

**BEFORE INDEPENDENT HEARING COMMISSIONERS  
AT WELLINGTON**

**TE MAHERE Ā-ROHE I TŪTOHUA MŌ TE  
TĀONE O TE WHANGANUI-A-TARA**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the hearing of submissions on Te Mahere ā-  
Rohei Tūtohua the Wellington City Proposed  
District Plan

**HEARING TOPIC:** Stream 2 - Residential

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**REBUTTAL EVIDENCE OF VICTORIA WOODBRIDGE  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**(PLANNING)**

**23 MARCH 2023**

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**Instructing solicitor:**  
C E Kirman  
Special Counsel  
Kāinga Ora - Homes and Communities  
PO Box 14594  
Central Auckland 1051  
E: [claire.kirman@kaingaora.govt.nz](mailto:claire.kirman@kaingaora.govt.nz)

**Counsel Instructed:**  
Barristers and Solicitors  
Auckland  
  
Solicitor Acting: **Jennifer Caldwell /  
Natalie Summerfield**  
Email: [jennifer.caldwell@buddlefindlay.com](mailto:jennifer.caldwell@buddlefindlay.com)  
/ [natalie.summerfield@buddlefindlay.com](mailto:natalie.summerfield@buddlefindlay.com)  
Tel 64 9 363 0702 Fax 64 9 358 2055  
PO Box 1433 DX CP24024 Auckland 1010

## 1. INTRODUCTION

1.1 My full name is Victoria Emily Jane Woodbridge. I am a Senior Planner at The Property Group Limited. My qualifications and experience are set out in my evidence in chief for Hearing Stream 2 (dated 16 March 2023) in support of the submission by Kāinga Ora – Homes and Communities (**Kāinga Ora**).

1.2 Although this is a Council hearing, I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is 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 in this evidence.

### **Scope of Evidence**

1.3 This rebuttal evidence relates to evidence in chief provided by Mr Sean Grace on behalf of Ara Poutama Aotearoa, The Department of Corrections (submitter 240).

1.4 I confirm I have read and reviewed Mr Grace's primary evidence and the submission from Ara Poutama Aotearoa.

## 2. ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS (SUBMITTER 240) – SUNRISE BOULEVARD PRECINCT

2.1 In my primary evidence I acknowledged that Kāinga Ora had been liaising with Ara Poutama Aotearoa, The Department of Corrections in relation to their proposed Sunrise Boulevard Precinct.

2.2 I note that in the PDP the Arohata Prison site is subject to Designation MCOR2 with the designation purpose listed as "corrections purposes". There are no conditions attached to the designation and therefore in accordance with section 176 of the RMA work may be undertaken by the requiring authority to meet the purpose of the designation.

- 2.3 I generally support the application of a Precinct to manage the security risks associated with residential development adjoining Arohata Prison.
- 2.4 In its original submission and further submission, and supported by the evidence of Mr Heale for Hearing Stream 1 and 2, Kāinga Ora sought for a HRZ along Sunrise Boulevard. Further refinement of walkable catchments and zoning was presented in the primary evidence of Mr Heale and Mr Rae for Hearing Stream 2 on behalf of Kāinga Ora.
- 2.5 The spatial extent of the HRZ proposed by Kāinga Ora (refer to **Appendix A**) will provide for a limited increase in development capacity within the Precinct. The zoning, as proposed by Kāinga Ora, is consistent with Policy 3 of the NPS-UD which requires intensification is enabled within walkable catchments of public transport and commercial centres. Effects on the Prison are more appropriately managed through a Precinct with provisions that manage potential effects on the safe operation of the Prison, noting that development of more than three dwellings requires a Restricted Discretionary resource consent and the application of a residential zone framework without precinct provisions would not achieve the same result of managing effects on the prison.
- 2.6 The Precinct provisions appended to Mr Grace's evidence contains an Objective and Policy and requires any consent for new buildings or structures to consider the Precinct Policy as a matter of discretion. I am generally supportive of the Precinct provisions as appended to Mr Grace's evidence, but recommend amendments to the proposed provisions as follows (refer to **Appendix B** for full amendments):
- (a) To reflect the Designation and opportunities available within the designation for future development of the Prison complex; and
  - (b) To ensure that development is enabled in accordance with the underlying zoning where effects on the operation of the Prison and on those within the Prison and Precinct, are appropriately managed as provided for within the Policy.

- 2.7 In terms of general drafting practice reference to MRZ and HRZ rules and standards which are not amended by the Precinct are, in my opinion, necessary. Furthermore, the Policy wording should be succinct, clear and not unduly prescriptive, to mirror the drafting style of the PDP. For example, PRECXX-P1(1) could simply refer to use of 'glazing techniques' rather than specifics. The policy should have a clear outcome focus to manage the risk to security and operation of the Prison from more intensive (more than three dwellings) development within the Precinct.
- 2.8 I recognise the significant role Arohata Prison plays within the district and region and the need to ensure Prison security and operations are not compromised. I agree that a Precinct over Sunrise Boulevard is an appropriate planning mechanism to manage adverse effects on the Prison from future development on the southern side of Sunrise Boulevard.
- 2.9 However, in my opinion a HRZ is appropriate along Sunrise Boulevard (as shown in Appendix A) to give effect to the national direction contained in the NPS-UD, in particular Policy 3.
- 2.10 I consider that a HRZ can be applied whilst still managing the risks to security and operation of the Prison and the amendments to the Precinct provisions I recommend will achieve these outcomes.

### **3. MISSING ATTACHMENT FROM MY PRIMARY EVIDENCE**

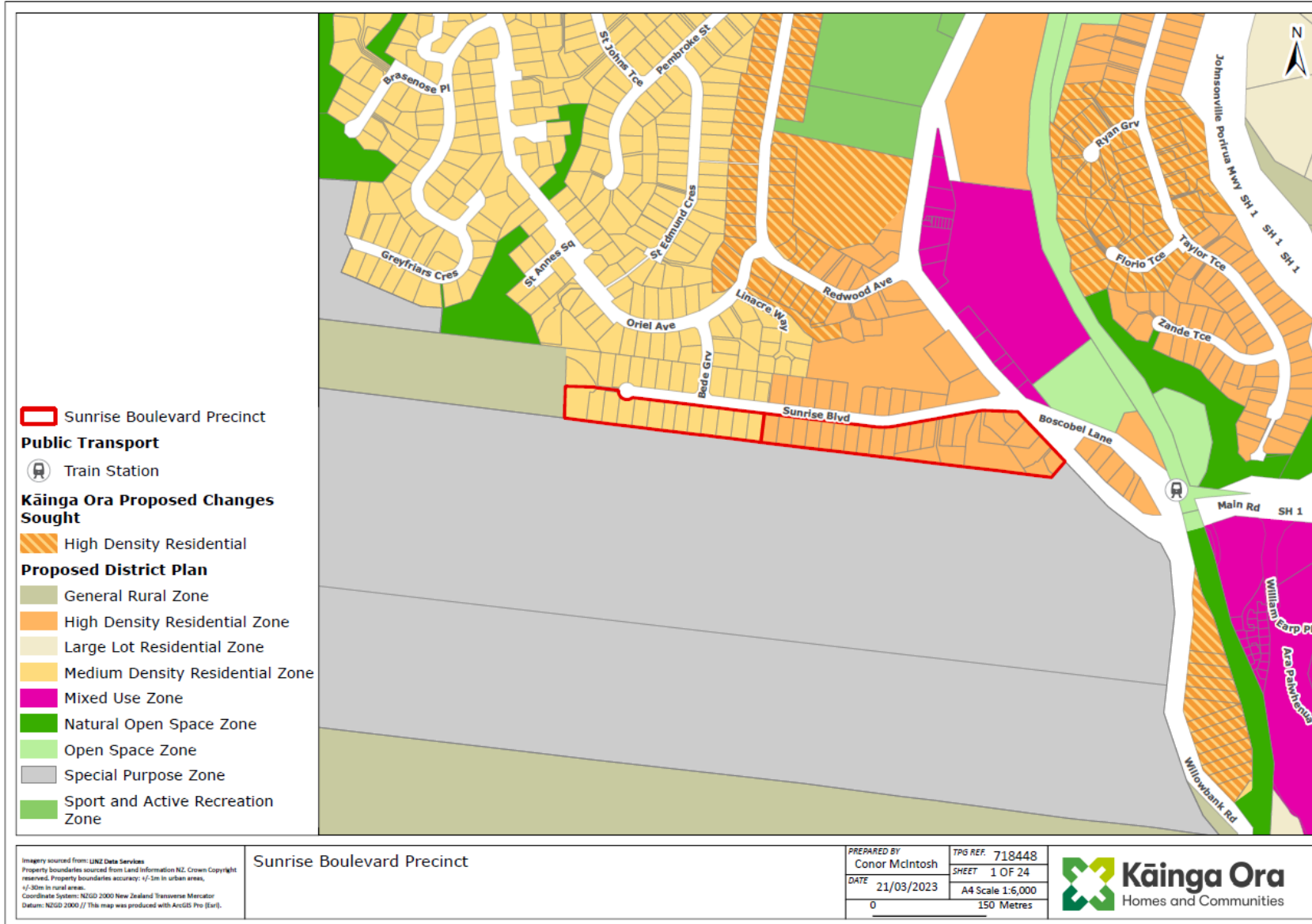
- 3.1 My primary evidence referred an Attachment B which included my proposed Character Area Overlay provisions. Just prior to lodging my evidence, I considered further amendments were required before I was comfortable with the proposed provisions, so this was not included with my primary evidence.
- 3.2 On further reflection, I do not consider I am in a position to provide a fulsome set of Character Area Overly provisions. This is due to the concerns I highlighted in my primary evidence (see section 4) that the Council has failed to complete the necessary assessment under section 77L(c)(iii) by not considering an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS

and Policy 3 of the NPS-UD. Without this information, I can not consider what the appropriate planning provisions should be – in particular how character will be managed with the necessary intensification and density requirements.

**Victoria Emily Jane Woodbridge**

23 March 2023

# Appendix A



## Appendix B

# Sunrise Boulevard Precinct

Note – Recommended additional text in red underlined with deletions in black strikethrough.

PRECXX	Sunrise Boulevard Precinct
<p><b>Introduction</b></p> <p>The purpose of the Sunrise Boulevard Precinct is to provide for the management of security of the Arohata Prison, and to manage social and amenity effects on residents of the properties on Sunrise Boulevard adjacent to Arohata Prison.</p> <p>Arohata Prison is an important part of the corrections facility network which provides for the safety and security of all New Zealand communities and is of national significance. It is one of just three women’s prison facilities in the country and the only women’s prison in the Greater Wellington area, and therefore has significance in a regional and district context. The facility plays a vital role in the region in allowing Ara Poutama Aotearoa, the Department of Corrections to meet its responsibilities under the Corrections Act 2004 for enforcing sentences and orders of the criminal courts and the New Zealand parole board.</p> <p>Given this context, it is important that built form within the adjacent residentially-zoned properties on the northern side of the Arohata Prison does not compromise the ability of the prison to operate securely <u>and in accordance with Designation M COR2</u>, <del>nor the enablement of future development on the prison site</del> whilst ensuring that social and amenity values of the properties within the Precinct are maintained.</p> <p>The land use activities rules for the Medium Density Residential Zone and High Density Residential Zone apply to the Sunrise Boulevard Precinct, with both zone types applying within the Precinct.</p> <p>The building and structure permitted activities rules for the Medium Density Residential Zone and High Density Residential Zone apply to the Sunrise Boulevard Precinct. However, where the permitted activities rules are not complied with there are specific rules allowing a consideration of effects on the Arohata Prison and the properties within the Precinct.</p>	

Objectives	
PRECXX-O1	<p>The Sunrise Boulevard Precinct accommodates medium to high density residential development consistent with the underlying Medium Density Residential and High Density Residential zones, while ensuring that:</p> <ol style="list-style-type: none"> <li>1. Built form within the Precinct does not compromise the ability of the Arohata Prison to operate securely;</li> <li>2. Built form within the Precinct does not compromise <u>the purpose of Designation MCOR2</u> <del>the enablement of future development on the Arohata Prison site;</del></li> <li>3. Built form does not compromise the safety and wellbeing of those living and working at the Arohata Prison; and</li> <li>4. Social and amenity values of the properties within the Precinct are maintained.</li> </ol>
Policies	
PRECXX-P1	<p><del>Require new development, and alterations and additions to existing development in the Precinct to comply with the building and structures permitted activities rules for the applicable underlying Medium Density Residential and High Density Residential zones. Where compliance is not achieved, require that</del> <u>Enable</u> <del>new development, and alterations and additions to existing development, avoids</del> <u>where</u> <del>risks to the secure operation of the Arohata Prison (in terms of its existing and potential future form</del> <u>as provided for through Designation MCOR2)</u> <del>or</del> <u>and</u> <del>the safety and wellbeing of those within it</del> <u>are managed</u>, while maintaining social and amenity values of the properties within the Precinct, by:</p> <ol style="list-style-type: none"> <li>1. Reducing visibility to and from the Arohata Prison site through limiting building openings facing the prison site, and requiring the use of treatments such as opaque glass for building openings that face the prison site;</li> <li>2. <del>Reducing the potential for</del> <u>Implementing techniques to reduce</u> <del>noise emissions to be received from</del> <u>generated by</u> <del>the Arohata Prison site through the use of noise baffling wall and glass treatments;</del> and</li> <li>3. Orientating outdoor living spaces away from the Arohata Prison site.</li> </ol>

Rules: Land use activities in the Medium Density Residential Zone	
PRECXX-R1	<b>All land use activities</b>
	1. Refer to Rules MRZ-R1 to MRZ-R10.

Rules: Land use activities in the High Density Residential Zone	
PRECXX-R2	<b>All land use activities</b>
	1. Refer to Rules HRZ-R1 to HRZ-R10.



**Rules: Building and structure activities in the Medium Density Residential Zone**

**PRECXX-R3 All building and structure activities**

1. Refer to Rules MRZ-R11 to MRZ-R17.
2. For any building and structure activities specified as a Restricted Discretionary activity under Rules MRZ-R11 to MRZ-R17 the matters of discretion are restricted to:
  - a. The matters of discretion specified under the relevant rule; and
  - b. The matters in PRECXX-P1.

**Rules: Building and structure activities in the High Density Residential Zone**

**PRECXX-R4 All building and structure activities**

1. Refer to Rules HRZ-R11 to HRZ-R17.
2. For any building and structure activities specified as a Restricted Discretionary activity under Rules HRZ-R11 to HRZ-R17 the matters of discretion are restricted to:
  - a. The matters of discretion specified under the relevant rule; and
  - b. The matters in PRECXX-P1.

**Standards: Buildings and structures in the Medium Density Residential Zone**

**PRECXX-S1 All buildings and structures**

1. Refer to Rules MRZ-S1 to MRZ-S14.

**Standards: Buildings and structures in the High Density Residential Zone**

**PRECXX-S2 All buildings and structures**

1. Refer to Rules HRZ-S1 to HRZ-S17.