. Kāinga Ora considers that the PDP is generally positively framed to recognise that as the character of planned urban areas evolves to deliver a compact urban form, amenity values may change. However, Kāinga Ora considers that this can be reflected more consistently throughout the objectives and policies of the various zones in language that is consistent with the NPS-UD.
31. In summary, and in addition to the matters addressed below, Kāinga Ora’s submission is that while the PDP contains a range of provisions generally aimed at promoting the sustainable management of natural and physical resources in Porirua City, primarily through strategic management of growth and by managing the effects of land-use on the environment, there are a number of areas where Kāinga Ora considers that amendments to the PDP are required, both in relation to the provisions (objectives, policies and methods), as well as the spatial extent of the newly proposed zones.
32. Kāinga Ora supports the use and implementation of the National Planning Standards as the template for the PDP. The following sections of the PDP are particularly supported as notified:
  - Introduction;
  - How the Plan Works;
  - National Direction Instruments;
  - Tangata Whenua;
  - Industrial Zone;
  - Open Space and Recreation Zones; and
  - Designations.
33. Kāinga Ora seeks a number of amendments to PDP which are set out in further detail in this submission and set out in:
  - (a) **Attachment 1** – Table 1: Identifies the specific provisions and chapters of the PDP

which Kāinga Ora either supports, seeks amendment to, or opposes;

- (b) **Attachment 2** – Proposed High Density Residential Zone Provisions; and
- (c) **Attachment 3** – Proposed spatial zone changes in the Porirua City based on Kāinga Ora’s submission and Kāinga Ora’s rezoning principles.

34. Kāinga Ora seeks the following changes in the PDP/on the Plan:

- (a) The **proposed residential zones and spatial extent do not sufficiently enable residential growth and intensification** at a scale and form that is appropriate and necessary to provide for the district’s projected growth demands and does not reflect the requirements of the NPS-UD. Kāinga Ora **supports the introduction of the MRZ** and the enabling framework of this zone. The introduction of a Residential Intensification Precinct within the MRZ in Eastern Porirua is also supported. However, as a whole the proposed zones do not adequately enable residential intensification in and close to existing urban centres. To this end, Kāinga Ora seeks an increased spatial extent of the MRZ and increased heights in urban zones (both commercial and residential) as directed by the NPS-UD as a means of better enabling and incentivising residential development in the district and to enable greater opportunities for intensification.
- (b) Related to the above, the **provisions of the residential zones do not sufficiently encourage housing choice** that is necessary to support the social and economic demands of Porirua City or give effect to the NPS-UD. Kāinga Ora seeks a zoning framework that will enable high density housing around the City Centre/Large Format Zones (400m proximity) and existing and planned Rapid Transit Stops (400m proximity), where development is required by the NPS-UD to be enabled to be at least six storeys in height. Kāinga Ora **seeks the introduction of a High Density Residential Zone (“HRZ”)** in these areas. Kāinga Ora considers that this will provide an appropriate transition from the height limit within the City Centre to the surrounding MRZ. Provisions for the proposed HRZ are included at **Attachment 2**.
- (c) Kāinga Ora supports the direction of the PDP provisions with regard to focusing the assessment on the anticipated character of the zone, but seeks changes to the objectives and policies of the PDP to focus on **achieving the planned urban built form** of the proposed zones, noting that in achieving the strategic objective of a ‘compact urban form’, the character and amenity of the urban areas will change. This requested change is consistent with language used in

the NPS-UD.

- (d) Kāinga Ora **supports minimum lot sizes in the residential zones in where it applies only to vacant lot subdivision**. Support is also noted for the explicit recognition that subdivision should be enabled around developments approved by land use resource consents.
- (e) Kāinga Ora seeks **greater application of notification exclusions** within the PDP. Kāinga Ora supports the notification exclusions for residential development in the MRZ where specific performance standards are met, but seeks greater application of this tool to ensure the entire development (i.e. end-to-end) adequately benefits from notification exclusions (for example including notification exclusions for non-compliance with the earthworks standards and transport provisions). In this way, greater certainty is given to the development as a whole, without risk of the notification exclusion being lost due to a technical breach that would not otherwise benefit from affected party input. In this regard, Kāinga Ora seeks changes to PDP whereby any development that meets the anticipated planned urban built form of the zone is able to be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (f) Further to the above, Kāinga Ora seeks **revised wording of the standard notification exclusion clauses** so that they clearly deliver the intended benefit of the tool. This includes revised drafting of notification exclusion clauses where effects are directed to be considered on specifically identified parties, but otherwise are to be excluded from public and limited notification.
- (g) Kāinga Ora seeks deletion of the notified definition of **“multi-unit housing”** along with consequential changes to the provisions to assist with simplification of plan administration and interpretation. Kāinga Ora considers the approach taken in the residential zones within the PDP toward this form of housing is overly complex and seeks simplification of the provisions, while still being enabling of intensification.
- (h) Related to this, Kāinga Ora seeks amendment to the threshold at which point resource consent is required in the MRZ – increasing this to **four or more residential units**. In the commercial zones, Kāinga Ora seeks no limiting threshold for residential development – noting this activity should simply be

enabled as a Permitted Activity, subject to meeting performance standards. Kāinga Ora is also seeking changes to the proposed bulk, location, site coverage and matters of discretion within the residential zones to sufficiently address the likely impacts on amenity values while providing for a range of housing typologies.

- (i) The City Centre, Local, Neighbourhood and Mixed Use zones are generally supported. Kāinga Ora considers that this hierarchy is important in recognising and providing for a range of centres of varying scales that will support residential intensification. Kāinga Ora does, however seek **extension of the City Centre Zone** to the north, replacing the Large Format Zone in that area. Kāinga Ora, also seeks consideration be given to incorporating a new **Town Centre Zone** in the PDP, which would be applicable to Mana and Waitangirua centres.
- (j) Kāinga Ora opposes the **'Building Height'** development standards of the City Centre Zone, Local Centre Zone and the Mixed Use Zone as proposed. Similarly, additional height is sought in the Eastern Porirua Residential Intensification Precinct within the MRZ. Kāinga Ora seeks an increase in the permitted heights in these zones and this precinct to better provide for design flexibility, as well as to better enable the delivery of intensification at a variety of different scales and typologies.
- (k) In addition to seeking additional height in the zones identified above on a city-wide basis, Kāinga Ora seeks a full reconsideration of the PDP framework to align with the requirements of the NPS-UD to ensure the zones (and corresponding height limits) adequately enable intensification in areas in proximity to the City Centre and rapid transit stops. As part of this exercise, Kāinga Ora seeks the introduction of **specific controls** within the urban zone chapters to achieve locational height variations (6+ storeys) to reflect the direction of the NPS-UD, with related spatial mapping in accordance with the National Planning Standards. These locations are shown on the planning maps within **Attachment 3**. Where building heights and intensification of at least 6 storeys is deemed to be appropriate in the *residential context*, Kāinga Ora considers a High Density Residential Zone is the correct approach to enable this more intensive residential typology and accordingly seeks the introduction of this zone.

- (l) Kāinga Ora seeks explicit recognition that **Supported Care Residential Activities** are to be enabled as a Permitted Activity throughout the urban zones. This activity provides an essential form of housing for members of the community and should be enabled throughout the city.
- (m) Kāinga Ora supports the development of **Design Guidelines** to be utilised as a tool to optimise intended high quality design outcomes in the residential and commercial zones, but consider that these should **sit outside the District Plan as non-statutory documents**. These can be referred to as method/tool that provides best practice guidance regarding an acceptable means of satisfying matters of discretion/assessment. Kāinga Ora also opposes any policy or rule within the PDP which requires development proposals to comply with or be “consistent” with such design guidelines. Any requirements prescribed in a design guideline should be in a specific rule or matter of discretion, not hidden in a design guideline, which is a non-statutory document.
- (n) Kāinga Ora broadly supports the Council’s risk-based approach to natural hazards and the mapping of natural hazard areas as this provides clarity for landowners and land developers. Furthermore, Kāinga Ora support the mapping of these natural hazard areas where these areas are underpinned by robust technical assessments; however, Kāinga Ora **opposes the inclusion of flooding hazards as Natural Hazard Overlays within the PDP**. Flooding hazards are dynamic and subject to constant change through hazard mitigation works and reshaping of ground contours. An alternative relief is proposed. Spatial identification of flood hazard areas should be made available through a set of non-statutory flood hazard maps, which would operate as interactive maps on the Council’s GIS website – thereby operating as a separate mapping viewer to the statutory DP maps. This approach is different to that of the traditional means of displaying hazard overlays on district plan maps and reflects that these maps do not have regulatory effect. The advantage of this approach is the ability to operate a separate set of interactive maps which are continually subject to improvement and updates, outside of and without a reliance on the Schedule 1 Resource Management Act 1991 process. Kāinga Ora notes that this is an approach taken by other Councils around the country.
- (o) Kāinga Ora notes that the PDP has adopted a substantial number of definitions from the National Planning Standards, and it supports this approach. However,

the PDP includes a number of additional definitions, and Kāinga Ora considers that **amendments are required to a number of proposed additional definitions** introduced in the PDP. Further, Kāinga Ora seeks amendment to definitions that state that they are utilised from the National Planning Standards, where in fact additional terms have been drafted into the wording of the definition in the PDP, such as the “Net Site Area” definition. The additional wording within this definition constrains the allowable “building coverage”, which has a consequential and significant impact on the development potential of residential sites.

- (p) The PDP introduces a number of **transport provisions that will constrain residential development** (and regeneration outcomes in eastern Porirua). In addition to limiting yield outcomes, some of these provisions will require substantial increase in landform modification and associated hard surfacing. Kāinga Ora opposes the transport provisions in the current proposed state and seeks the full package of provisions (objectives, policies, rules and standards) are reviewed and amended so that they appropriately manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.
- (q) Kāinga Ora opposes the current **division of transport related provisions between the Infrastructure and Transport Chapters** of the PDP. The current division of provisions and standards is inconsistent with best practice and makes navigation of the Plan and determining compliance cumbersome and prone to error. Kāinga Ora seeks the full package of transport related provisions (objectives, policies, rules and definitions) are reviewed and located in the Transport Chapter.
- (r) Kāinga Ora opposes the inclusion of, and reference to, **compliance with non-statutory documents within the PDP**. Kāinga Ora consider that all rules and effects standards that require assessment to determine compliance must be set out in the Plan.
- (s) Kāinga Ora supports sustainable use of water, however it opposes the introduction of a rule framework that **requires installation of water metering devices** within the PDP as a tool/method that would otherwise be better served through development of an appropriate Council bylaw.
- (t) Kāinga Ora seeks all **earthworks rules and standards to be located within the Earthworks Chapter**. As proposed, there are various earthworks provisions,

rules, and standards throughout various district wide chapters and overlays. Kāinga Ora opposes this approach, which makes navigation of the Plan and determining compliance cumbersome and prone to error. Kāinga Ora also seeks amendments to the thresholds in the Earthworks Chapter for triggering resource consent when undertaking earthworks and the matters of discretion relevant to the resulting assessment.

- (u) Kāinga Ora considers that the **provisions of the National Grid Corridor are overly restrictive** and do not efficiently manage sensitive activities within close proximity to and under the National Grid. Kāinga Ora opposes the National Grid provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions), including the spatial extent of the corridor overlay as shown in the PDP is deleted and updated with more suitable controls.
- (v) Kāinga Ora opposes the **provisions of land use adjacent to the Railway corridor and considers these to be overly restrictive** and do not efficiently manage activities within close proximity to the Railway. Kāinga Ora opposes the associated noise provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions) are reviewed and amended.
- (w) Similarly, Kāinga Ora considers that the **provisions of land use adjacent to the State Highway network are overly restrictive** and do not efficiently manage activities within close proximity to the State Highway. Kāinga Ora opposes the associated noise provisions in its current proposed state and seeks the full package of provisions (objectives, policies, rules and definitions) are reviewed and amended.
- (x) Kāinga Ora **opposes the Light chapter provisions in its current proposed state** and seeks the full package of provisions (objectives, policies, rules and definitions) are reviewed and amended.
- (y) Amendments are sought throughout the PDP to **remove reference to ‘avoiding’ such activities, in favour of the term ‘discourage’, or inclusion of qualifying statements** given the specific meaning that ‘avoid’ has following on from *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 (“King Salmon”).

## Proposed Spatial Extent / Application of the zones city-wide

35. As noted above, Kāinga Ora opposes the spatial application of the two main proposed residential zones – GRZ and MRZ – across the city on the basis that they do not enable sufficient residential intensification. While the spatial extent of the MRZ in the PDP is accepted *as a starting point*, Kāinga Ora seeks further expansion of these areas across the city.
36. Kāinga Ora considers that the spatial application of this MRZ should be generally based upon the availability of, and proximity to, various commercial and community facilities (e.g. commercial centres, community facilities, schools, reserves and open space as well as schools etc.) as well as the public transport network. As a result, Kāinga Ora has appended a series of maps to this submission as **Attachment 3** which show the areas where residential rezoning of the urban areas is sought, based on best practice urban design and urban planning principles relating to proximity to supporting amenities and facilities. The proposed areas for rezoning are located within catchment areas reflecting the zoning principles discussed below. The proposed zone boundaries are matched to property boundaries and reflect logical zoning extents; so, in some areas they include land just beyond the outer extremity of the catchment, and conversely some land within the catchment has been excluded where it is not logical to rezone. Roads have typically been used as natural boundaries.
37. The key aspects of the principles applied in Kāinga Ora’s proposed MRZ rezoning seek to provide for and enable further opportunities for medium density residential intensification, generally within an 800m (10min) walkable catchment from Local Centres and within a 400m (5min) walk of public transport routes, and proximity to, various commercial and community facilities (e.g. commercial centres, community facilities, schools, reserves and open space as well as schools etc.). In accordance with the NPS-UD, residential areas that are well serviced by the high frequency public transport bus network have also been identified for inclusion (this primarily includes areas of the city serviced by the 220 bus route). Kāinga Ora submits that these principles should generally apply in determining the zoning of land for medium density development under the PDP.
38. Kāinga Ora notes the PDP has not provided a High Density Residential Zone (“HRZ”). Kāinga Ora considers that a HRZ is appropriate where residential development must be enabled to a height of at least six storeys in locations as directed by the NPS-UD. The key principles applied by Kāinga Ora in seeking to provide for and enable opportunities for high density intensification in locations that are generally within a

400m (5min) walkable catchment from Porirua City Council's City Centre/Large Format Zones and within a 400m (5min) walk of Rapid Transit Stops (railway stations). Kāinga Ora submits that these principles should generally apply in determining the zoning of high-density residential areas under the PDP to give effect to the NPS-UD. Kāinga Ora has identified locations in accordance with these principles where a HRZ is sought, as shown in the appended maps at **Attachment 3**.

39. Kāinga Ora supports the spatial zoning of Local Centre, Neighbourhood Centre and the Mixed Use zoned areas. Kāinga Ora considers that these areas provide opportunities for employment and business activities that will meet the commercial needs of the city and will assist in supporting the surrounding residential community. Where located within 400m of the City Centre and/or a rapid transit stop, Kāinga Ora seeks height variation controls within these zones to enable at least 6+ storeys.
40. Kāinga Ora seeks consideration be given to the introduction of a Town Centre Zone in Mana, in recognition that the centre services the needs of both immediate and neighbouring suburbs. Kāinga Ora also considers that Waitangirua should be considered for upzoning to a Town Centre, given its strategically located position as a "gateway" to Porirua City at the link road from Transmission Gully and the *future role* and significance that this centre will play within the wider planned regeneration of eastern Porirua – where it is anticipated it will service the needs of both immediate and neighbouring suburbs.
41. Kāinga Ora seeks an extension to the City Centre Zone to replace the Large Format Zone to the north of the City Centre Zone in the PDP. This area operates and functions as part of the overall city centre (noting it is zoned as such in the operative District Plan) and should continue to be enabled to function in this capacity.
42. Kāinga Ora supports the principle of identifying land for future urban use and does not oppose the identification of future urban zoned land, however it considers that the extent proposed in the PDP will not encourage suitable intensification of existing urban areas and the 'compact urban form' that is being sought in the strategic direction of the PDP. It considers that any staged release of Future Urban Zoned land for future residential use needs to take into account and monitor the uptake of intensification within existing residential zones so as not to compromise the key strategic outcome of intensification that the PDP is seeking to achieve through a compact urban form.

### Changes specific to Eastern Porirua

43. All points made in the submission above remain relevant to eastern Porirua; however, in recognition of the significance of the EPRP, Kāinga Ora seeks additional outcomes that are specific to eastern Porirua.
44. Kāinga Ora seeks amendment to Objective EP-01 in the Strategic Directions chapter to align with the statutory objectives under the Kāinga Ora–Homes and Communities Act 2019.
45. A core element of the EPRP is the redevelopment of housing on Kāinga Ora landholdings. Kāinga Ora owns approximately one third of all residentially zoned land in eastern Porirua; there are currently just under 2,000 Kāinga Ora owned dwellings. The EPRP is designed to deliver wellbeing outcomes for the people and place of eastern Porirua and while a key part of the Programme will be infrastructure and housing delivery, it also seeks to achieve improved health, education and employment opportunities as part of broader regeneration objectives. The MRZ in eastern Porirua is critical to successfully achieving the housing yield required to deliver the EPRP. In this regard, the following points are noted, and changes sought, in relation to the spatial extent of enabling zoning in eastern Porirua.
  - a) The notified MRZ spatial extent in the PDP for eastern Porirua is interrupted by a number of “pockets” within, which are zoned GRZ. This creates a zoning anomaly and appears to be based on a criterion relating to steep south facing slopes. Kāinga Ora opposes the zoning of these GRZ pockets within the wider MRZ in eastern Porirua and instead seeks MRZ in these locations. Kāinga Ora notes that the rationale for excluding these “pockets” from MRZ within these areas is inconsistent with best practice and would not constitute being a “qualifying matter”, which is a necessary consideration under the NPS-UD. As per Policy 3 of the NPS-UD, the Council is required to enable intensification in areas where there is demand and good accessibility. These “pockets” are located in areas that have both demand for intensification and are well located from an accessibility perspective. The GRZ pockets are therefore not consistent with the NPS-UD and present a risk to the successful delivery of the EPRP and required yield outcomes. Kāinga Ora accordingly seeks the rezoning of these areas from GRZ to MRZ. These areas are shown on the maps within **Attachment 3**.
  - b) Consistent with its overall submission relevant to the city-wide application of the MRZ, Kāinga Ora also seeks greater a greater spatial extent of the MRZ

within eastern Porirua more generally where the residential land is located within an 800m distance of Local Centres and 400m of Neighbourhood Centres. These areas are well serviced by public transport and are well situated to public open spaces and community facilities. The increased spatial extent of the MRZ sought by Kāinga Ora is shown on the maps within **Attachment 3**. It is noted that small areas of land outside of the 800m extent have also been included, as they would otherwise be isolated patches of GRZ (i.e. Kāinga Ora has applied an approach of “rounding up” in these discrete locations). An increased spatial extent of the MRZ is accordingly sought.

- c) Kāinga Ora supports the Eastern Porirua Residential Intensification Precinct (EPRIP) but seeks an expanded spatial extent of the EPRIP in discrete locations. These additional areas are shown on the maps within **Attachment 3**. These areas are all located in close proximity to Local Centres, schools and open space, and are directly located on a high frequency bus route. These areas also have an underlying topography that would enable a more intensive form of development. The EPRIP is important to provide additional development capacity to realise the yield outcomes required by the long-term development horizon of the EPRP. An increased spatial extent of the EPRIP is accordingly sought in the PDP.

- 46. In addition to an increased spatial extension to the EPRIP sought above, Kāinga Ora opposes the 15m maximum height limit applicable in the EPRIP and seeks an increase to 16m. This height will provide better design flexibility and will better enable the delivery of residential intensification at a variety of different scales and typologies.
- 47. As noted in the wider submission above, Kāinga Ora opposes the maximum height limit in the Local Centre Zone and Mixed Use Zone and seeks an increase to 16m. This is relevant city-wide, but of particular importance to the Local Centres within Cannons Creek and Waitangirua in eastern Porirua.
- 48. Consistent with its overall submission, where located within 400m of the City Centre and/or rapid transit stops, Kāinga Ora also seeks that a variation height control tool (or similar method) is applied to urban zones in these locations where the NPS-UD directs that the District Plan must enable at least 6 storeys. As seen in the maps at **Attachment 3**, this is applicable to areas at the gateway to Rānui.
- 49. Kāinga Ora supports the rezoning of land from Open Space Zone in the operative District Plan to MRZ in the PDP at the following locations/sites:

- 138 Warspite Ave;
  - 91-93 Waihora Crescent;
  - 5 Louisa Grove/7 Loongana Street; and
  - 14 Pukaki Grove.
50. Kāinga Ora seeks the rezoning of land from Open Space Zone/Sport and Active Recreation Zone to MRZ at the following locations/sites (also shown in maps at **Attachment 3**):
- 32 Cheshire Street/53A Hereford Street;
  - 36-54 Hampshire Street;
  - 5 Louisa Grove [access strip]; and
  - 16B + 16C Driver Crescent (also seeking EPRIP across this site).
51. Kāinga Ora seeks the inclusion of additional sites into the EPRIP as shown in the maps in **Attachment 3**.
52. Kāinga Ora opposes the inclusion of the group of trees “TREE030” in SCHED5 where the trees are located on land owned by the Crown (including land owned by Kāinga Ora) including trees at:
- 49A Mungavin Avenue (Section 147 Porirua District);
  - 49 Mungavin Avenue (Lot 171 DP 17334);
  - 8 Stevens Crescent (Lot 211 DP 17334); and
  - 12 Stevens Crescent (Lot 209 DP 17334).
53. The evidence supporting the listing of TREE030, being the *Porirua City Council – City Wide STEM (Standard Tree Evaluation Method) Assessment*, suggests this group of trees were only considered for inclusion in SCHED5 as they are on publicly owned land. Kāinga Ora opposes the inclusion of this tree group based on the relatively poor health of the trees within group TREE030 (achieving a score of only 51 in the STEM assessment) as well as the fact that including them in SCHED5 considerably limits the ability to develop site(s) that are not Council owned. Kāinga Ora seeks the deletion of tree group TREE030 from SCHED5.

### **Relief Sought**

54. Kāinga Ora seeks the following decision from Porirua City Council on the PDP:
- (a) That the proposed provisions of the PDP be deleted or amended, to address the matters raised in this submission and its attachments so as to provide for the sustainable management of the District’s natural and physical resources and thereby achieve the purpose of the Act; and

- (b) Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.
55. Kāinga Ora does not consider it can gain an advantage in trade competition through this submission.
56. Kāinga Ora wishes to be heard in support of this submission.
57. If others make a similar submission, Kāinga Ora would be willing to consider presenting a joint case with them at a hearing.

**Dated** this 20<sup>th</sup> day of November 2020

**KĀINGA ORA - HOMES AND COMMUNITIES** by

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