

IN THE MATTER  
of the Resource Management Act 1991

AND

IN THE MATTER  
of Hearing of Submissions and Further Submissions  
on the Wellington City Proposed District Plan –  
Hearing Stream 2

JOINT STATEMENT OF PLANNING EXPERTS (JWS 2)

20 April 2023

INTRODUCTION

1. This joint witness statement relates to expert conferencing on the topic of rule and standard structuring in the High Density residential Zone Chapter as requested by the Panel in Paragraphs 3-6 of Minute 17. Participants in the conferencing were:
  - Matt Heale engaged by Kāinga Ora.
  - Josh Patterson engaged by Wellington City Council.
2. The conferencing was held on-line (Microsoft Teams).
3. We confirm that we have read the Environment Court's Code of Conduct set out in the Environment Court's Practice Note 2023. We have complied with the Code of Conduct in preparing this joint statement. Except where we state that we are relying on the evidence of another person, this evidence is within our area of expertise. We have not omitted to consider material facts known to us that might alter or detract from the opinions expressed in this evidence.
4. The primary data on which the opinions are based is:
  - The Wellington City Proposed District Plan (PDP);
  - The Section 42A report for the residential zones;
  - The statement of evidence of Mr Heale (16 March 2023) including the s32AA assessment in Appendix 2.

MATTERS COVERED BY THIS STATEMENT

ISSUE 1:	HRZ Rule and Standard Structure
FACTS / ASSUMPTIONS	<ol style="list-style-type: none"> <li>1. At present, the provisions in the High-Density Residential Zone Chapter are structured so that there is one set of rules and standards for construction of 1-3 units and one set for construction of four or more units.</li> <li>2. The reason for this structure is to provide a permitted activity status for developments resulting in 1-3 units, as is required under Schedule 3A of the RMA. The structure also allows for multi-unit developments (4 or more units) to be considered under a Restricted Discretionary Activity Status, under a clear separate set of rules and standards.</li> <li>3. In his evidence, Mr Heale proposed a single set of rules and standards for all development types where the result is residential units. In addition, Mr Heale proposes that all residential activities are Permitted Activities under HRZ-R2.</li> <li>4. In conferencing, Mr Heale supported this position and stated that the proposed one set of rules and standards would work best if Council were to remove the restriction on developments needing to result in a maximum of three units to be a permitted activity.</li> <li>5. Mr Heale proposed:               <ol style="list-style-type: none"> <li>a. Altering HRZ-R2 to make all residential activities permitted, regardless of number of units.</li> <li>b. Combine HRZ-R13 and HRZ-R14 into one rule, removing the reference to number of units.</li> </ol> </li> <li>6. Mr Heale’s preferred option is to not control the number of residential units within the HRZ but rather rely on key bulk and location standards to control the scale of residential development. However, Mr Heale agreed that if the panel were of a mind to control the number of residential units, then the current rule and structure standard in the HRZ Chapter would work. Alternatively, the number of residential units could be controlled through a standard which the proposed combined HRZ-R13 and HRZ-R14 rule could refer to.</li> </ol>
AGREED POSITION	<ol style="list-style-type: none"> <li>7. We agree that HRZ-R2 can be amended to make all residential activities permitted, regardless of the number of units resulting on a site.</li> <li>8. We agree that HRZ-R13 and HRZ-R14 can be amended so that the rules are combined and to remove reference to the number of units from the rule.</li> <li>9. We agree that this would result in the need to amend the standards to remove the current approach of separating developments resulting in 1-3 units and 4 or more units.</li> <li>10. We agree that further conferencing is required to discuss the substance of the provisions, to determine the appropriateness of them and the appropriateness of removing the control on the number of units within rules of the HRZ Chapter.</li> </ol>

PARTICIPANTS TO JOINT WITNESS STATEMENT

We confirm that we agree that the outcome(s) of the expert conferencing are as recorded in this statement.

20 April 2023

A handwritten signature in black ink, appearing to be 'M Heale'.

Matt Heale  
for Kāinga Ora

A handwritten signature in black ink, appearing to be 'JP'.

Josh Patterson  
for Wellington City Council