

IN THE MATTER

of the Resource
Management Act 1991

AND

IN THE MATTER

of Submissions and Further
Submissions on the
Proposed Wellington City
District Plan

Minute 19:

Kāinga Ora Memorandum

Introduction

1. Counsel for Kāinga Ora has submitted a detailed Memorandum responding to our Minutes 15-17. She proposes:
 - (a) All design guides and the Plan provisions related to them are included in the process described in Minute 15;
 - (b) The Plan provisions relating to design guides be addressed in the ISPP wrap-up hearing;
 - (c) Kāinga Ora need not provide further Plan provisions or replacement maps, as provided for in Minute 15;
 - (d) The mapping process for Centres, Residential Zones and walkable catchments be the subject of conferencing with a view to those matters being heard in the ISPP wrap-up hearing;
 - (e) The timing of the wrap-up hearing be confirmed (i.e. that it will start on 19 September 2023).
2. We have a general concern about Kāinga Ora's proposals. The concept of a wrap-up hearing is just that. It is an opportunity to consider loose ends that have not been heard previously and generally, to ensure that the Hearing Panel has all the material it needs on which to base its IPI recommendations. We foresee a very real danger, if more and more matters are diverted to the wrap-up hearing, that it will become a very substantial hearing in its own right, potentially jeopardising the Hearing Panel's ability to complete its recommendations in a timely way, because too many issues will be left at large pending that final hearing.
3. More specifically, Counsel's Memorandum provides insufficient detail for us to conclude that all design guides should be shifted into the process outlined in Minute 15. As part of the Stream 3 Panel's preparation for its forthcoming hearing, it has observed that the Heritage Design Guide is not written in the same style as the Residential Design Guide and there may be good reasons for that. The relatively small number of submissions on the content of the Heritage Design Guide also raise questions about its suitability for conferencing. We prefer, therefore, to hear evidence on the point first before concluding that it might desirably be the subject of conferencing.
4. We also prefer not to direct conferencing on Plan provisions at this point, but rather to see how far the urban design experts can get first. We note that we

have declined requests from two parties to have their planning witness attend conferencing, essentially for the same reasons.

5. We are likewise reluctant to load up the wrap-up hearing with a series of Plan provisions related to the design guides. We have already heard the parties in Stream 2 in relation to the Plan provisions related to the Residential Design Guide. We consider that Plan provisions relating to the Centres and Mixed Use Design Guides should continue to be heard in Stream 4 to give that Hearing Panel a clear understanding of the issues as the parties see them. If the positions of parties with an interest in those Plan provisions change when the outcome of conferencing and design guide revisions is known, then the wrap-up hearing can consider any amended provisions.
6. As regards the request that the Panel withdraw the directions made in Minute 15 in relation to Kāinga Ora, the first direction (that Kāinga Ora could submit amended Plan provisions by 21 April) granted leave sought by Counsel for Kāinga Ora. If Kāinga Ora chooses not to exercise that leave, that is its choice.
7. The second direction arose from Mr Rae's Stream 2 evidence where he noted that some of the zone maps he had presented required amendment. We asked that he submit replacements showing the required amendments. Counsel for Kāinga Ora suggests that having multiple revisions of zoning maps will be unhelpful. We understand the point being made but, as it is, we already have a set of zone maps tabled by Mr Rae in Stream 2 that we know do not represent his views at the time he gave evidence. We know generally how he considers those maps should be amended, but not specifically. That is similarly an unsatisfactory situation. We appreciate that our delay in issuing this Minute has the potential to embarrass Kāinga Ora and/or Mr Rae. We therefore enlarge the time for him to provide amended maps to 28 April, but we do request that they be supplied as per Mr Rae's undertaking in Stream 2. Desirably, the amended maps would be marked up in a manner that we can readily identify the changes, but failing that, we request that Mr Rae provide a separate table of changes.
8. Addressing mapping more generally, we agree that there is an inter-relationship between the extent of the Centres mapped and the walkable catchments identified around those Centres. However, walkable catchments have been addressed in two hearing streams already. We have received a substantial body of evidence as to the methodology that should be employed

to identify those walkable catchments and the application of that methodology, and we have, we think, a clear understanding of the basis for the parties' views on that topic.

9. While it would be desirable to greater certainty around the spatial dimensions of the various Centres, in order to ensure that the parties are giving evidence on walkable catchments from the same starting point, that is not going to be possible, either at the conclusion of the Stream 4 hearing or subsequently in the hearing process. The Hearing Panel does not, at this point, intend to release interim recommendations setting out its views, even if only tentative, on the spatial area of each Centre. That will necessarily remain an area of uncertainty.
10. Mr Rae was alive to the point when he gave evidence in Stream 2, presenting his views as to the appropriate walkable catchment based on the Centre boundaries sought in Kāinga Ora's submission. If Kāinga Ora shifts ground during the course of Stream 4 and proposes a reduction in the area of any Centre, with a flow on effect to the proposed walkable catchment around it, it can seek leave to table an amended zone map at that time.
11. Lastly, while the timetable for the wrap-up hearing has not been finalised, the Hearing Panel is proceeding on the basis that that hearing will commence on 19 September 2023.



Trevor Robinson
Chair

For the Wellington City Proposed District Plan Hearings Panel
Dated: 20 April 2023