

**Before the Hearings Panels
At Greater Wellington Regional Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of Proposed Change 1 to the Regional Policy Statement for the Wellington Region

Hearing Topic Hearing Stream 4 – Urban Development

**Supplementary statement of evidence of Torrey James McDonnell on behalf
of Hutt City Council (Planning) in Response to Minute 14 from Panel**

Date: 25 October 2023

INTRODUCTION:

- 1 I provided evidence (“evidence-in-chief”) on behalf of Hutt City Council (“HCC”) in relation to its submission to Greater Wellington Regional Council’s Proposed Change 1 (“Change 1”) to the Regional Policy Statement for the Wellington Region (“RPS”).
- 2 Following Hearing Stream 4, the Panel issued Minute 14 with a request for further information from territorial authorities in relation to relief sought by Kāinga Ora as follows:

4. Kāinga Ora has proposed changes to Policy 30(3) to include ‘Larger urban area’ and ‘Smaller urban area’ Town Centres. Appendix 1 to the Statement of Evidence of Mr Matthew Heale dated 15 September 2023 sets out the changes proposed.

5. We are aware many territorial authorities have amended their plans to give effect to national intensification directions and the MDRS. Although we received some advice on this from Kāinga Ora, we would like to understand from territorial authorities, what impacts they think Kāinga Ora’s relief would have on their planning instruments and processes.

6. We therefore invite all territorial authorities to provide comments in writing to us on the ‘centres hierarchy’ changes Kāinga Ora seeks to Policy 30. Comments are to be provided by 5pm on 25 October 2023.

RESPONSE:

- 3 I have reviewed Kāinga Ora’s submission and Mr Heale’s statement of evidence.

- 4 I do not support Kāinga Ora’s proposed changes to Policy 30(3) to include ‘Larger urban area’ and ‘Smaller urban area’ Town Centres.
- 5 I agree in principle with Mr Heale’s views that the purpose of Policy 30 is to guide district plan development¹. In an ideal world, this RPS change would have proceeded the implementation of NPS-UD by territorial authorities.
- 6 However, this is not the planning context that the Region is currently in. As outlined in my evidence-in-chief, intensification changes to the RPS are out of sequence with planning processes of most territorial authorities within the Region. Many councils have substantially given effect to the NPS-UD which was fast tracked through the Government’s 2021 RMA amendments which required councils to give incorporate the MDRS and NPS-UD requirements into their district plans through an intensification streamlined planning process.
- 7 HCC inserted Plan Change 56 to its District Plan through an Intensification Planning Instrument. This Plan Change was publicly notified on 18 August 2022 and became operative on 21 September 2023. This plan change enabled medium density intensification throughout urban areas, as well as enabling high density development in walking distance of train stations and centres. Lower Hutt has been treated as City Centre, while Petone has been treated as Metropolitan City Centre.
- 8 HCC will soon be consulting on a full draft District Plan, with the aim of formal public notification next year. The District Plan Review will include the rezoning of smaller centres to align with the National Planning Standards.

¹ Paragraph 6.10.

- 9 Mr Heale considers that the amendments sought from Kāinga Ora to Policy 30 will help HCC and the Wairarapa councils to get regional consistency and alignment with the RPS². I do not follow this logic. It is unclear how a RPS that will only be substantively directing one of the region's Tier 1 councils will assist in achieving consistency when the other Tier 1 councils have already completed implementation of the NPS-UD.
- 10 Table 1 of my evidence-in-chief sets out the zoning approach for centres taken by various councils. This table outlines how the zoning approach differs across some of the larger centres in the Region and how there is already some inconsistency. Wellington City, Upper Hutt City and Hutt City have applied the City Centre Zoning to their primary centres, whereas Porirua and Kapiti have applied Metropolitan Centre Zoning to theirs. These differences cascade down through the centres hierarchy in each district plan meaning there are already broad differences in the application of centres regionally.
- 11 Plan Change 56 treated Lower Hutt Central as City Centre, and Petone as Metropolitan Centre. I do not see the value in relitigating this approach through the District Plan Review when there is no ability to achieve regional consistency due to the NPS-UD implementation fast tracking that has already occurred.
- 12 Further, the timing of the RPS process relative to the notification of the District Plan Review limits its ability to direct consistency. Change 1 is unlikely to be operative when the District Plan Review is notified meaning a weighting exercise will need to be applied when considering the RPS under sections 74 and 75 of the RMA.
- 13 I also consider that introducing new concepts such as "larger urban area" and "smaller urban area" unnecessarily complicates the implementation

² Paragraph 6.10(e)

of NPS-UD implementation. This introduces two new terms that could potentially be litigated which increase complexity and reduces regulatory certainty for HCC and potential submitters.

14 I disagree with Kāinga Ora’s proposal to require “larger urban areas” to be rezoned as Town Centres. I consider that the RPS should set out a hierarchy without being specific to the zoning required as outlined in my evidence-in-chief. I am unsure of Kāinga Ora’s rationale for determining that these areas be best zoned as Town Centre Zone. The analysis in Appendix 3 in Mr Heale’s evidence does not include centres such as Naenae and Waterloo where this zoning may not be appropriate due to their smaller scale and regional significance³.

15 I continue to generally support the rebuttal version of Policy 30. I note that there were some more technical changes sought in my evidence in paragraph 38 such as not referring to Wellington as a “Central Business District”.

Date: 25/10/2023



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³ I note that there are a number of links in Appendix 3 to evidence given by Kainga Ora in other hearings, I have not been able to review these in the time available.

