

1. EXECUTIVE SUMMARY

1.1 My full name is Matthew Cecil Heale. I am a Principal Planner and Nelson Planning Team Lead at The Property Group, based in Nelson. I have been engaged by Kāinga Ora – Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary and further submissions on the Proposed Wellington District Plan (**PDP**) which incorporates the Intensification Streamline Planning Processes (**ISPP**) as required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), which amended the Resource Management Act 1991 (**RMA**).

Areas of agreement:

1.2 I generally agree with the reporting officer on the following matters:

- (a) Rapid transit stops on the Johnsonville Rail Line should qualify as rapid transit in line with regional transport plans and the regional growth framework;
- (b) The inclusion of the proposed definitions for "Rapid Transit" and "Rapid Transit Stop" to aid plan users and ensure consistent application of these terms over the life of the PDP;
- (c) The exclusion of a proposed definition for the term "Qualifying Matter" as this term is already defined by the NPS-UD and the Amendment Act; and
- (d) Qualifying matters should not include character, rail corridors, sunshine and privacy.

1.3 I also support a number of amendments proposed by the reporting officer, as outlined in **Appendix 5** of my evidence.

Areas for improvement:

1.4 The key focus areas for my evidence where I support the relief sought by Kāinga Ora are:

- (a) The need for the PDP to include a Town Centre zone into the centres hierarchy;
- (b) The extension of walkable catchments to:

- (i) 10 minutes for the Kapiti and Johnsonville Lines and the edge of the Tawa, Newtown, and Miramar Town Centres; and
 - (ii) 20 minutes from the edge of the City Centre Zone.
 - (c) Further, amendments are required to the reporting officer's proposed definition of "walking catchment", to ensure the proposed definition aligns with the NPS-UD.
 - (d) Key amendments to the proposed strategic objectives (CC-O2; CEKP-02; UFD-O3; UFD-O4; UFD-O5; UFD-O6; and UFD-O8) to ensure greater alignment with the national and regional direction, and to give effect to the purpose, principles and provisions of the RMA, as amended by the HSAA.
- 1.5 The deletion of the definitions for the terms "Assisted Housing", "Multi-Unit Housing" and "Reverse Sensitivity".
- 1.6 I also support the proposed reallocation of planning provisions from the First Schedule process to the ISPP process, as set out in the Memorandum of Counsel filed on behalf of Kāinga Ora as I consider moving the identified provisions into the ISPP workstream will create a more user-friendly, coherent planning framework when the ISPP provisions become operative.
- 1.7 A copy of my proposed amendments and changes sought to the provisions under consideration in Hearing Stream 1 is included in **Appendix 5** of my evidence. I can confirm that the version of relief in my evidence represents the full "updated" set of relief requested by Kāinga Ora in relation to this hearing topic.
- 1.8 In my opinion, the proposed changes sought in the Kāinga Ora submission and discussed within my evidence, will provide a less complex, and more enabling and user-friendly plan framework with greater alignment with regional and national direction, and the RMA.

2. INTRODUCTION

- 2.1 My full name is Matthew Cecil Heale. I am Principal Planner and Nelson Planning Team Lead at The Property Group Limited, based in Nelson.

- 2.2 I have a Bachelor of Planning from the University of Auckland and have 30 years' experience in working with resource management and planning matters under the RMA. I am a chair accredited commissioner and a Freshwater Commissioner.
- 2.3 I have worked for local government (Waitakere City Council, Auckland Regional Council, and Nelson City Council) and in private consultancy. My experience includes the preparation and processing of applications for resource consent and the preparation of, and submissions to, District, Regional and Unitary Plans across Aotearoa. I have led the review of the Waitakere District Plan, the Nelson Resource Management Plan, and the Gore District Plan.
- 2.4 I have been involved in the development of regional and district growth management strategies and spatial plans in Auckland and Nelson/Tasman, and associated development of centres hierarchies. I helped develop the first centres hierarchy for the Auckland region, across seven Council jurisdictions, as part of the Local Government (Auckland) Amendment Act 2004 process. Since then, I have assisted with developing centres hierarchies for Nelson/Tasman and Gore District to implement the National Planning Standards. I have also prepared evidence for, and appeared in, numerous resource management plan hearings, Environment Court mediations, and Environment Court hearings.
- 2.5 I am familiar with the Wellington region through my work preparing early drafts of the centres chapters (Metropolitan, Town, Local, and Neighbourhood) for Wellington City Council (mid 2020 to early 2021) and through my work for Kāinga Ora preparing submissions and further submissions on the Wellington City Proposed District Plan (**PDP**) and other plans in the Wellington region.
- 2.6 I am providing planning evidence on behalf of Kāinga Ora on the PDP. I was involved in the preparation of primary and further submissions by Kāinga Ora in relation to the PDP and other Intensification Planning Instruments ("**IPI**") in the Wellington region as part of the Intensification Streamlined Planning Process ("**ISPP**"). I am familiar with the corporate intent of Kāinga Ora in respect of the provision of housing and urban

development within the Wellington region. I am also familiar with the national, regional and district planning documents relevant to the PDP.

2.7 In preparing this evidence I have read the following documents:

- (a) The NPS-UD;
- (b) The PDP;
- (c) The Kāinga Ora submissions in relation to the PDP;
- (d) Section 32 reports and supporting evidence, including but not limited to:
 - (i) Part 1: Context to Section 32 Evaluation and Strategic Objectives;
 - (ii) Section 32 Evaluation Report – Part 1 – Context to Evaluation and Strategic Objectives – Section 9;
 - (iii) Section 32 Evaluation Report Part 2: Centres, Commercial, Mixed Use and Industrial Zones;
 - (iv) Wellington Outer Suburbs Assessment and Valuation Report 2020; and
 - (v) Retail and Market Assessment - Sense Partners and Colliers November 2020;
- (e) Section 42A reports¹;
- (f) Statements of Evidence from Kirdan Ross Lees, Orla Hammond, and Philip Osborne on behalf of Wellington City Council.

1.1 I note the Section 32 reports refer to the Planning for Growth District Plan Review Issues and Options – Centres” WCC 2019 report. However, this document is not publicly available on the Council's website and it would be helpful if this document could be made available.

¹ S42A Overview Report and Hearing stream 1 – Section 42a Report – Part 1 plan wide matters and strategic direction (5.9MB PDF)

Code of Conduct

2.8 Although this is a Council hearing, I have read the Environment Court's Code of Conduct for Expert Witnesses and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

2.9 Hearing Stream 1 addresses submission points relating to the PDP on appropriate allocation of ISPP process, overarching matters, Plan wide structural issues, strategic direction, and definitions across more than one workstream. Accordingly, my evidence will address the following matters provided in the Hearing Stream 1 section 42A report:

- (a) Allocation of topics ISPP vs Part One, Schedule One process and Qualifying matters;²
- (b) Classification of rapid transit service and stops under the NPS-UD;³
- (c) Size and Definition of Walkable Catchments to implement NPS-UD Policy 3(c);⁴
- (d) Strategic Direction;⁵ and
- (e) Definitions.⁶

2.10 My evidence will also cover the Design Guides from the section 42A Overview Report.⁷

2.11 My evidence should be read together with the following statements of evidence:

- (a) Brendon Scott Liggett – Corporate;
- (b) Michael John Cullen – Centres and Urban Economics; and

² Page 24 of s42A report.

³ Page 32 of s42A report

⁴ Page 58 of s42A report

⁵ Page 157 of s42A report.

⁶ Page 125 of s42A report.

⁷ Page 35 of section 42A overview report.

(c) Nicholas James Rae – Urban Design.

3. KĀINGA ORA SUBMISSION RELATED TO HEARING STREAM 1

3.1 A summary of the submission points and further submission points from Kāinga Ora which relate to matters addressed in Hearing Stream 1 is provided within **Appendix 1** of my evidence.

3.2 As outlined in the corporate evidence of Mr Liggett, Kāinga Ora seeks to ensure that the PDP provisions align with national planning directions to provide for well-functioning environments that meet the needs of current and future generations.

3.3 Kāinga Ora seeks amendments to the PDP to ensure that development opportunities are maximised in locations that are located close to public transport, employment opportunities and public amenities such as schools, retail, and community services. In this way, well-functioning environments are formed to provide for the whole communities social, economic, and cultural well-being. The submissions also focus on trying to achieve national and regional consistency in plans across the wider Wellington region.

4. RECOMMENDATIONS BY SECTION 42A REPORT AND RESPONSE

Allocation of topics ISPP vs Part One, Schedule One process and Qualifying Matters

Allocation of topics ISPP vs Part One Schedule One process

4.1 The allocation of topics under either ISPP or Part One Schedule One is primarily addressed by the Memorandum of Counsel on behalf of Kāinga Ora, lodged on 1 February 2023.

4.2 I acknowledge that the Council is in a unique position in that it is implementing both a traditional plan review process and the ISPP workstreams at the same time. However, from a planning perspective I consider it to be important that the district plan is user friendly and workable for all plan users. In my opinion, it is important to avoid any division of integrated parts of the plan which may be operative and parts of the plan which may still be subject to appeal that could result in a dual planning framework that would frustrate the resource consent process, the

purpose of the ISPP to accelerate the supply of housing, and effective integrated management across the plan.

- 4.3 Careful consideration should therefore be given to the allocation of ISPP vs Part One Schedule one topics, particularly where those topics have some overlap and have a key role in implementing NPS-UD Policy 3 and 4. In my opinion, the proposed topics sought by Kāinga Ora to be included in the ISPP will reduce any ambiguity or confusion created by the two Plan review processes, which in-return will provide certainty to plan users on the practical use and application of the Plan.

Design Guides

- 4.4 The Council's Section 42A Overview Report references Design Guides in section 6.5 noting that several submissions were received to amend the design guides or remove them entirely from the PDP.
- 4.5 The Kāinga Ora submissions⁸ seeks that Design Guides should be removed from the PDP and instead are treated as a non-statutory tool, outside the district plan.
- 4.6 Although the section 42A Overview Report states that "*whether or not the Design Guides should form part of the statutory District Plan will be addressed in the topic-specific report for Hearing Stream 1*",⁹ there is nothing within the section 42A report for Hearing Stream 1 relating specifically to Design Guides. It is noted that the matter of design guides is raised in section 4.11 Local / Community planning (Part 1 Schedule 1) and in relation to definitions of 'Assisted Housing', 'Multi-Unit Housing', 'reverse sensitivity', as well as in response to Town Centre provisions in the Council's Section 42A Overview Report. However, there does not appear to be any direct comment on whether or not design guides are appropriate as a statutory part of the District Plan. I therefore assume that any discussion on the merits and proposed inclusion of Design Guides will be discussed at a later hearing.
- 4.7 Given this lack of discussion or consideration of these submissions in the section 42A reports relating to Hearing Stream 1, Kāinga Ora will provide further evidence on this matter at relevant hearings to follow.

⁸ 391.765-391.768

⁹ S42A Overview Report paragraph 207

Classification of rapid transit service and stops under the NPS-UD

- 4.8 Kāinga Ora lodged submissions seeking that the Johnsonville Rail line (**JRL**) be classified as rapid transit and consequently sought that building heights of six storeys should be enabled within its walking catchment of 800m¹⁰ along with a number of further submissions¹¹ supporting this approach.
- 4.9 The reporting officer assessed whether the JRL is indeed rapid transit, confirming that it is identified in the following:
- (a) Wellington Regional Land Transport Plan 2021;¹²
 - (b) Wellington Regional Public Transport Plan 2021;¹³ and
 - (c) Wellington Regional Growth Framework 2021.¹⁴
- 4.10 The reporting officer assessed whether the JRL met the relevant objectives and definitions of the NPS-UD and concluded that the area has high demand for housing; is well serviced with public transport; is integrated with infrastructure planning; and will support reductions in greenhouse gas emissions.¹⁵ Furthermore, the service meets the definition of rapid transit service. Greater Wellington Regional Council (**GWRC**) supports this approach, and a rapid transit classification would be consistent with other Wellington regional councils' classification. I concur with the officer's assessment and agree that the JRL is indeed rapid transit.
- 4.11 The reporting officer recommends that the PDP should:¹⁶
- (a) have a definition of "rapid transit" and "rapid transit stop" that includes the JRL and all its stops;
 - (b) classify the JRL as a rapid transit service and all its stations as rapid transit stops; and
 - (c) replace the MDRZ within a walkable catchment of Crofton Downs Station, Ngaio Station, Awarua Street Station, Simla Crescent

¹⁰ 356.4

¹¹ FS89.67, FS89.73, FS89.74, FS89.13, FS89.16.

¹² s42A report paragraph 149

¹³ s42A report paragraph 151

¹⁴ s42A report paragraph 152

¹⁵ s42A report Paragraphs 158-195

¹⁶ s42A report Paragraph 204

Station, Box Hill Station, Khandallah Station and Raroa Station with High Density Residential Zone (maximum height 21 m). The extent of walkable catchments is recommended in Section 4.4.

- 4.12 I generally agree with these recommendations and the section 32AA evaluation¹⁷ as the JRL clearly meets the provisions of the NPS-UD and the amendments are clearer and more directive. Mr Cullen's economic analysis also supports maximising intensification around the JRL.
- 4.13 In relation to the definitions of "Rapid Transit" and "Rapid Transit Stop" as proposed by the reporting officer, I agree with the proposed wording and inclusion in the PDP, however, I do have a different view when it comes to the extent of the walkable catchments and the specific references of stations and stops included in these terms. My comments are outlined below, and my proposed amendments are outlined in **Appendix 5** of my evidence.

Size and Definition of Walkable Catchments to implement NPS-UD Policy 3(c)

- 4.14 Kāinga Ora primary submissions sought that the High Density Residential Zone should be applied to a walkable catchment for centres and rapid transit that is greater than what was proposed in the notified PDP. This is outlined in Table 1 below, and further illustrated by the maps provided by Kāinga Ora in the submission that it seeks across Wellington City.¹⁸

¹⁷ Section 42A report paragraphs 205 to 206.

¹⁸ See Appendix 4 of the Kāinga Ora primary submission 391.

Table 1: Application of High Density Residential Zone sought in walkable catchments from centres and rapid transit

Zone	Centre Height	Walkable Catchment and Height
City Centre	Unlimited	0-400m - 43m (12 storeys) 400-800m – 36m (10 storeys) 800-1500m – HRZ 22m (6 storeys)
Metropolitan Centre	55m	0-400m – 36m (10 storeys) 400-800 HDRZ 22m (6 storeys)
Town Centre	36m	0-400m – <ul style="list-style-type: none"> • In Newtown: 36m (10 storeys) • In Miramar: 29m (8 storeys) • In Tawa: 29m (8 storeys) 400-800 HRZ 22m (6 storeys)
Local Centre	22m	0-400m – 18m (5 storeys)
Rapid Transit Stops		0-800m – 22m (6 storeys)

4.15 While the application and assessment of the proposed extent of zoning and heights will be discussed in future hearings, my evidence on this matter focuses particularly on the definition and inclusion of a term “walking catchment” in the PDP by the council officer in the s42A report.

4.16 The proposed definition impacts on the application and extent of the residential zones in the PDP, which of interest impacts the submissions and changes sought by Kainga Ora in Table 1.

- 4.17 Kāinga Ora made a further submission¹⁹ to support in part the need for a definition of Walkable Catchment sought in a primary submission by Generation Zero Wellington.²⁰
- 4.18 However, upon further review of the Council’s Section 42A report, I am of the opinion that a definition of “walkable catchment” (or in the Council’s section 42A report “walking catchment”) is not the best method for indicating where it may be appropriate for a walkable catchment (and consequently medium and high density residential development) to apply, particularly as this term is not currently used across the plan and definitions are static while walkable catchments will change over time as future connections and developments are established.
- 4.19 I propose the walkable catchment criteria should be used to instead guide where the High and Medium Density Residential Zone should apply and inform a policy in the High and Medium Density Residential Zone about where high and medium density housing should be provided for. In my opinion, this will provide the clarity and strategic direction sought to the application of residential zones and walkable catchments in the Plan.
- 4.20 In doing so, I also suggest amendments to the time and distance identified to walkable catchments around centres and rapid transit in the PDP. The reporting officer draws on Ministry for the Environment guidance and states that the starting point for a walkable catchment around rapid transit stops, metropolitan centres and the city centre should be 10 minutes and this may vary between 5 and 10 minutes depending on the shops and services, the level of transport services, development potential, topography and connectivity.²¹ The reporting officers recommends that there should be a:
- (a) 5 minute walkable catchment around the JRL line stations,
 - (b) 10 minute walkable catchment around and the Kapiti rail line stations and Metropolitan Centre Zones,
 - (c) 15 minute catchment for the City Centre zone, and
 - (d) the Local/Town Centre zones should have none.

¹⁹ FS89.68

²⁰ 254.8

²¹ Section 42A report, paragraphs 269 and 270.

All of which is reflected in the officer's recommendation for the "walking catchment" definition.²²

- 4.21 While I agree that the walkable/walking catchment should be extended to 10 minutes for all stations on the Kapiti Line (Keneperu to Takapu Road), I consider this should also be extended to all stations on the JRL (Johnsonville to Crofton Downs – see **Figure 1** below) in order to maximise opportunities for High Density Residential development and to support investment in transport infrastructure and smaller centres.
- 4.22 This approach is justified through evidence from Mr Cullen and Mr Rae that notes the best practice approach of using a 10 minute/800m walkable catchment rather than a 5 minute/400m walkable catchment. This is also reinforced through NPS-UD Policy 3(c) and the accessibility that rapid transit provides to areas of employment along with the ability of intensification to enhance, and be enhanced by, adjoining centres.

²² Section 42A report paragraph 389.

Figure 1 – Wellington Tranz Metro Network



4.23 I do not support the reporting officer's recommendation for a 15 minute/1200m walk from the City Centre and nor do I support the recommendation for no walkable catchments from Local Centre and Town Centre Zones.

4.24 The expansion of High Density Residential Zone walkable catchments to 1500m from the edge of the City Centre Zone and the introduction of Town Centres with an 800m/10 minute walkable catchment for Newtown, Miramar, and Tawa is justified given the primacy of Wellington's Central City in the region and the more significant level of commercial and community services in the Town Centres. This is supported by retail spend and Journey to Work (walking) data, as discussed below.

- 4.25 Retail spend data outlined in "Retail and Market Assessment for Wellington City Council Colliers International Sense Partners November 2020" is discussed in further detail below. This indicates that Miramar, Newtown, and Tawa serve a suburban catchment, rather than a residential catchment thereby warranting a greater or commensurate level of intensification. Mr Cullen's evidence also supports this approach.
- 4.26 The Journey to Work data (walking)²³ illustrates that people are walking at least 1500m to access the City Centre Zone and 800m to access the areas that Kāinga Ora considers should be Town Centre Zones in Wellington. A plan depicting this is shown in **Appendix 2**. The Blue line outlines the extent of the centre catchment, and the Yellow shading indicates which Statistical Area (**SA2**) people have walked from to go to the SA2 closest to the relevant centre.
- 4.27 I do note that this Journey to Work data has limitations²⁴ so should be considered in accordance with other ground truthing information to build a fuller picture of appropriate walkable catchments. Detail on this is provided by Mr Rae in his evidence. In addition, further information will be provided in the Stream 2 - Residential hearing.
- 4.28 With regard to Local (and Town) Centre Zones, the reporting officer recommends against including Local (and Town) Centres Zones within the definition of walking/walkable catchment. The reporting officer states that enabling four storey buildings around local centre zones (including Miramar and Tawa) is commensurate with the level of commercial and community services and consistent with various technical reports and that there is little commercially realisable capacity for apartments in these areas. Newtown Local Centre Zone has been provided with some six storey HDRZ as it is partly within the 10 minute walking catchment of the CCZ and reflects the high range of commercial and community services present and current and future public transport accessibility.²⁵
- 4.29 I disagree with these recommendations for the following reasons:
- (a) Policy 3(d) of the NPS-UD requires that district plans enable building heights and densities of urban form commensurate with the level of

²³ Statistics NZ 2018

²⁴ The data is based on 2018 Census results, SA2 boundaries are large and do not necessarily match perfectly to Centre Zones and origin of journey, Numbers of walkers to work do not represent everybody who walks to work or the centre as this is reliant on Census data.

²⁵ S42A report paragraphs 379-381

commercial activity and commercial services within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones, and this should be acknowledged;

- (b) Miramar, Tawa and Newtown meet the description of Town Centre Zone in the National Planning Standards as they serve suburban catchments and have a higher level of commercial activity and community services than other centres currently identified as Local Centres. This is supported by the Retail and Market Assessment for Wellington City Council by Colliers International Sense Partners 30 November 2020 report which identifies Miramar, Newtown and Tawa as Town Centres that have a significant amount of retail spend and level of services; and
- (c) Journey to Work data from 2018 Census indicates that people walk in excess of 800m and 1500m to Town Centres (Miramar, Newtown, Tawa) and the City Centre respectively.

4.30 Furthermore, it is my opinion that providing for Medium Density Residential zoning around Local and Neighbourhood Centres then allows for a distinction with Town Centres around which Higher Density Residential zoning should be provided to reflect the level of activity and services in the centres and the walkable catchments. This provides a future proofing of these areas to cater for not only the current needs of communities but needs of future generations by laying the foundations for well-functioning urban environments (NPS-UD Objective 1, Policies 1, 2 and 3).

4.31 Based on the evidence and reasoning provided above, I believe a policy should be included in the relevant residential zones that expands the scope of walkable catchments around Town Centres, the City Centre Zone, and all rail stations (instead of a definition). I consider this approach is the most appropriate way to achieve the objectives of the plan and the purpose of the RMA because:

- (a) The amendments give better effect to the NPS-UD and National Planning Standards;
- (b) The amendments align with the information on walkability; and
- (c) The amendments are not inconsistent with existing plan objectives.

4.32 In my opinion “Walking Catchment” should be incorporated into HRZ-P6 and MRZ-P6 in accordance with Kainga Ora submissions²⁶ so this can guide future as well as existing development, as follows (my proposed amendments shown in **bold red**):

HRZ-P6

Multi-unit housing Higher density residential development

Provide for ~~multi-unit housing~~ **more than six residential units per site** where it can be demonstrated that the development:

1. ~~Fulfills the intent of the Residential Design Guide~~ **Achieves the following urban design outcomes:**

a. Provides an effective public private interface;

b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;

c. Provides high quality buildings;

d. Responds to the natural environment;

2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants;

3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and

4. Is **adequately able to be** serviced by three waters infrastructure or can address any water constraints on the site.

5. Is located within:

(i) 10 minutes’ walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and

(ii) 20 minutes’ walk from the edge of the Wellington City Centre Zone

²⁶ 391.448 and 391.341

Note: Best practice urban design guidance is contained within Council's Design Guidelines

MRZ-P6

Multi-unit housing Higher density residential development

Provide for ~~multi-unit housing~~ more than three residential units per site where it can be demonstrated that the development:

1. ~~Fulfills the intent of the Residential Design Guide~~ Achieves the following urban design outcomes:

a. Provides an effective public private interface;

b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;

c. Provides high quality buildings;

d. Responds to the natural environment;

2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants;

3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and

4. Is adequately able to be serviced by three waters infrastructure or can address any water constraints on the site.

5. Is located within:

i. **10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and**

ii. **20 minutes' walk from the edge of the Wellington City Centre Zone**

Note: Best practice urban design guidance is contained within Council's Design Guidelines

4.33 If the hearing panel considers a definition for walking / walkable catchment is required, I consider the following amendments (in red) are required to

the definition to better align with the wording (walkable²⁷) and intent of NPS-UD Policy 3:

~~Walking~~ Walkable Catchment

“Means, for the purpose of implementing Policy 3(c)~~(i-iii)~~ and (d) of the National Policy Statement on Urban Development 2020, the areas within:

~~5 minutes’ walk from the rapid transit stops of Raroa Rail Station, Khandallah Rail Station, Simla Crescent Rail Station, Awarua Street Rail Station, Ngaio Rail Station, Crofton Downs Rail Station and Ngauranga Rail Station;~~

1. 10 minutes’ walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, Kenepuru Rail Station, Linden Rail Station, Tawa Rail Station, Redwood Rail Station, Takapu Road Rail Station, Box Hill Rail Station and the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and
2. ~~15~~ 20 minutes’ walk from the edge of the Wellington City Centre Zone.”

4.34 For completeness, irrespective of whether the Hearings Panel is minded to amend the walking / walkable catchment definition above, I still consider it necessary to amend policies HRZ-P6 and MRZ-P6 as outlined above.

Strategic Direction

4.35 The submission by Kāinga Ora supported the following strategic objectives as notified:

- (a) AW-O1 to AW-O4 support mana whenua and tangata whenua rights, values and responsibilities in how the city grows and develops;²⁸
- (b) CC-O1 and CC-O3 recognise Wellington City’s role as the primary economic and employment hub of the region;²⁹

²⁷ I note that “walkable” suggests that you need to determine whether the route can be walked whereas “walking” just suggests that the area is for walking

²⁸ 391.43-391.42

²⁹ 391.47-391.50

- (c) CEKP-O1, CEKP-O2, CEKP-O3, and CEKP-O5 recognise the importance of the hierarchy of Centres and strategic assets;³⁰
- (d) HHSASM -O1 to O5 support the protection of recognised historical and cultural values;³¹
- (e) NE-O1 to O4 provides for the protection of natural landscapes, ecosystems and mana whenua values, the improvement in water quality, and the importance of the open space network;³²
- (f) SCA-O1 to O6 emphasise the importance of the provision of infrastructure to enable future growth and support a significant increase in development capacity for the City;³³
- (g) SRCC-O1 to O4 recognise the importance of a compact built environment in reducing carbon emissions and the need to adapt to natural hazard risks;³⁴ and
- (h) UFD01, UFD-O2 and UFD-O7 emphasise the importance of achieving a well-functioning urban environment by maintaining a compact urban form focused within and around centres and major public transport corridors while respecting natural features and “historic heritage” .³⁵

4.36 Incorporating these objectives in the PDP is critical to providing for a well-functioning urban environment and achieving the objectives of the NPS-UD, national consistency anticipated by the National Planning Standards, and is the most efficient and effective way of achieving the purpose of the RMA.

4.37 Kāinga Ora sought amendments to:

- (a) CC-O2 to focus on the manner in which urban intensification is delivered rather than the specific location to not be overly constraining on where urban intensification can occur;³⁶

³⁰ 391.51, 391.52 & 391.54

³¹ 391.55-391.60

³² 391.61-391.64

³³ 391.65-391.70

³⁴ 391.71-391.74

³⁵ 391.78, 391.79 & 391.90

³⁶ 391.48-391.49

- (b) CEKP-O2 to introduce the Town Centre Zone within the Centres Hierarchy;³⁷
- (c) UFD-O3 to emphasise the need for high rather than medium density housing within or near centres and transport networks;³⁸
- (d) UFD-O4 to ensure housing bottom lines are treated as minimums rather than targets and are “exceeded” rather than met;³⁹
- (e) UFD-O5 to ensure “at least” sufficient, feasible land development capacity is available;⁴⁰
- (f) UFD-O6 to focus on a variety of housing types and sizes rather than different tenures;⁴¹ and
- (g) UFD-O8 to avoid reference to special character which is not considered or justified as a qualifying matter.⁴²

4.38 These changes are critical to providing for a well-functioning urban environment, achieving the objectives of the NPS-UD, national consistency anticipated by the National Planning Standards, and enhancing alignment with the purpose of the RMA.

4.39 My evidence will focus on the provisions that Kainga Ora sought amendments to. These matters are dealt with individually below.

Strategic Direction – the identification and inclusion of a Town Centre Zone in the PDP

4.40 Kāinga Ora supports objective CEKP-O2 in part, subject to an amendment to include Town Centre in the PDP and hierarchy of centres.

4.41 Kainga Ora sought changes⁴³ as follows (in red):

“The City maintains a hierarchy of centres based on their role and function, as follows: [...]

3. Town Centres – these centres service the surrounding suburbs. Town centres contain a range of commercial, community, recreational and

³⁷ 391.53

³⁸ 391.80-391.82

³⁹ 391.83-391.84

⁴⁰ 391.85-391.86

⁴¹ 391.87-391.89

⁴² 391.91

⁴³ Submission Points 391.52 and 394.53

entertainment activities. Town Centres are well connected to the City's public transport network and active transport modes are also provided for. Town Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre and Metropolitan Centre Zones. This intensification is due to the capacity of the area to absorb more high-density housing with enablers of growth such as offering a walkable access to public transport, community facilities and services; and

~~3~~ 4. Local Centres – these centres service the surrounding residential catchment ~~and neighbouring suburbs~~. Local Centres contain a range of commercial, community, recreational and entertainment activities. Local Centres are well-connected to the City's public transport network and active transport modes are also provided for. Local Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre, ~~and~~ Metropolitan Centre, ~~and~~ Town Centre Zones. This intensification is due to the capacity of the area to absorb more medium density housing with enablers of growth such as walkable access to public transport, ~~and~~ community facilities and services and;

~~4~~ 5. Neighbourhood Centres – [...]"

4.42 One of the key arguments that the reporting officer has made to support their opposition to the inclusion of a Town Centre zone in the PDP is that there are arbitrary differences in the catchments of people serviced and the range of business activities provided in each of the two zones. The reporting officer considers the planning provisions for both centres are similar and would result in unnecessary duplication of PDP provisions.⁴⁴

4.43 I do not agree with the reporting officer.

4.44 As set out in **Table 2** below, I consider they are key features and differences between the Town Centre zone and the Local Centre zone that justifies the inclusion of both zones in the PDP, rather than merging the two zones into a hybrid zone. In preparing Table 2, I have considered how the Auckland Unitary Plan (Operative in Part), New Plymouth District Plan; Waimakariri District Plan, and Kapiti Coast District Plan.

⁴⁴ S42A report paragraph 874

Table 2: Key features and differences between the Town Centre and Local Centre zones

	Town Centre	Local Centre
Enabled activities	<ul style="list-style-type: none"> • A range of commercial, community, recreational, residential and entertainment activities. • Entertainment activities • Can include tourist, cultural and civic services, large scale commercial activities. 	<ul style="list-style-type: none"> • A range of commercial and community activities • Can include local retail, small scale commercial services, offices, food and beverage, appropriate scaled supermarkets.
Service function	<ul style="list-style-type: none"> • Immediate and neighbouring suburbs • To meet the community's social and economic needs 	<ul style="list-style-type: none"> • Surrounding residential catchment • To meet more localised needs.
Transportation	<ul style="list-style-type: none"> • Main arterial access • Good Rapid Transit / Public Transport connections • Active Transport modes provided for. 	<ul style="list-style-type: none"> • Local roading access • Public Transport access
Density support	<ul style="list-style-type: none"> • High Density Residential 	<ul style="list-style-type: none"> • Medium Density Residential

4.45 I consider the Town Centre Zone and the identification of Town Centres should be in the PDP. In my opinion there is a need for, and identification of Town Centres in the Wellington City, to reflect their higher order function in the city and region. I consider that there is a clear opportunity to provide for a centres hierarchy which enables development commensurate to the level of commercial activity and community services in an area and that to simply classify a range of centres as local centre zone to avoid a further chapter in the PDP is inconsistent with national direction. Furthermore, including Town Centres in the PDP centres hierarchy is consistent with the:

- (a) NPS-UD;
- (b) National Planning Standards;
- (c) Regional Policy Statement;

- (d) Other District Plans in the Region; and
- (e) Council reports and other technical data.

I draw your attention to the specifics of each of these matters to justify the inclusion of a Town Centre Zone in the Wellington City PDP.

NPS-UD

- 4.46 A key objective of the NPS-UD is to ensure “*New Zealand has well-functioning urban environments that enable people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*” It is anticipated that resource management plans will enable more people to live in, and more business and community services to be located in, or near a centre zone or an area well serviced by existing and planned public transport, or where there is high demand for housing or business land. A “Town Centre” is identified as one of the centre zones in the NPS-UD.
- 4.47 Policy 3 of the NPS-UD states that plans must also enable building heights and densities commensurate with the level of commercial activity and community services in and adjacent to other centre zones (Neighbourhood, Local, and Town).
- 4.48 Despite the need for height and intensification variation anticipated in different areas by the NPS-UD, the PDP has set standard controls across the commercial areas with little regard to the level of commercial activity and community services in and adjacent to other centre zones. For example:
- (a) the height limit for all Local centres is 22m whether they have a significant amount of commercial activity such as Newtown, Tawa, and Miramar versus areas such as Kelburn;
 - (b) Integrated retail activity of 20,000m² gross floor area is standardised across all centre types whether it be a small Neighbourhood centre or a large Metropolitan centre;
 - (c) HRZ is not provided for adjacent to Miramar even though it has a high level of commercial activity and community services (supermarket, cinema, community centre etc) when compared to

other smaller local centres which are typically served by foodmarts;
and

- (d) The extent of walkable catchments has not been increased for centres with a greater range of services such as Miramar, Tawa, and Newtown despite the fact that people are prepared to walk further when there is a greater level of services available (see walk to work data from SNZ).

4.49 NPS-UD Section 3.37 highlights the significance of Town Centres in the hierarchy as Councils have to monitor the extent to which development is occurring in City, Metropolitan, and Town Centre Zones (noting that local and neighbourhood centres are not included). If monitoring indicates that development outcomes are not being realised, then action is required. This clarifies that development outcomes for higher order centres need to be clear.

4.50 All of which reinforces the notion that there is a need to identify and include Town Centre zone in the centres hierarchy and in the Wellington City PDP.

National Planning Standards

4.51 Amendments to district plans to align with the National Planning Standards must be notified by Wellington City Council by 2024. One of the mandatory changes includes Standard 8 (Zone Framework) that describes the Zones for all the Commercial and mixed use zones including Town Centres.

4.52 The Zone descriptions in Standard 8 are useful in distinguishing between different types of commercial centre zones (refer **Appendix 3**). These naturally form a hierarchy as follows:

- (a) City Centre Zone – the main Centre for the region or district;
- (b) Metropolitan Centre Zone – focal point for sub-regional urban catchments;
- (c) Town Centre Zone – service the needs of immediate and neighbouring **suburbs**;

(d) Local Centre Zone – service the needs of the **residential** catchment;
and

(e) Neighbourhood Centre Zone – service the needs of the immediate residential neighbourhood.

(emphasis added in **bold**)

4.53 The description in Standard 8 makes a clear distinction between Town Centres which serve the immediate and neighbouring suburbs and Local Centres which serve the residential catchment. Despite this distinction, the PDP has not identified any centres as Town Centres and the description of a Local Centre combines both the Town Centre and Local Centre functionalities into one zone:

“CEKP-O2(3) Local Centres – these centres service the surrounding **residential catchment** and **neighbouring suburbs**. Local Centres contain a range of commercial, community, recreational and entertainment activities....”.

(emphasis added in **bold**)

4.54 This is explained in paragraph 874 of the section 42A report. However, this is not supported by earlier technical work including the Colliers International Sense Partners Retail and Market Assessment report” which I have considered below along with the additional technical work undertaken by Mr Cullen.

Regional Policy Statement for the Wellington Region

4.55 The Operative Regional Policy Statement for the Wellington Region (**RPS**) includes a number of objectives and policies guiding regional form, design, and function. Objective 22 and associated policies seek a viable and vibrant regional central business district in Wellington City along with an increased range and diversity of activities around regionally significant centres and development and management of Regional Focus Areas.

4.56 Plan Change 1 to the RPS introduces a number of changes to Objective 22 and associated policies. There is a greater focus on achieving a well-functioning urban environment, housing affordability (22(i)), enabling intensification, and providing commercial and industrial development in appropriate locations including close to where people live (22(j)). Policies

also focus on not only maintaining viability and vibrancy of regionally significant centres but also locally significant centres (Policy 30) along with enabling a range of building heights (Policy 31).

- 4.57 Policy 31 has been amended to be more directive about enabling rather than promoting a range of building heights and density and re-enforces Policy 3 of the NPS-UD by requiring **high density development** within and on the edge of city centre zones and metropolitan zones, **areas with a range of commercial activities and community services** (emphasis added in bold).
- 4.58 Therefore, in order for the district plan to give effect to the Operative RPS and not be inconsistent with the Proposed RPS, high density housing (such as apartments with a minimum height of at least six storeys) should be enabled in areas with good access to a range of commercial activities and community services (policy 31). As outlined in the technical evidence below Miramar, Newtown, and Tawa have good access to a range of commercial activities and community services and should therefore be provided with surrounding six storey development.

District Plan Approaches across the Wellington Region

- 4.59 The neighbouring territorial authorities in the Wellington region have notified plan changes/variations to implement the HSAA and the NPS-UD, with most of them (excluding Hutt City) also implementing the National Planning Standards in terms of updating their centres classification. However, it is noticeable that this exercise does not appear to have been co-ordinated across the region as discrepancies can be seen with how centres are classified, what height limits are applied within these centres, and the walkable catchment, extent and application of High Density and Medium Density Residential zones in and across the Wellington Region. Regardless of this, town centres are included and seen across other district plans and in neighbouring local authorities in the Wellington region.
- 4.60 **Figure 3** shows the centres hierarchy (whether Operative or Proposed) across the Wellington Region and what Kāinga Ora has sought via submissions on the various plan changes/variations/reviews underway.

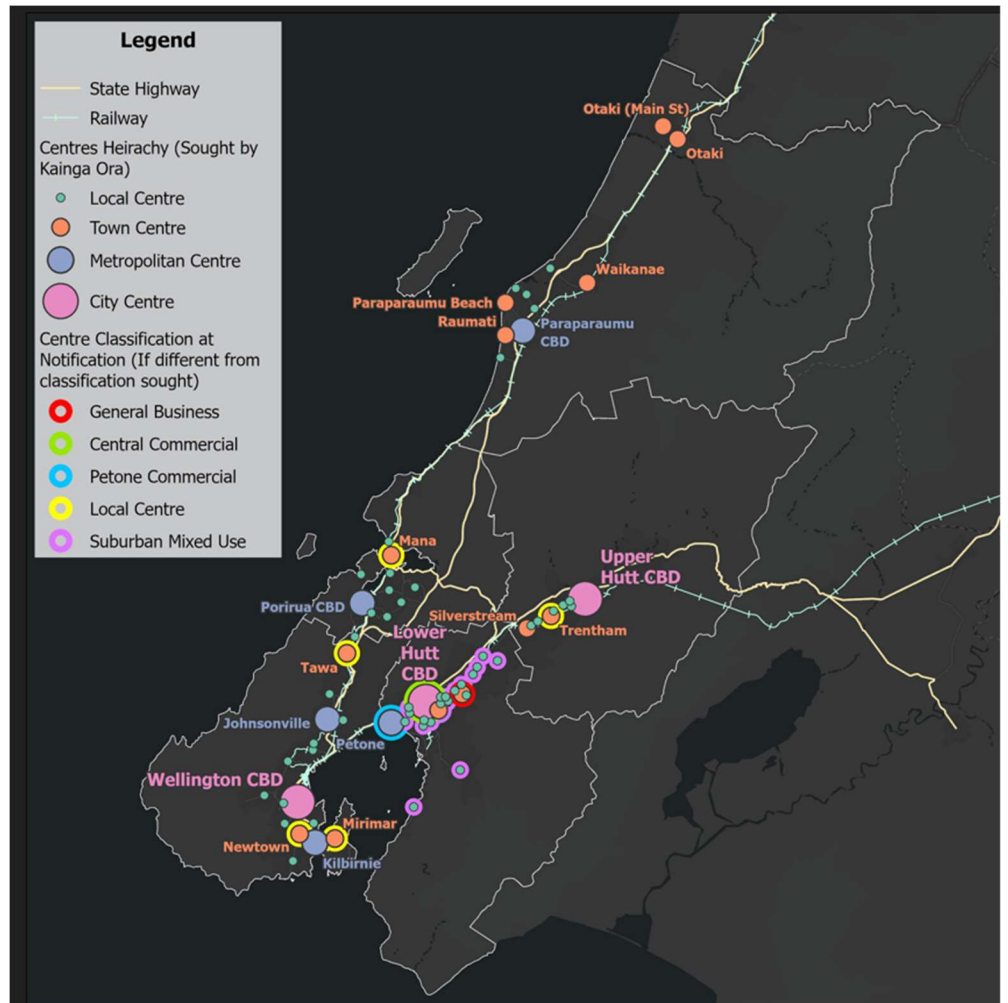


Figure 3 – Regional Centres Hierarchy

4.61 Kāinga Ora has submitted on the RPS and the various changes happening across the Wellington Region in order to improve regional consistency of zones, rules, and provisions regardless of territorial jurisdiction. The introduction of a Town Centre classification in the Wellington City PDP would achieve regional consistency with other Councils across the Wellington region – in that the role and function of a Town Centre in Wellington City is the same and similar to the role and function of town centres across other parts of the Wellington region as well as the rest of the country. This would bring consistency with the National Planning Standards, NPSUD, Regional Policy Statement and Growth Strategies.

Wellington Outer Suburbs Assessment & Evaluation Report 2020

4.62 This report indicates that Tawa and Miramar have a strong to good level of quality and service respectively (p5) and that Tawa and Miramar have

strong to good density enablers such as supermarkets, existing centres, community hubs and primary and intermediate schools (p6). This is further highlighted in the detailed evaluations that follow.

Retail and Market Assessment for Wellington City Council Colliers International Sense Partners 30 November 2020

- 4.63 This report also indicates strong growth in Miramar, Newtown, and Tawa⁴⁵ and recommends that Miramar, Tawa, and Adelaide Road should be Town Centres.

Journey to Work (all modes) Analysis

- 4.64 Maps using 2018 census journey to work data are attached (refer to **Appendix 4** of my evidence). These maps indicate which Statistics New Zealand Statistical Areas (SA2) people journey from to Miramar, Newtown, Tawa and Karori for work. This information reinforces the WCC technical work outlined above indicating that Miramar, Newtown, and Tawa have more of a suburban than residential catchment when compared to other smaller local centres such as Karori.

Overall

- 4.65 Based on the above analysis and references to higher order documents, it is clear that the Plan should include Town Centres in the Centres hierarchy. I am of the opinion that a Town Centre Zone should be included and identified in the PDP. This will be consistent with national and regional direction. I will continue to provide further evidence and justification in support for the inclusion of the Town Centre in the PDP at subsequent hearings.

- 4.66 It was also noted that:

- (a) Miramar had a high spend value and a heavy reliance on the eastern ward area;
- (b) Tawa had spend from both the northern ward and the region;
and

⁴⁵ Retail and Market Assessment for Wellington City Council Colliers International Sense Partners 30 November 2020 – Figures 112,113, and 114 pages 109-111

- (c) Newtown had spend form the southern, eastern and central wards.

Strategic Direction – Objectives

Strategic Objective CC-O2 – Submission Point 391.48 and 391.49

- 4.67 Kāinga Ora supported Objective CC-O2 in part, subject to the following amendments (shown in red):

“Wellington City is a well-functioning Capital City where: ...

4. Urban intensification is delivered in ~~appropriate locations and in~~ a manner that meets the needs of current and future generations.”

- 4.68 In the section 42A report, the reporting officer does not support this amendment. I disagree with the reporting officer as the manner in which urban intensification occurs is critical to meet the needs of future generations, the use of the term “appropriate” is unclear and intensification is anticipated across the urban environment in accordance with the MDRS. I seek removal of the words as sought by Kainga Ora from Objective CC-O2. The zone objectives and policies can detail how and where urban intensification is delivered.

Strategic Objective UFD-O3 – Submission Points 391.80, 391.81, and 391.82

- 4.69 Kāinga Ora submissions sought that all references to assisted housing are removed⁴⁶ for the same reasons as outlined in paragraphs 4.103-4.111 of this evidence. Submissions 391.81 and 391.82 seek additional amendments as follows (shown in red):

“~~Medium to high~~ High density ~~and assisted~~ housing developments are located in areas that are:

1. Connected to the transport network and served by multi-modal transport options; or
2. Within or near a City Centre Zone or a Centre Zone or other area with many employment opportunities; and
3. Served by public open space and other social infrastructure.”

⁴⁶ 391.80

- 4.70 The reporting officer has recommended to decline these changes as the plan makes provision for high density development as directed by NPS-UD Policy 3.
- 4.71 I disagree with the officer's recommendation as Policy 3(d) makes provision for building heights and density of urban form commensurate with the level of commercial activity and community services. The plan is required to enable MDRS provisions across almost the entire residential area. High Density Residential Living should be enabled within and adjacent to centre zones that can support further intensification and provide services and amenities to more people within walking distance. Objective UFD-O3 favours connected areas, centres, and areas with social infrastructure which should be the focus of high density areas to be consistent with NPS-UD policy 3(d).
- 4.72 Furthermore:
- (a) Reference to the City Centre Zone in UFD-O3 (2) clarifies that this is part of the other Centre Zones such as Metropolitan, Town, Local and Neighbourhood in the absence of any definition of "Centre Zones"; and
 - (b) Clarification is needed to indicate that High Density Housing, rather than medium density, is provided for in the PDP adjacent to Centre Zones. This recognises that medium density housing is provided across the wider urban environment; and
 - (c) Assisted housing does not need specific reference as it is a sub-set of high density housing.
- 4.73 Kāinga Ora lodged a further submission⁴⁷ in relation to a primary submission by Transpower⁴⁸ that sought to include a note clarifying that medium to high density housing developments may not be appropriate in qualifying matter areas. In my opinion this is superfluous as UFD-O7 clarifies how development will achieve well-functioning urban environments by addressing qualifying matters such as heritage and servicing.

⁴⁷ FS89.24

⁴⁸ 315.46

4.74 Kāinga Ora also lodged a further submission⁴⁹ to the WIAL primary submissions⁵⁰ seeking to ensure compatibility of development with regionally significant infrastructure. The reporting officer has disagreed with the amendments sought as the objective is focussed on enablers of growth, consistent with Policy 1 of the NPS-UD and WIAL has rights as a requiring authority to control development that will have effects on the operation of the airport. I agree with the reporting officer that a further change is not required to objective UFD-03.

Strategic Objective UFD-O4 – Submission Point 391.83 and 391.84

4.75 Kāinga Ora lodged submissions seeking clarification in objective UFD-O4 that the specified development capacity is a minimum to be provided in the District Plan rather than a target. An amendment is sought as follows (shown in red):

“In order to achieve sufficient, feasible land development capacity to meet expected housing demand, the following housing bottom lines below are to be ~~met or~~ exceeded in the short-medium and long term in Wellington City as contained in the Wellington Regional Housing and Business Capacity Assessment (Housing Update 2022).”

4.76 The reporting officer recommends declining these amendments.⁵¹ I disagree with the officers’ recommendation as it will be key for the plan to enable enough feasible development capacity that exceeds, rather than meets bottom lines in order to achieve housing affordability objectives of the NPS-UD as follows:

NPS-UD Objective 2: “Planning decisions improve housing affordability by supporting competitive land and development markets”

4.77 This is on the basis that the more capacity that is enabled the more likely that housing opportunities will be realisable. Mr Cullen addresses this further in his brief of evidence. This approach is further re-enforced via NPS-UD Policy 2 which requires that “at least” sufficient development capacity is provided to meet expected demand for housing and business land over the short, medium, and long term.

⁴⁹ FS89.117

⁵⁰ 406.74, 406.75 and 406.76

⁵¹ S42A report paragraph 1177

4.78 I remain of the opinion that the amendments sought by Kāinga Ora are appropriate and should be made.

Strategic Objective UFD-O5 – Submission Point 391.85 and 391.86

4.79 Kāinga Ora lodged submissions seeking clarification in Objective UFD-O5 that the specified development capacity is a minimum to be provided in the District Plan rather than a target. An amendment is sought as follows (shown in red):

~~At least S~~sufficient, feasible land development capacity is available to meet the short, medium, and long-term business land needs of the City, as identified in the Wellington Regional Housing and Business Capacity Assessment

4.80 The reporting officer recommends declining these changes because they are obvious.⁵²

4.81 I disagree with the officers' recommendation as these changes provide more clarity and, like submission points 391.83 and 391.84 above, I consider these amendments are necessary to align with NPS-UD policies that confirm that specified development capacity is a minimum requirement, rather than a target and that this should factor in feasible development not all potential capacity.

4.82 NPS-UD Policy 2 states “expected demand” should be met and housing bottom lines required by NPS-UD Policy 7 should factor in “feasible” land development as required by NPS-UD section 3.2 (emphasis shown in bold):

“3.2 Sufficient development capacity for housing

(1) Every tier 1, 2, and 3 local authority must provide **at least** sufficient development capacity in its region or district to meet expected demand for housing:

- a) in existing and new urban areas; and
- b) for both standalone dwellings and attached dwellings; and
- c) in the short term, medium term, and long term.

⁵² S42A report paragraph 1178

- (2) In order to be sufficient to meet expected demand for housing, the development capacity must be:
- a) plan-enabled (see clause 3.4(1)); and
 - b) infrastructure-ready (see clause 3.4(3)); and
 - c) **feasible** and reasonably expected to be realised (see clause 3.26); and
 - d) for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (see clause 3.22)."

4.83 I am of the opinion that the amendments sought by Kāinga Ora are appropriate and should be made.

Strategic Objective UFD-O6 – Submission Points 391.87, 391.88 and 391.89

4.84 Kāinga Ora has sought amendments to Objective UFD-O6 to clarify that tenure is not relevant in achieving quality urban environments, but the range of types and sizes of housing are. Removal of reference to assisted housing is also sought. An amendment is requested as follows (shown in red):

A variety of housing types and sizes ~~and tenures, including assisted housing, supported residential care, and papakainga options,~~ are available across the City to meet the community's diverse social, cultural, and economic housing needs.

4.85 The reporting officer has declined these changes as price is seen as a de facto for different ownership arrangements and tenure is seen as relevant to inform the plans approach to assisted housing.⁵³ I disagree with the officers' recommendation as the provision of a variety of housing is critical to achieve a well-functioning environment in accordance with NPS-UD policy 1 that requires a variety of homes are enabled to "*meet the needs, in terms of **type, price, and location, of different households***" (emphasis in bold).

4.86 There is no reference to different tenures and to reference this with examples unnecessarily limits the objective when wider forms of housing may be appropriate. Kāinga Ora is also opposed to the approach to

⁵³ S42A report paragraph 1182

assisted housing in the plan as the effects of all types of housing should be treated the same. I consider that the amendments sought by Kāinga Ora are appropriate and should be made.

Strategic Objective UFD-O8 – Submission Point 391.91

4.87 The Kāinga Ora submission sought the deletion of UFD-O8. The reporting officer does not agree that UFD-O8 should be deleted as he considers the Objective provides high level direction for Character Precincts. I disagree with the officers' recommendation as character areas are identified for their amenity value and are therefore not considered an appropriate qualifying matter in accordance with NPS-UD section 3.32 and 3.33 and NPS-UD Policy 4 that only allows building heights and density requirements to be altered for qualifying matters.

4.88 Section 77L of the RMA requires that, before a qualifying matter is deemed appropriate, an evaluation report also:

“(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by Policy 3) inappropriate in the area; and

(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and

(c) includes a site-specific analysis that—

- I. identifies the site to which the matter relates; and
- II. evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and
- III. evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.”

4.89 A review of the Section 32 Evaluation Report – Part 2 Character Precincts and the Mount Victoria North Townscape Precinct indicates that an appropriate evaluation has not yet been sufficiently completed to meet these requirements. The Section 32 notes the following:

“At date of publication the Council is awaiting a detailed assessment that meets and goes beyond the requirements of 77K and 77Q of the RMA to demonstrate the net effect of each qualifying matter on the provision of development capacity, including those new scheduled items that are not currently scheduled in the operative district plan. This report will be published approximately August 2022 and made publicly available to support this section 32 report.”

- 4.90 That report was developed in November 2022 and is titled “Wellington City Qualifying Matters Capacity Assessment”. This assessment, or the section 32, do not appear to have evaluated the range of options to achieve the greatest heights and densities permitted by the MDRS in accordance with section 77L(c)(iii). Further, the assessment has not justified why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD, in accordance with section 77L(b). I consider this to be deficient and therefore the UFD-O8 should be amended to better balance the need for character recognition as well as urban intensification.
- 4.91 Furthermore, NPS-UD Policy 6 indicates that adverse effects do not apply to impacts on amenity values anticipated by planned urban built form.
- 4.92 I also note that any areas that have historic heritage value will be guided by PDP Objective UFD-O7 that requires development to respect the City’s historic heritage (UFD-O7.6) and adapt over time and be responsive to evolving and a more intensive surrounding context (UFD-O7.8). Consequently, any areas that are true historic heritage areas will be protected and any potential character areas need to recognise changing amenity values anticipated by the MDRS standards.
- 4.93 If Objective UFD-O8 is retained, it should be altered to better reflect the planned urban built form anticipated by the Medium Density Residential Zone that generally provides for no more than three residential units as a permitted activity. Kāinga Ora submissions⁵⁴ seek that the Character Precincts are replaced by a Character Area Overlay (Appendix 3 of the Kāinga Ora primary submission) that attempts to better resolve conflicting outcomes of housing intensification and character/amenity

⁵⁴ 391.315 and 391.316

maintenance. The evidence of Mr Rae also emphasises the need to: *“require development to be responsive to the key character aspects of the context, retention of historic built form where possible, while allowing for a sympathetic change in neighbourhood character recognising the opportunity for higher density outcomes in very close proximity to the City Centre.”*

- 4.94 The objectives and policies in the Character Area Overlay proposed by Kāinga Ora outline that character areas are managed to maintain streetscape character values and rules provide for additions and new buildings behind the frontage of existing buildings. Mt Victoria provisions have a focus on townscape values and Oriental Bay provisions focus on accommodating medium to high density residential development. Given this varied approach it is considered that if UFD-O8 is not deleted then it should be amended as follows (shown in red):

Areas of identified special character are recognised and new development within those areas is responsive to their varying streetscape values while recognising their role in accommodating medium to high density residential development context and, where possible, ~~enhances that character.~~

- 4.95 Evidence on specific submission points 391.315 and 391.316 relating to the merits of character precincts will be presented at the Stream 2 - Residential hearing. Consequently, the wording of objective UFD-O8 should be further reviewed in light of any evidence tested at Hearing Stream 2.

Qualifying matters

- 4.96 KiwiRail⁵⁵ sought that a new qualifying matter is added with respect to the rail corridor. It says this is necessary because the development potential enabled under the MDRS risks interference with and maintenance of the rail corridor. KiwiRail considers 5m to be an appropriate distance. Kāinga Ora opposed the KiwiRail submission.⁵⁶
- 4.97 With respect to KiwiRail (408.19) the reporting officer indicates that he is unable to support the addition of a qualifying matter for rail corridors as there is insufficient evidence to understand the national significance

⁵⁵ 408.19, 408.20

⁵⁶ FS89.26

of all parts of the rail corridor and the level of interference currently being experienced⁵⁷. I concur with the officer's conclusion noting that this will be revisited within Hearing Stream 2.

4.98 Kāinga Ora lodged further submission⁵⁸ opposing the Lower Kelburn Neighbourhood Group submission⁵⁹ which sought for sunshine and privacy to be included as qualifying matters.

4.99 I concur with the reporting officer's statement that sunshine and privacy and negative environmental effects of high rise development are not justifiable as qualifying matters given the direction in NPS-UD Objective 4 and Policy 6.⁶⁰ I also note that Kāinga Ora has raised similar concerns relating to character (a subset of amenity) being identified as a qualifying matter. In the case of sunshine, privacy and character, I do not consider these matters meet the criteria in section 3.32 of the NPS-UD and section 77I of the RMA; or the tests under section 3.33 NPS-UD and section 77L of the RMA.

5. DEFINITIONS

5.1 Kāinga Ora opposed the various definitions of different housing/development typologies and tenures including:

- (a) Assisted Housing (391.32);
- (b) Multi-Unit Housing (391.35 and 391.13); and
- (c) Reverse sensitivity (391.9).

As these appear to over complicate the plan and provide uncertainty. Kāinga Ora also provided further submissions in support of primary submissions seeking additional definitions of Rapid Transit Stops (FS89.69). These matters are addressed below.

⁵⁷ S42A report – Paragraph 88

⁵⁸ FS89.88

⁵⁹ 356.4

⁶⁰ S42A report – Paragraphs 91 and 92

Assisted Housing

- 5.2 In its primary submission,⁶¹ Kāinga Ora sought the deletion of the definition for Assisted Housing,⁶² together with any references in the PDP. The reporting officer disagrees, considering the definition is necessary for the operation of the city outcomes contribution mechanism.⁶³ The officer notes that the city outcomes contributions apply to over height residential and non-residential buildings in the High Density Residential Zone, the City Centre Zone, and other Centres and this approach incentivises the provision of assisted housing in exchange for allowing additional height and density.⁶⁴
- 5.3 While I acknowledge that the definition is necessary for the City Outcomes contribution mechanism, I do not agree that the City Outcomes Contributions provisions are appropriate. If it is appropriate to infringe height and density controls for assisted housing then why is it not appropriate to infringe these limits for all housing, particularly as infringements of development standards need to be assessed on their effects under the RMA? Ultimately the effects are the same. The purpose of the RMA (section 5) is to sustainably manage natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being. Providing specifically for 'assisted housing' distinguishes one type of housing from another whereas the RMA requires enabling all people and all communities to provide for their social, economic and cultural well-being without distinction.
- 5.4 If the only reason that assisted housing is defined in the plan is to address the City Outcomes Contributions provisions, then the definition of Assisted Housing should be deleted and the definition of residential activity⁶⁵ and residential unit⁶⁶ can be relied upon.

⁶¹ 391.32.

⁶² "Residential units managed by a government, local government, iwi authority, community housing provider or other similar organisation, and occupied by people or households at below-market rates that are affordable for up to median income households as measured by the Wellington Housing Affordability Model. Examples of assisted housing may include long-term leases, rent-to-buy, long-term affordable rentals, subsidised co-housing, and social housing under the Public and Community Housing Management Act 1992."

⁶³ Section 42A report, paragraph 526.

⁶⁴ Section 2A report, paragraph 521.

⁶⁵ Which is defined as "means the use of land and building(s) for people's living accommodation".

⁶⁶ Which is defined as "means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing, and toilet facilities".

- 5.5 To give effect to the Amendment Act and the NPS-UD the PDP should be focused on enabling all forms of housing across the city without distinction as to the types of housing.

Multi-Unit Housing

- 5.6 Submissions by Kāinga Ora sought the deletion of the definition of Multi-Unit Housing⁶⁷ (391.35) and consequential references across the district plan (391.13). In my opinion, Multi-Unit Housing should not be defined as a separate activity type from stand-alone houses or any other residential typology for the purposes of the zone rules and standards. Residential development should be considered on its effects and merits rather than specifically on typology or the scale/collective number of dwellings.
- 5.7 The reporting officer rejects this approach and states that Multi-Unit developments can have adverse effects on neighbouring land uses and the wider environment, and the definition is necessary to allow these types of developments to be assessed as part of the resource consents process including against relevant policies and design guides.⁶⁸
- 5.8 While I agree that development of four or more units may in some circumstances have adverse effects, the definition of Multi-Unit Housing is superfluous as rules controlling more than three residential units are typically restricted discretionary activities, which is the same as rules for Multi-Unit Housing (see for example MRZ - R13 and MRZ – R14). The number of units should be controlled by the rule setting/consent threshold not the definition. Relevant policies can simply refer to the number of residential units rather than Multi-Unit Housing (see for example Kāinga Ora submissions to MRZ and HRZ Policy 6 outlined above).

Qualifying Matter

- 5.9 Kāinga Ora provided a further submission (FS89.23) in opposition to Transpower's primary submission (315.15) seeking a definition of the term qualifying matter. I do not consider a definition of qualifying matter is critical as this is already provided for in the RMA as "any matters referred to in RMA section 771 or 770."⁶⁹

⁶⁷ any development that will result in four or more residential units on a site, excluding residential development within the Oriental Bay Precinct Area

⁶⁸ Section 42 report, paragraph 610.

⁶⁹ See section 2 of the RMA.

5.10 I concur with the reporting officer that other matters such as the WIAL and KiwiRail designations have the effect of limiting development capacity and therefore do not warrant specific mention in the definition. I do however, support the recommendation of the officer to include the RMA definition of Qualifying Matter for the sake of completeness, to be consistent with the approach taken by Porirua City Council and to future proof the PDP.

Reverse Sensitivity

5.11 Kāinga Ora submission sought the deletion of the definition of "reverse sensitivity" (391.9) as this matter is covered by general considerations relating to adverse effects.

5.12 The reporting officer notes⁷⁰ that failure to recognise reverse sensitivity would compromise the operation of existing lawfully established infrastructure. Amendments to the definition are also recommended as follows:

“means the potential for the development, upgrading, operation and maintenance of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by the existing activity.”

5.13 I am not opposed to including a definition of reverse sensitivity. However, based on previous experience I do question whether:

- (a) making unlimited provision for upgrading in a definition is appropriate;
- (b) whether infrastructure coming to lawfully established operations is appropriate; and
- (c) whether perceived effects are appropriate to consider

5.14 On this basis I oppose including a definition of reverse sensitivity and reserve the right to present evidence at later hearings on how this has been included in other provisions throughout the PDP.

⁷⁰ Section 42A report, paragraph 664.

6. SUMMARY OF PROPOSED WORDING CHANGES SOUGHT

- 6.1 Copies of the proposed additional changes are included in **Appendix 5** of my evidence. I can confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to this hearing topic.

7. CONCLUSION

- 7.1 In conclusion, I am of the opinion that the amendments sought by Kāinga Ora (as outlined in my evidence) are appropriate and will assist in improving the consistency, usability and interpretation of provisions with the Proposed District Plan. This will include how provisions are interpreted by both plan users and Councils within the Wellington region and nationally.

- 7.2 In accordance with section 32AA of the RMA I consider that the amendments to the PDP Strategic Objectives are the most appropriate means of achieving the Act for the following reasons:

- (a) Taking a focussed approach to the identification of qualifying matters to exclude matters such as character and design will:
- (i) ensure that development opportunities are not unduly impinged
 - (ii) allow Council to fulfil its functions under section 31 of the RMA;
 - (iii) give effect to higher order documents; and
 - (iv) not result in unreasonable costs for the community.
- (b) The addition of Town Centres to the hierarchy of centres, the expansion of walkable catchments, and acknowledgement that feasible land capacity targets are minimums, and the balancing of character with the need for high density residential development to accommodate future growth will ensure Council:
- (i) gives effect to higher order documents, particularly the Objectives of the NPS-UD;
 - (ii) avoids unreasonable costs for the community; and

- (iii) will not result in unreasonable cost to the community;
- (iv) will allow Council to fulfil its functions under section 31 of the RMA;
- (v) be an effective and efficient means of giving effect to higher order documents; and
- (vi) meet the needs of current and future generations to provide for the social, economic, and cultural well-being through the provision of sufficient land capacity for housing and business needs.

7.3 I also consider that the deletion of definitions of assisted housing and multi-unit housing, amendments to the definitions of Rapid Transit and Rapid Transit Stop, and the Walkable catchment definition and Policy change I proposed will aid in ensuring the plan provisions will be the most efficient and effective method of achieving the updated Strategic objectives.

7.4 Overall, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA (including proposed changes to objectives), relevant objectives of the PDP and other relevant statutory documents.

Matthew Cecil Heale

7 February 2023

Appendix 1 – Kāinga Ora Submission Points

Primary Submissions		
Submission Number	Plan Provision	Submission summary
391.32	Definition of 'Assisted Housing'	Opposed definition and sought deletion of the term throughout the Plan.
391.35	Definition of 'Multi-Unit Housing'	Opposed defining 'Multi-Unit Housing' as a separate activity type from stand-alone houses or any other residential typology for the purposes of the zone rules and standards. Seeks deletion of this definition. Consequential changes will also be needed throughout the residential, commercial, and mixed-use zone provisions to remove this distinction. It is considered that residential development should be considered on the basis of its effects and merits rather than specifically on typology or the scale/collective number of dwellings.
391.38 - 391.42	National Direction Instruments Subpart/ National Direction Instruments / National Policy Statement and New Zealand Coastal Policy Statement	Sought an amendment to walkable catchments to better align with Policy 3 of the NPS-UD. Sought an amendment to the spatial extent of the High Density Residential Zone and provisions of greater heights and densities within a walkable catchment of centres. Note – it is unclear why this submission has been related to the National Direction section of the Plan.
391.43	Strategic Direction / Anga Whakamua Moving into the future / AW-O1	Generally supportive of Objective AW-O1, retain as notified.
391.44	Strategic Direction / Anga Whakamua Moving into the future / AW-O2	Generally supportive of Objective AW-O2, retain as notified.
391.45	Strategic Direction / Anga Whakamua Moving into the future / AW-O3	Generally supportive of Objective AW-O3, retain as notified.
391.46	Strategic Direction / Anga Whakamua Moving into the future / AW-O4	Generally supportive of Objective AW-O4, retain as notified.
391.47	Strategic Direction / Capital City / CC-O1	Generally supportive of Objectives CC-O1, retain as notified.

Primary Submissions		
Submission Number	Plan Provision	Submission summary
391.50	Strategic Direction / Capital City / CC-03	Generally supportive of Objective CC-O3, retain as notified.
391.48 - 391.49	Strategic Direction / Capital City / CC-02	Generally supportive of Objective CC-O1 but sought an amendment to ensure the objective does not overly constrain where urban intensification can occur as current wording is too restrictive.
391.51, 391.52 & 391.54	Strategic Direction / City Economy Knowledge and Prosperity / CEKP-O1, CEKP-O3 & CEKP-O4	Generally supportive of Objectives CEKP-O1, CEKP-O2 & CEKP-O4, retain as notified.
391.53	Strategic Direction / City Economy Knowledge and Prosperity / CEKP-O2	Sought that the objective is amended to include reference to Town Centres which should be introduced to the centres hierarchy to differentiate between the scale, role and function of Local and Town Centres and ensure consistency with the National Planning Standards and better reflect growth outcomes and the role and function of centres within the urban environment.
391.55 – 391.60	Strategic Direction / Historic Heritage and Sites and Areas of Significance to Māori / HHSASM-O1 – HHSASM-O5	Generally supportive of Objectives HHSASM-O1 – HHSASM-O5, retain as notified.
391.61 – 391.64	Strategic Direction / Natural Environment / NE-O1 - NE-O4	Generally supportive of Objectives NE-O1 – NE-O4, retain as notified.
391.65 – 391.70	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1 – SCA-O5	Generally supportive of Objectives SCA-O1 – SCA-O5, retain as notified.
391.71 – 391.74	Strategic Direction / Sustainability Resilience and Climate Change / SRCC-O1 -SRCC-O4	Generally supportive of Objectives SRCC-O1 – SRCC-O5, retain as notified.
391.75 – 391.77	Strategic Direction / Urban Form and Development / General UFD	Opposed the use of the term 'assisted housing' and sought that the term is removed from the Urban Form and Development Chapter, including the introduction.
391.78 – 391.79	Strategic Direction / Urban Form and Development / UFD-O1 & UFD-O2	Generally supportive of Objectives UFD-O1 & UFD-O2, retain as notified.

Primary Submissions			
Submission Number		Plan Provision	Submission summary
391.80 – 391.82		Strategic Direction / Urban Form and Development / UFD-O3	Supportive in part but sought an amendment to the Objective to remove reference to ‘assisted housing’ and to be more enabling for higher density residential living across the city, including the city centre zone to align with the NPS-UD.
391.83 – 391.84		Strategic Direction / Urban Form and Development / UFD-O4	Supportive in part but sought an amendment to clarify that the specified development capacity is a minimum to be provided through the district plan rather than a target.
391.85 – 391.86		Strategic Direction / Urban Form and Development / UFD-O5	Supportive in part but sought an amendment to clarify that the specified development capacity is a minimum to be provided through the district plan rather than a target and that feasible development should be provided for.
391.87 – 391.89		Strategic Direction / Urban Form and Development / UFD-O6	Sought an amendment to UFD-O6 to remove reference to ‘assisted housing’ and to clarify that tenure is not relevant to achieving quality urban environments, but the range of types and sizes of houses are relevant.
391.90		Strategic Direction / Urban Form and Development / UFD-O7	Generally supportive of Objective UFD-O7, retain as notified.
391.91		Strategic Direction / Urban Form and Development / UFD-O8	Opposed UFD-O8 and sought deletion due to the recognition of ‘special character’ at the strategic level of the Plan. It was considered that Character is not an NPS-UD qualifying matter and the provisions of the objective are more appropriately addressed through the relevant zone provisions and precincts.
391.9		Whole PDP / Whole PDP / Whole PDP	Sought that references to ‘reverse sensitivity’ as part of an adverse effect was deleted as reverse sensitivity can be covered by general considerations relating to adverse effects.
Further Submissions			
Original Submission	Further Submission Number	Plan Provision	Submission summary
254.5 Generation Zero Inc	89.66	Whole PDP / Whole PDP / Whole PDP	Supportive of the PDP supporting development of adequate housing through densification and supporting infrastructure for the wellbeing of everyone in the WCC area and to deliver the right to a decent home.
406.7	89.109	Whole PDP / Whole PDP / Whole PDP	Oppose the submission insofar as amendments may result in constraints to urban development surrounding the airport. There is a lack of clarity on what would constitute ‘incompatible land use and development.’

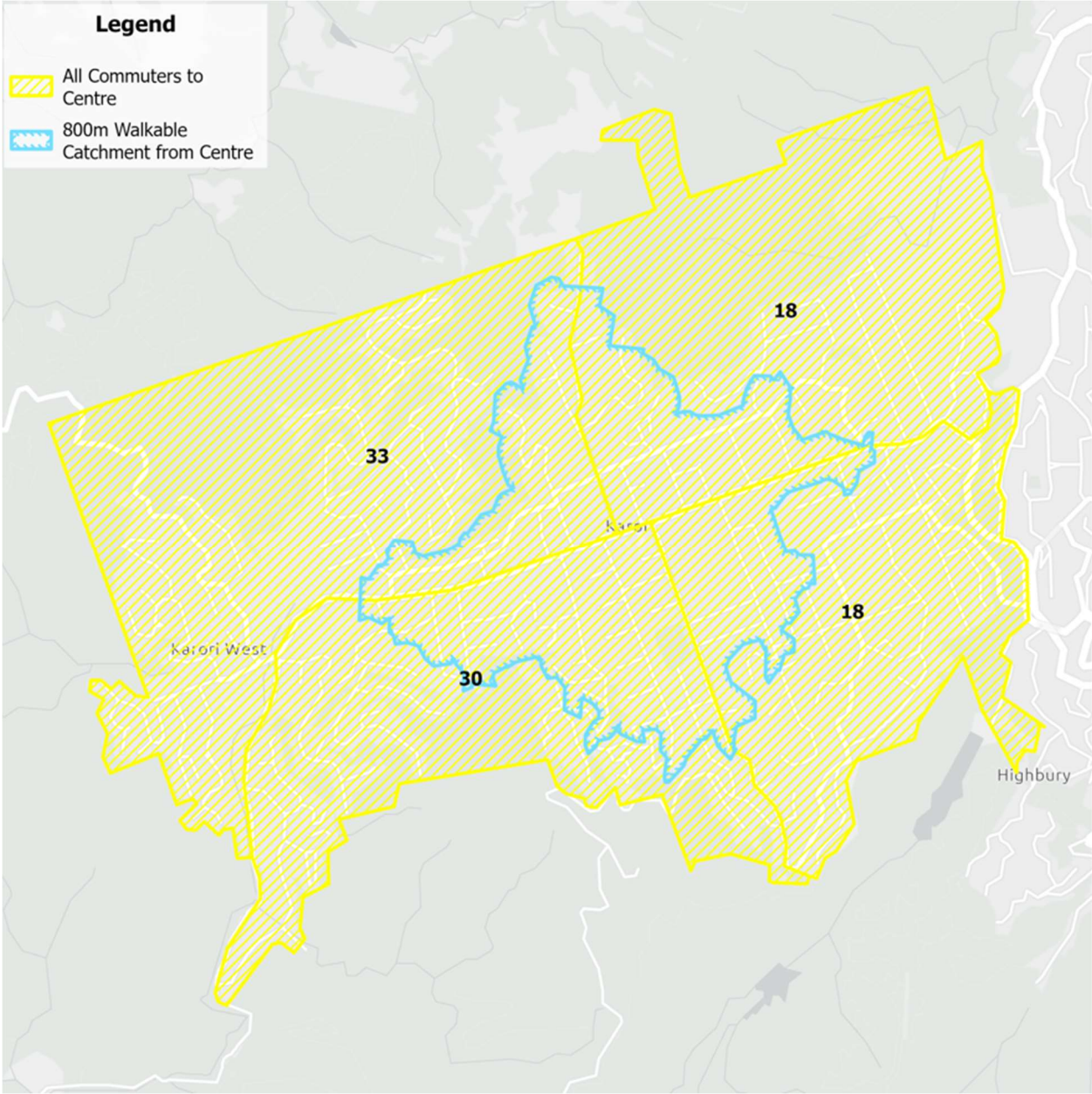
Primary Submissions			
Submission Number		Plan Provision	Submission summary
Wellington International Airport Ltd			
420.2 The Urban Activation Lab of Red Design Architects	89.161	Whole PDP / Whole PDP / Whole PDP	Opposes the submission to make greater provision for limited notification, in relation to light. The submission is inconsistent with Kāinga Ora's original submission.
254.2 Generation Zero Inc	89.65	Other / Other / Other	Supportive of the requirement for further analysis in accordance with s77L in regard to Character Precincts within the Medium Density Residential Zone.
342.6 Mt Victoria Residents' Association	89.97	Other / Other / Other	Opposes the submission which impacts on the supply of a variety of housing choices and typologies in Wellington, noting that NPS-UD capacity requirements are minimums not targets.
488.1 Te Rūnanga o Toa Rangatira	89.42	Other / Other / Other	Supportive of the introduction of a standalone papakāinga chapter.
254.10 -254.12 Generation Zero Inc	89.71 – 89.74	National Direction Instruments Subpart / National Direction Instruments/ National Direction Instruments General	Supportive of submission insofar as it aligns with Kāinga Ora's original submission.
408.19 KiwiRail Holdings Ltd	89.26	National Direction Instruments Subpart / National	Opposes inclusion of the rail corridor as a qualifying matter and any consequential changes to other provisions and rules relating to the rail corridor as a qualifying matter (in particular 408.116 & 408.120).

Primary Submissions			
Submission Number		Plan Provision	Submission summary
		Direction Instruments/ National Direction Instruments General	
254.14 Generation Zero Inc.	89.75	National Direction Instruments Subpart / National Direction Instruments / National Policy Statements and New Zealand Coastal Policy Statement	Supportive of the submission that the area of walkable catchment around the city centre zone where 6 storey development is enabled is increased to 15 minutes.
351.50 Greater Wellington Regional Council	89.13	National Direction Instruments Subpart / National Direction Instruments / National Policy Statements and New Zealand Coastal Policy Statement	Supportive of the submission to request that Johnsonville Railway Line is a rapid transit line.
356.4 – 356.5 Lower Kelburn Neighbourhood Group	89.88 -89.89	National Direction Instruments Subpart / National Direction Instruments / National Policy Statements and New Zealand Coastal Policy Statement	Opposes the submission to have character a qualifying matter in the High Density Residential Zone due to the potential impact on the supply of a variety of housing choices and typologies in Wellington.
370.43 Waka Kotahi	89.16	National Direction Instruments	Supportive of the submission that a 10 minute walkable catchment does not realise the development capacity required by the NPS-UD.

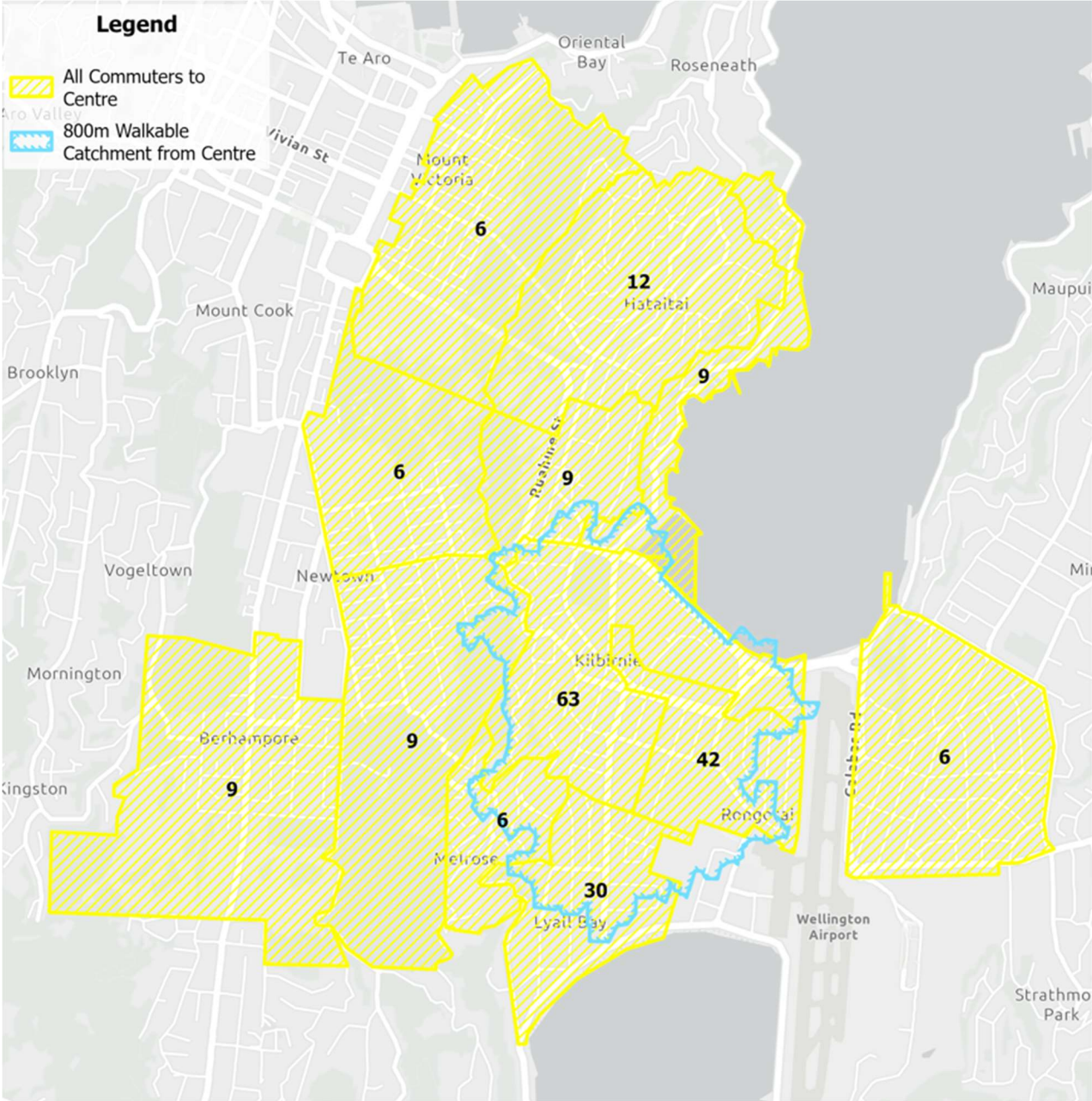
Primary Submissions			
Submission Number		Plan Provision	Submission summary
		Subpart / National Direction Instruments / National Policy Statements and New Zealand Coastal Policy Statement	
408.20 KiwiRail Holdings Ltd	89.29	National Direction Instruments Subpart / National Direction Instruments / National Policy Statements and New Zealand Coastal Policy Statement	Opposes the 5m setback as a reduced setback would provide adequate space for maintenance activities within sites adjacent to the rail network. Safe, efficient and effective operation of rail infrastructure could be maintained with a lesser setback which would balance costs on landowners.
254.8 Generation Zero Inc.	89.68	Interpretation Subpart / Definitions / New definition	Supportive of a new definition for walkable catchment insofar as it aligns with Kāinga Ora's original submission.
315.14-315.15 Transpower New Zealand Ltd	89.22	Interpretation Subpart / Definitions / New definition	Opposes request for a definition of qualifying matter as a definition is not required to aid interpretation or implementation of the Plan. Furthermore, the definition could constrain urban development. Opposes any consequential changes to other provisions and rules referencing this proposed new term.
254.9 Generation Zero Inc	89.69-89.70	Interpretation Subpart / Definitions / New definition	Supportive of a new definition for rapid transit stop insofar as it aligns with Kāinga Ora's original submission. However, individual stations do not need to be identified in the definition.
240.7240.8 Ara Poutama Aotearoa the Department of Corrections	89.4-89.5	Interpretation Subpart / Definitions / New definition	Opposes the submission to delete the definition of 'supported residential activity'.

Primary Submissions			
Submission Number		Plan Provision	Submission summary
315.46 Transpower New Zealand Limited	89.24	Strategic Direction / Urban Form and Development / UFD-O3	Opposes the amendment which adds a note that medium and high density housing developments may not be appropriate in qualifying matter areas as this is unnecessary and inconsistent with Kāinga Ora's original submission.
406.74 Wellington International Airport Ltd	89.117	Strategic Direction / Urban Form and Development / UFD-O2	Opposes the submission to delete UFD-O2 which should be retained as notified, the deletion of the objective could result in a potential conflict between urban development around the airport. Compatible is a relatively high threshold which could have unintended consequences of unnecessarily limiting development.
406.74 Wellington International Airport Ltd	89.118	Strategic Direction / Urban Form and Development / UFD-O3	Seeks that UFD-O3 is retained as notified because the effects of medium and high density housing development can be managed so as not to constrain and / or curtail the airport operation.
240.9 Ara Poutama Aotearoa the Department of Corrections	89.6	Strategic Direction / Urban Form and Development / UFD-O6	Opposes the proposed amendments to remove reference to 'supported residential activity'.
406.78 Wellington International Airport Ltd	89.119	Strategic Direction / Urban Form and Development / UFD-O7	Opposes proposed amendments to UFD-O7 which should be retained as notified because the effects of medium and high density housing development can be managed so as not to constrain and / or curtail the airport operation.

Karori – Local Centre



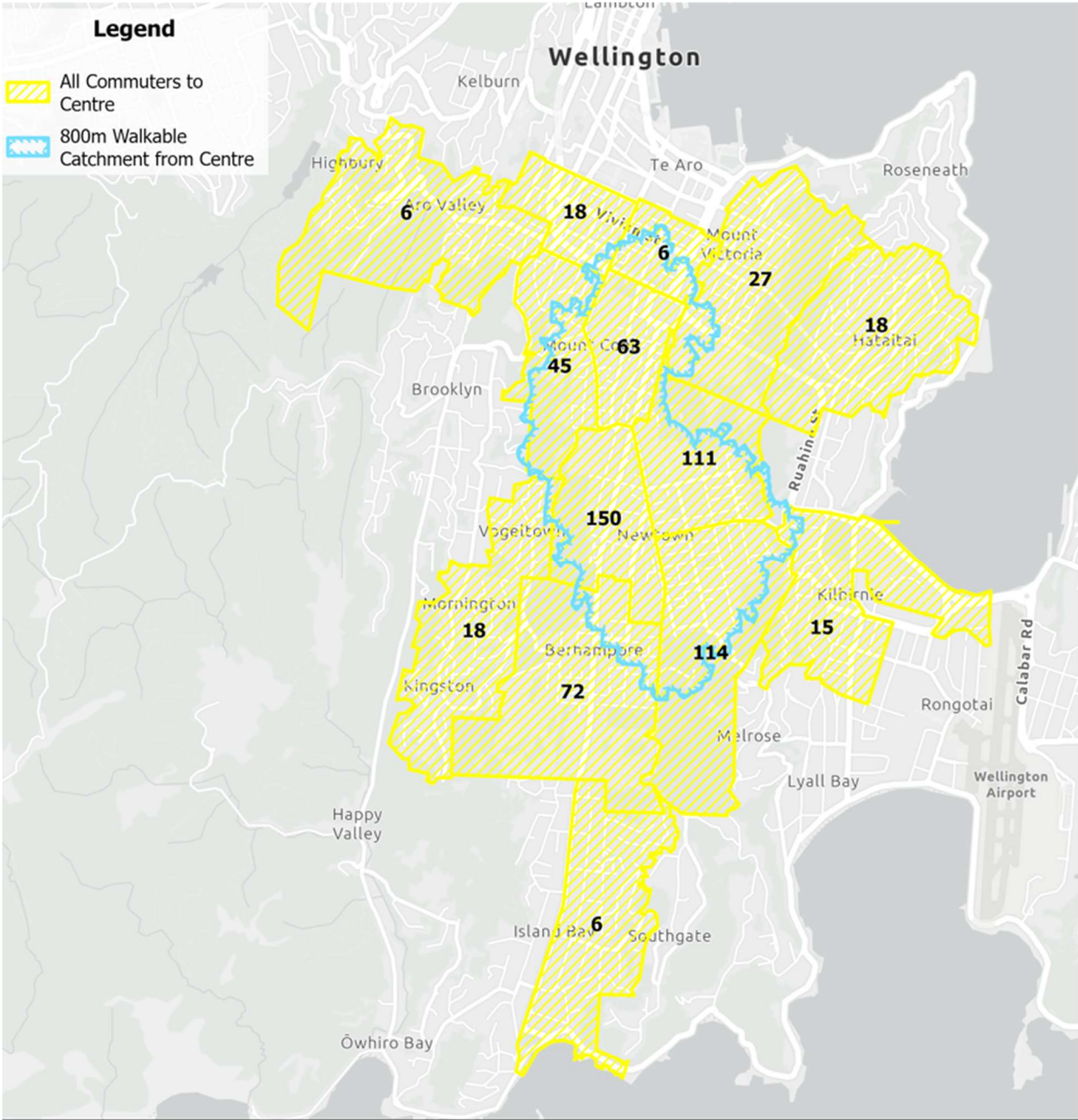
Kilbirnie – Metropolitan Centre



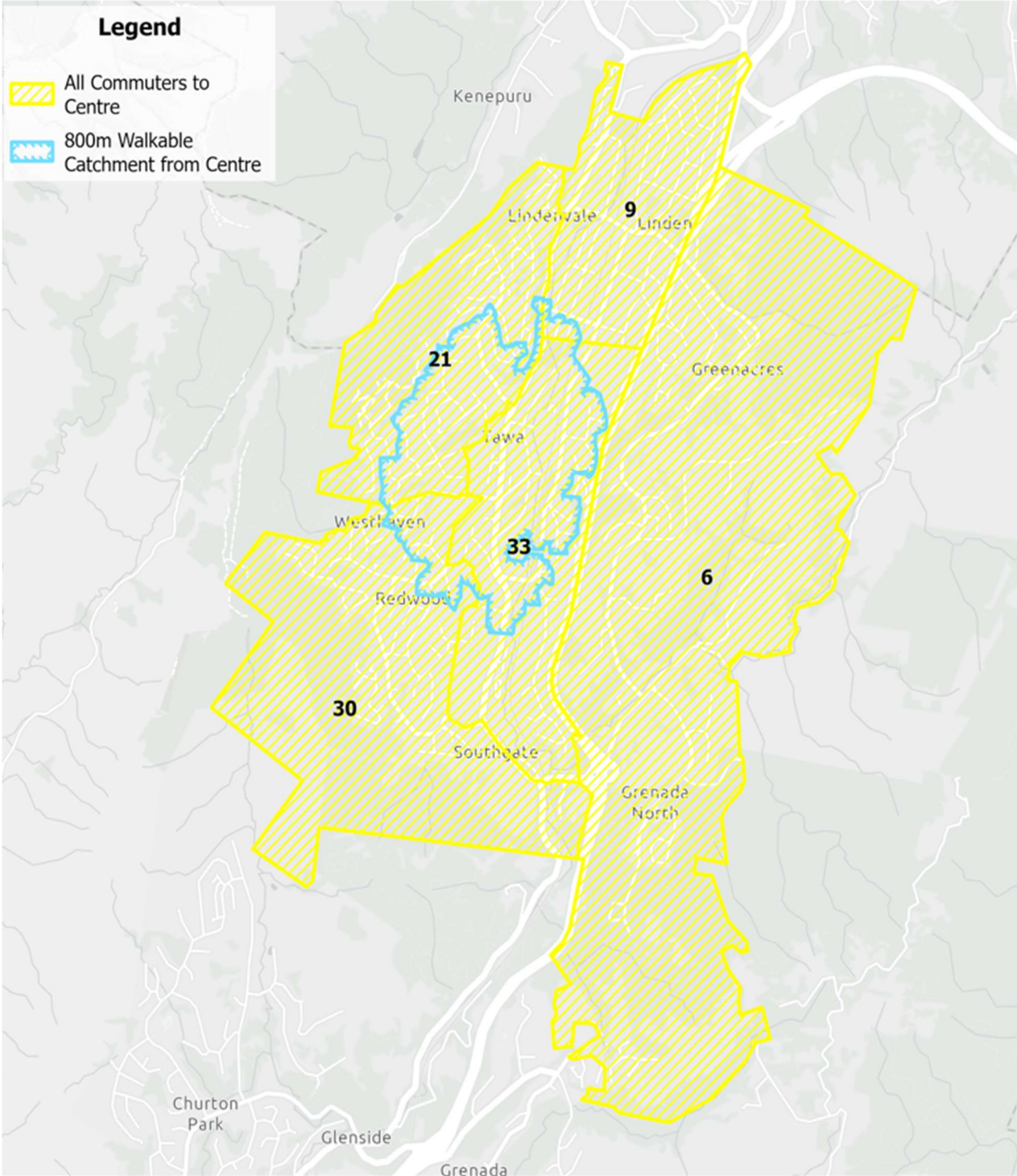
Miramar – Town Centre



Newtown – Town Centre



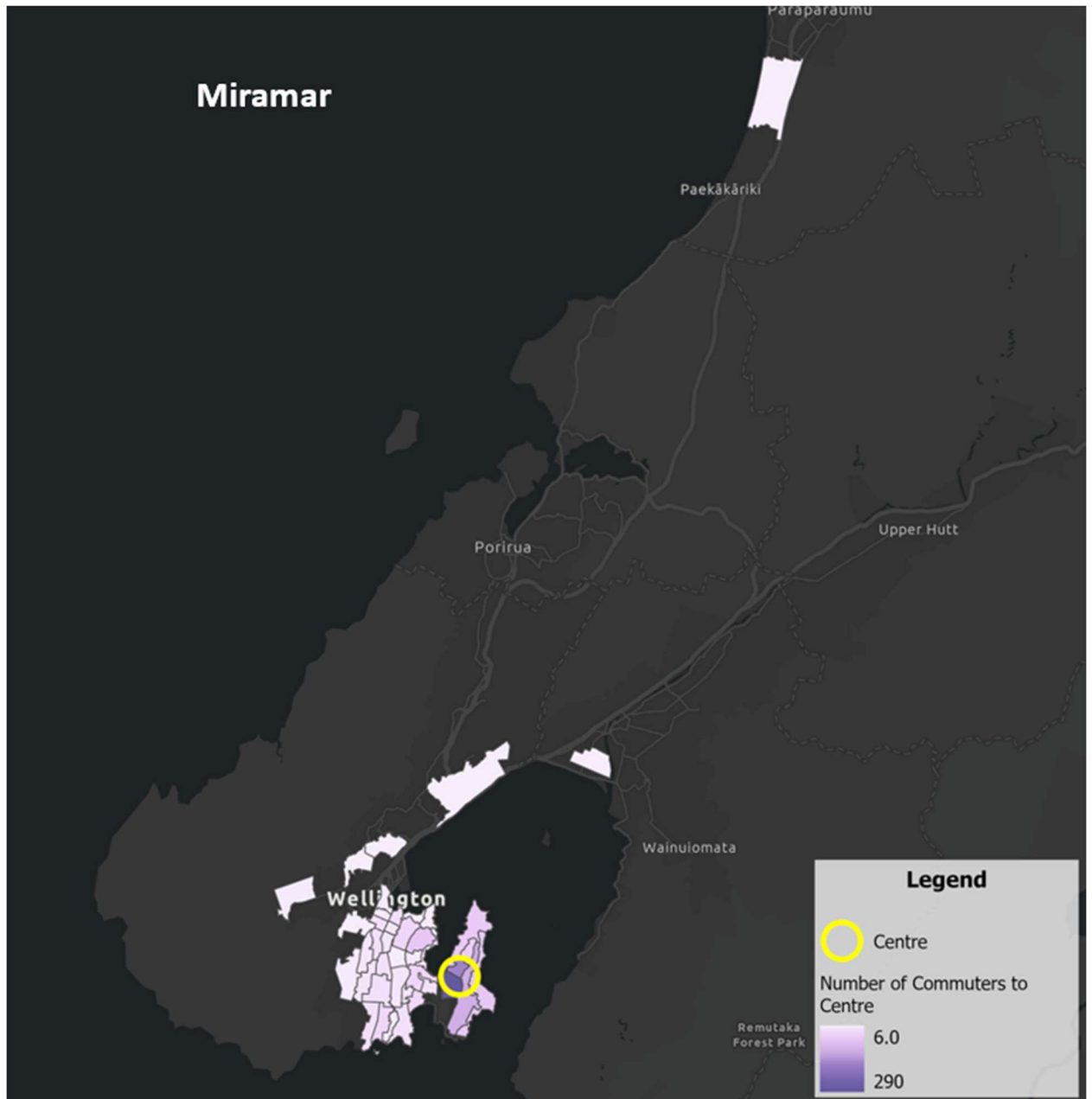
Tawa – Town Centre

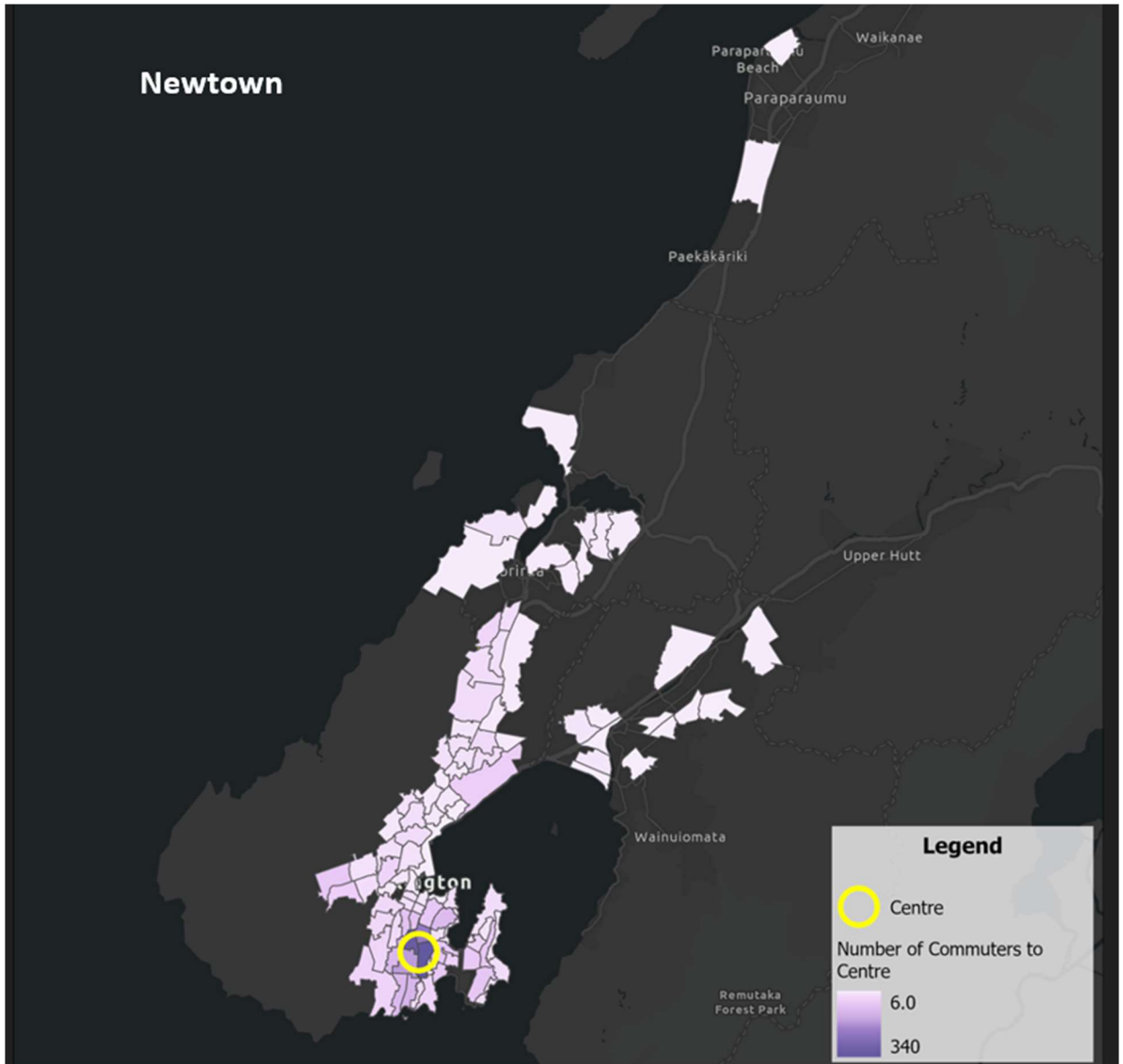


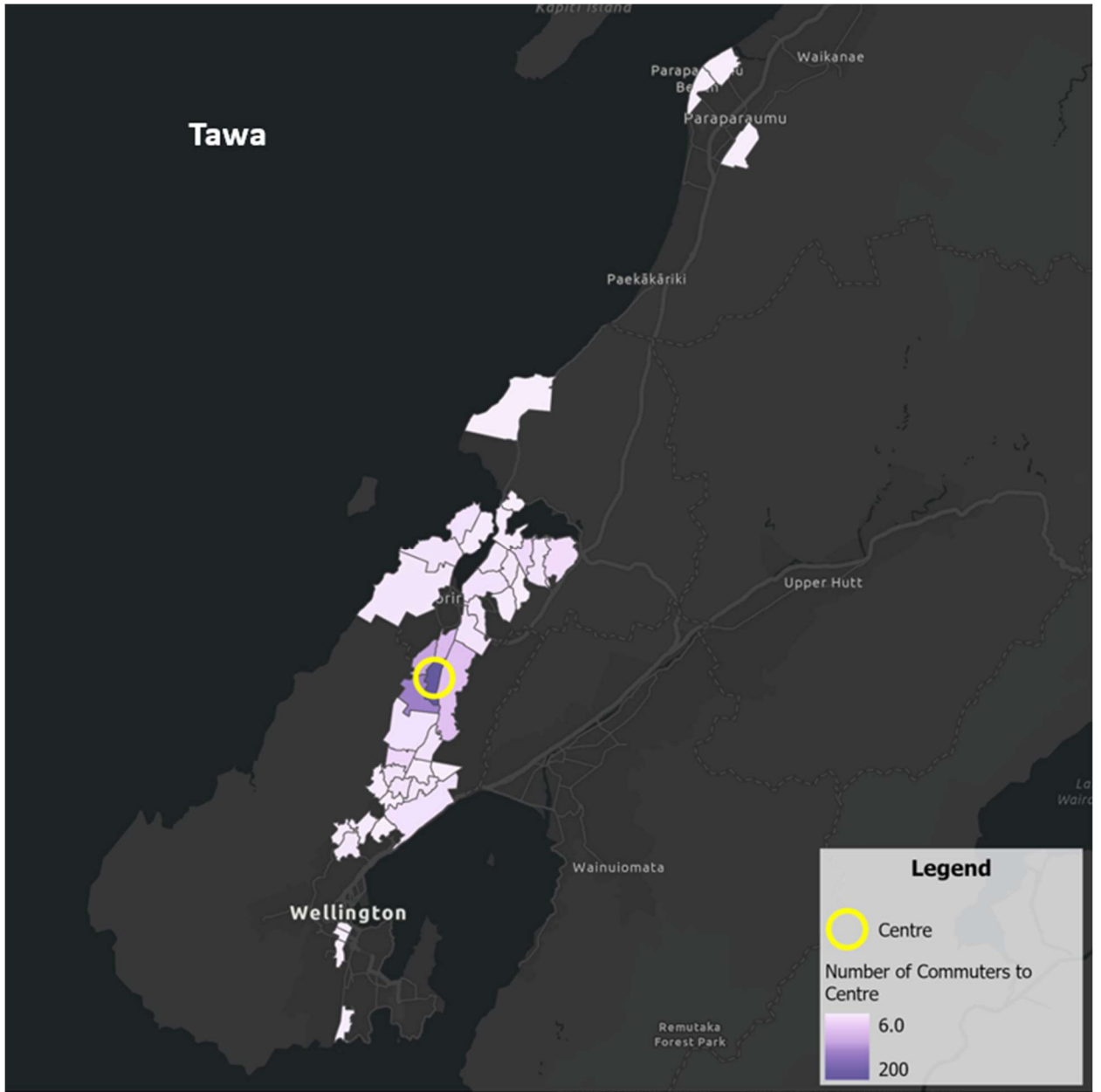
Appendix 3 – National Planning Standard Zone Descriptions

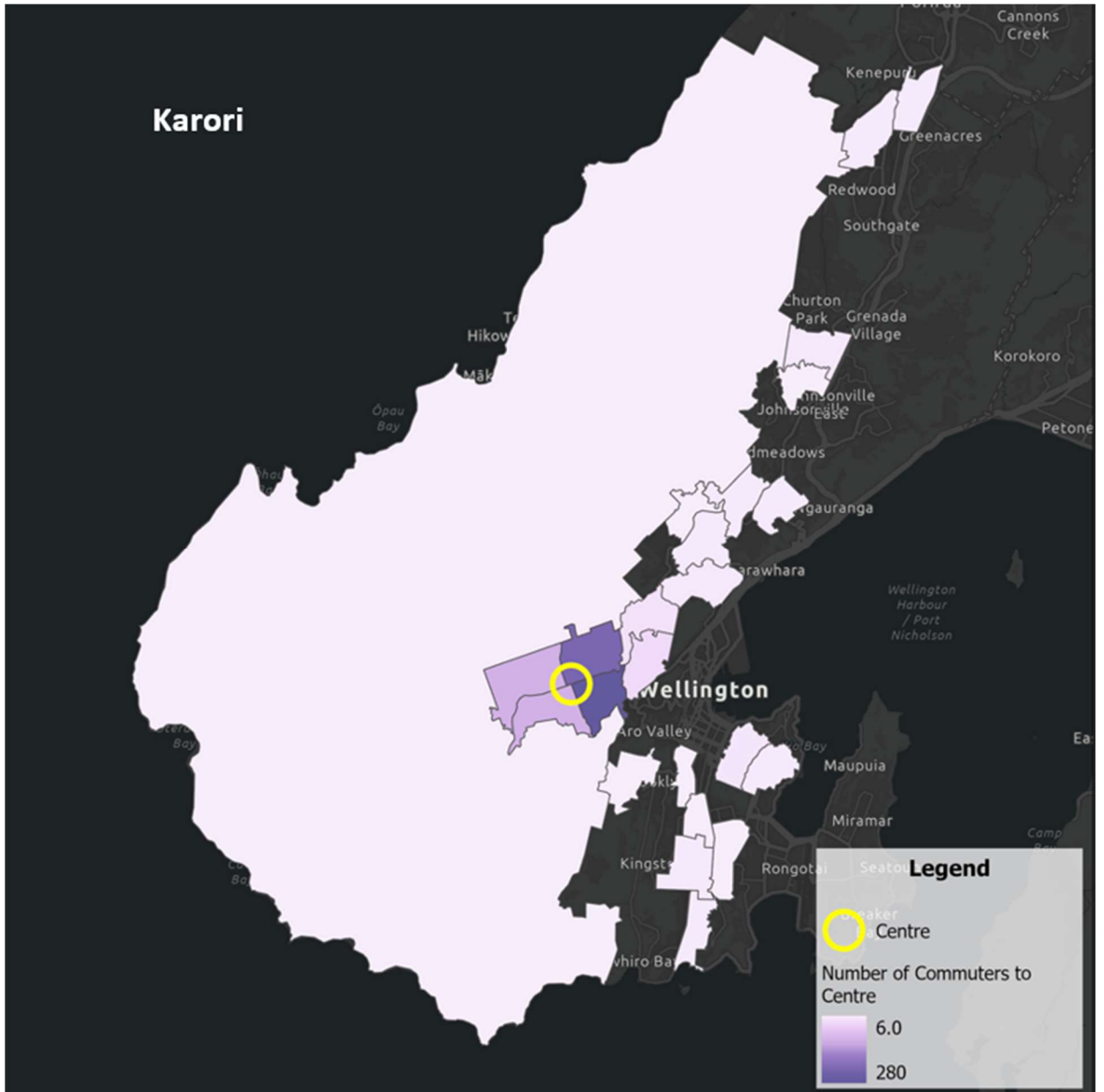
Neighbourhood centre zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local centre zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Commercial zone	Areas used predominantly for a range of commercial and community activities.
Large format retail zone	Areas used predominantly for commercial activities which require large floor or yard areas.
Mixed use zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town centre zone	Areas used predominantly for: <ul style="list-style-type: none"> • in smaller urban areas, a range of commercial, community, recreational and residential activities. • in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.
Metropolitan centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.
City centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.

Appendix 4 – Journey To Work (all Modes)









Appendix 5 - Proposed Text Changes

Black Text – Original wording from Proposed District Plan

Blue Text – Officer’s recommended amendments, as set out in the Section 42A report.

Red Text – Additional amendments proposed by Kāinga Ora

ISPP indicated by * (black as notified, blue for officer’s recommendation and red for Kāinga Ora’s recommendation)

Definitions

Delete definitions of “Reverse Sensitivity”, “Assisted Housing” and Multi-unit Housing”.

~~Reverse Sensitivity~~

~~means the potential for the development, upgrading, operation and maintenance of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by the existing activity.~~

~~Assisted Housing~~

~~Residential units managed by a government, local government, iwi authority, community housing provider or other similar organisation, and occupied by people or households at below market rates that are affordable for up to median income households as measured by the Wellington Housing Affordability Model. Examples of assisted housing may include long term leases, rent to buy, long term affordable rentals, subsidised co-housing, and social housing under the Public and Community Housing Management Act 1992.~~

~~Multi-unit Housing~~

~~means any development that will result in four or more residential units on a site, excluding residential development within the Oriental Bay Precinct Area.~~

Add a definition of Rapid Transit and Rapid Transit Stop as follows:

Rapid Transit

has the same meaning as ‘rapid transit service’ in the National Policy Statement on Urban Development 2020, as follows: ‘means any existing or planned frequent, quick, reliable and

high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic'. For the avoidance of doubt, rapid transit within the boundaries of Wellington City includes the Johnsonville Rail Line, the Kapiti Rail Line and the Hutt/Melling Rail Line.

Rapid Transit Stop

means a place where people can enter or exit a rapid transit service, whether existing or planned. For the avoidance of doubt, rapid transit stops with walkable catchments within the boundaries of Wellington City include Wellington Railway Station, Ngauranga Railway Station, all Johnsonville Rail Line stations, and the Kapiti Rail Line's Takapu Road, Redwood, Tawa and Linden stations. The Kenepuru Rail Station is a rapid transit stop but only part of its walkable catchment is within Wellington City.

Either amend the definition of Walking Catchment as outlined in the body of submissions or add a reference to HRZ and MRZ Policy 6 as follows:

1.2 HRZ-P6

~~Multi-unit housing~~ Higher density residential development

Provide for ~~multi-unit housing~~ more than six residential units per site where it can be demonstrated that the development:

1. ~~Fulfills the intent of the Residential Design Guide~~ Achieves the following urban design outcomes:

a. Provides an effective public private interface;

b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;

c. Provides high quality buildings;

d. Responds to the natural environment;

2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants;

3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and
4. Is adequately able to be serviced by three waters infrastructure or can address any water constraints on the site.

5. Is located within:

- I. 10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and
- II. 20 minutes' walk from the edge of the Wellington City Centre Zone

Note: Best practice urban design guidance is contained within Council's Design Guidelines

7.5 MRZ-P6

~~Multi-unit housing~~ Higher density residential development

Provide for multi-unit housing more than three residential units per site where it can be demonstrated that the development:

1. Fulfils the intent of the Residential Design Guide Achieves the following urban design outcomes:

a. Provides an effective public private interface;

b. The scale, form, and appearance of the development is compatible with the planned urban built form of the neighbourhood;

c. Provides high quality buildings;

d. Responds to the natural environment;

2. Provides a minimum area of private or shared outdoor living space that is sufficient to cater for the needs of future occupants;

3. Provides an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development; and

4. Is adequately able to be serviced by three waters infrastructure or can address any water constraints on the site.

5. Is located within:

- I. 10 minutes' walk from the rapid transit stops of the Kapiti and Johnsonville Lines, the Ngauranga Rail Station, the edge of the Tawa, Newtown, and Miramar Town Centre Zones, and the Johnsonville Metropolitan Centre Zone and Kilbirnie Metropolitan Centre Zone; and
- II. 20 minutes' walk from the edge of the Wellington City Centre Zone

Note: Best practice urban design guidance is contained within Council's Design Guidelines

Strategic Direction	
Anga Whakamua – Moving into the future	
AW-O1	Resource management processes include mana whenua as active participants in a way that recognises Te Tiriti o Waitangi and its principles.
AW-O2	The relationship of Tangata Whenua with their lands and traditions is recognised and provided for, including: <ol style="list-style-type: none"> 1. The use, development and expansion of Treaty Settlement land and any land that is subject to Deed of Settlement provisions relating to right of first refusal land, in a manner that recognises its commercial redress purposes; and 2. The use and development of all other <u>land in a manner that to contributes to achieving provide for</u> the social, economic, commercial, and cultural aspirations of <u>Tangata Whenua</u>.
AW-O3	Mana whenua can exercise their customary responsibilities as mana whenua and kaitiaki with their own mātauranga Māori.
AW-O4	The development and design of the City reflects mana whenua and the contribution of their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance to the district's identity and sense of belonging.
<u>AW-O5</u>	<u>Resource management decisions are informed by best available information and mātauranga Māori.</u>
Capital City	
CC-O1	Wellington City continues to be the primary economic and employment hub for the region.
CC-O2	Wellington City is a well-functioning Capital City where: <ol style="list-style-type: none"> 1. A wide range of activities that have local, regional and national significance are able to establish and thrive; 2. The social, cultural <u>and</u> economic <u>and environmental</u> wellbeing of current and future residents, <u>and the environment</u> is supported;

	<ol style="list-style-type: none"> 3. Mana whenua values and aspirations become an integral part of the City's identity; 4. Urban intensification is delivered in appropriate locations and in a manner that meets the needs of current and future generations; 5. Innovation and technology advances that support the social, cultural, and economic and environmental wellbeing of existing and future residents and supports the environment are is promoted; and 6. Values and characteristics that are an important part of the City's identity and sense of place are identified and protected.
CC-O3	<p>Development is consistent with and supports the achievement of the following strategic city objectives:</p> <ol style="list-style-type: none"> 1. Compact: Wellington builds on its existing urban form with quality development in the right locations; 2. Resilient: Wellington's natural and built environments are healthy and robust, and we build physical and social resilience through good design; 3. Vibrant and Prosperous: Wellington builds on its reputation as an economic hub and creative centre of excellence by welcoming and supporting innovation and investing strategically to maintain a thriving economy; 4. Inclusive and Connected: Wellington recognises and fosters its identity by supporting social cohesion and cultural diversity, has world-class movement systems and attractive and accessible public spaces and streets; 5. Greener: Wellington is environmentally sustainable and its natural environment is protected, enhanced and integrated into the urban environment; and 6. Partnership with mana whenua: Wellington recognises the unique role of mana whenua within the city and advances a relationship based on active partnership.
City Economy, Knowledge and Prosperity	
CEKP-O1	<p>A range of commercial and mixed use environments are provided for in appropriate locations across the City to:</p> <ol style="list-style-type: none"> 1. Promote a diverse economy; 2. Support innovation and changes in technology; and
CEKP-O2 *	<p>The City maintains a hierarchy of centres based on their role and function, as follows:</p> <ol style="list-style-type: none"> 1. City Centre – the primary centre serving the City and the wider region for shopping, employment, city-living, government services, arts and entertainment, tourism and major events. The City Centre is easily accessible and easy to navigate for all and serves as a major transport hub for the City and wider region. The City Centre is the primary location for future intensification for both housing and business needs; 2. Metropolitan Centres – these centres provide significant support to the City Centre Zone at a sub-regional level by offering key services to the outer suburbs of Wellington City and the wider Wellington region. They contain a wide range of commercial, civic and government services, employment, office, community, recreational, entertainment and residential activities. Metropolitan Centres are major transport hubs for

	<p>the City and are easily accessible by a range of transport modes, including rapid transit. As a result, these centres are will be major livework hubs for the City over the next 30 years. Intensification for housing and business needs will be enabled in these locations, to complement the City Centre;</p> <p>3. <u>Town Centres – these centres service the surrounding suburbs. Town Centres contain a range of commercial, community, recreational and entertainment activities. Town Centres are well-connected to the City’s public transport network and active transport modes are also provided for. Town Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre and Metropolitan Centre Zones. This intensification is due to the capacity of the area to absorb more high-density housing with enablers of growth such as offering a walkable access to public transport, community facilities and services; and</u></p> <p>4. Local Centres – these centres service the surrounding residential catchment and neighbouring suburbs. Local Centres contain a range of commercial, community, recreational and entertainment activities. Local Centres are well-connected to the City’s public transport network and active transport modes are also provided for. Local Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre, and Metropolitan Centre and Town Centre Zones. This intensification is due to the capacity of the area to absorb more housing with enablers of growth such as walkable access to public transport, and community facilities and services; and</p> <p>5. Neighbourhood Centres - these centres service the immediate residential neighbourhood and offer small-scale convenience-based retail for day to-day needs. These centres are generally for small commercial clusters and community services. Neighbourhood Centres are accessible by public transport and active transport modes.</p>
CEKP-O3	<p>Mixed use, and industrial areas and <u>commercial zones</u> outside of Centres:</p> <ol style="list-style-type: none"> 1. Complement the hierarchy of Centres; 2. Provide for activities that are incompatible with other Centres-based activities; and 3. Support large scale industrial and service-based activities that serve the needs of the City and wider region
CEKP-O4	<p>Land within the City Centre, Centres, Mixed Use, and General Industrial Zones is protected from activities that are incompatible with the purpose of the zone or have the potential to undermine the City’s hierarchy of centres.</p>
CEKP-O5	<p>Strategically important assets including those that support Māori culture, tourism, trade, education, research, and health and cultural wellbeing are provided for in appropriate locations.</p>
Historic Heritage and Sites and Areas of Significance to Māori	
HHASAM-O1*	<p>Significant buildings, structures, areas, and sites that exemplify Wellington’s historical and cultural values are identified, recognised and protected.</p>
HHASAM-O2*	<p>Built heritage is resilient and has a sustainable long term use while ensuring heritage and cultural values are recognised and maintained.</p>

HHASAM-O3	The cultural, spiritual and/or historical values associated with sites and areas of significance to Māori are protected.
HHASAM-O4	Sites of significance to Māori are identified and mana whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.
HHASAM-O5	Recognise that only mana whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga/sites of significance to Māori.
Natural Environment	
NE-O1	The natural character, landscapes and features, indigenous biodiversity and ecosystems that contribute to the City's identity, including those that and have significance for mana whenua as kaitiaki are identified, recognised, protected, and, where possible, enhanced.
NE-O2	Future subdivision, land use and development contributes to an improvement in the quality of the City's water bodies, freshwater ecosystems and receiving environments, protects and enhances Māori freshwater values and recognises mana whenua and their relationship to water (Te Mana o Te Wai).
NE-O3	The City retains and expands an extensive open space network across the City that: <ol style="list-style-type: none"> 1. Is easily accessible; 2. Connects the urban and natural environment; 3. Supports the protection of ecological, cultural, and landscape values; and 4. Meets the needs of anticipated future growth.
NE-O4	Mana whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki with their own mātauranga Māori in the protection and management of the natural environment.
NE-O5	Subdivision, land use and development is undertaken in an integrated manner recognising the importance of ki uta ki tai and the interconnectedness between ecosystems, natural processes and freshwater.
Strategic City Assets and Infrastructure	
SCA-O1	Infrastructure is established, operated, maintained, and upgraded in Wellington City so that: <ol style="list-style-type: none"> 1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised; 2. The City is able to function safely, efficiently and effectively; 3. The infrastructure network is resilient in the long term; 4. It contributes to meeting the city's zero carbon capital (net zero emissions) goal; and 5. Future growth and development is enabled and can be sufficiently serviced.
SCA-O2	New urban development occurs in locations that are supported by sufficient development infrastructure capacity, or where this is not the case the development: <ol style="list-style-type: none"> 1. Can meet the development infrastructure costs associated with the development, and 2. Supports a significant increase in development capacity for the City.

SCA-O3	Additional infrastructure is incorporated into new urban developments of a nature and scale that supports Strategic Objective UFD-O67 or provides significant benefits at a regional or national scale.
SCA-O4	Regionally significant infrastructure is provided for in appropriate locations and the social, cultural economic, and environmental benefits of this infrastructure are recognised and provided for.
SCA-O5	The adverse effects of infrastructure are managed having regard to the economic, social, environmental and cultural benefits, and the functional technical and operational needs of infrastructure.
SCA-O6	Infrastructure operates efficiently and safely and is protected from incompatible development and activities that may create reverse sensitivity effects or compromise its efficient and safe operation.
SCA-O7	The benefits of and contribution to the development of the city's infrastructure and built environment from the utilisation of the city's mineral resources from quarrying activities are recognised and provided for.
Sustainability, Resilience and Climate Change	
SRCC-O1	The City's built environment supports: <ol style="list-style-type: none"> 1. A Achieving net reduction in the City's carbon-net zero emissions by 2050; 2. More energy efficient buildings; 3. An increase in the use of renewable energy sources; and 4. Healthy functioning of native ecosystems and natural processes; and 5. Low carbon and multi-modal transport options including walking, cycling, micro mobility and public transport.
SRCC-O2*	Risks from natural hazards are: Identified and understood; Planned for through adaptation and mitigation measures so that risk is not increased or is reduced ensure the risks are low ; and Avoided where there would be a high risk to life or buildings. are intolerable.
SRCC-O3*	Land use, Ssubdivision, and development and use: <ol style="list-style-type: none"> 1. Effectively manage<u>s</u> the risks associated with climate change and sea level rise; 2. Support<u>s</u> the City's ability to adapt over time to the impacts of climate change and sea level rise; and 3. Support<u>s</u> natural functioning ecosystems and processes to help build resilience into the natural and built environments.
SRCC-O4	Land use, subdivision and development design seeks to integrates natural processes that provide opportunities for carbon reduction, carbon storage, natural hazard risk reduction and support climate change adaptation.
Urban Form and Development	
UFD-O1*	Wellington's compact urban form is maintained with the majority of urban development located within the City Centre, in and around Centres, and along major public transport corridors.
UFD-O2	Urban development in identified greenfield areas: <ol style="list-style-type: none"> 1. Is environmentally and ecologically sensitive; 2. Makes efficient use of land; 3. Is well-connected to the public transport network; ,-and

	<p>4. Provides a mixture of land uses and activities, where feasible; and</p> <p>5. Reinforces the City's compact urban form</p>																
UFD-O3*	<p>Medium to high density and assisted housing developments are located in areas that are:</p> <ol style="list-style-type: none"> 1. Connected to the transport network and served by multi-modal transport options; or 2. Within or near a Centre Zone or other area with many employment opportunities; and 3. Served by public open space and other social infrastructure. <p>Noting that medium to high density housing developments may not be appropriate in qualifying matter areas.</p>																
UFD-O4*	<p>In order to achieve sufficient, feasible land development capacity to meet expected housing demand, the following housing bottom lines below are to be met or exceeded in the short-medium and long term in Wellington City as contained in the Wellington Regional Housing and Business Capacity Assessment (Housing Update 2022).</p> <table border="1"> <thead> <tr> <th></th> <th>2021-2024 Short</th> <th>2024-2031 Medium</th> <th>2031-2051 Long</th> </tr> </thead> <tbody> <tr> <td>Demand figures</td> <td>4,148</td> <td>8,426</td> <td>18,724</td> </tr> <tr> <td>Competitiveness margin</td> <td colspan="2">20%</td> <td>15%</td> </tr> <tr> <td>Housing bottom line</td> <td colspan="2">15,089</td> <td>21,532</td> </tr> </tbody> </table>		2021-2024 Short	2024-2031 Medium	2031-2051 Long	Demand figures	4,148	8,426	18,724	Competitiveness margin	20%		15%	Housing bottom line	15,089		21,532
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UFD-O5	<p>At least sSufficient, feasible land development capacity is available to meet the short-, medium and long-term business land needs of the City, as identified in the Wellington Regional Housing and Business Capacity Assessment.</p>																
UFD-O6*	<p>A variety of housing types, and sizes and tenures, including assisted housing, supported residential care, and papakainga options, are available across the City to meet the community's diverse social, cultural, and economic housing needs.</p>																
UFD-O7*	<p>Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future. Development will achieve this by:</p> <ol style="list-style-type: none"> 1. Being accessible and well-designed; 2. Supporting sustainable travel choices, including active and micromobility modes; 3. Being serviced by the necessary infrastructure (including additional infrastructure) appropriate to the intensity, scale and function of the development and urban environment; 4. Being socially inclusive; 5. Being ecologically sensitive; 6. Respecting of the City's historic heritage; 7. Providing for community well-being; and 8. Adapting over time and being responsive to an evolving, more intensive surrounding context. 																

UFD-O8*	Areas of identified special character are recognised and new development within those areas is responsive to their <u>varying streetscape values while recognising their role in accommodating medium to high density residential development context and, where possible, enhances that character.</u>
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