Wellington City Proposed District Plan Intensification Planning Instrument: rejected Independent Hearings Panel recommendations and alternatives to the Minister for the Environment

19 March 2024

Minister for RMA Reform, Hon Chris Bishop
Minister for the Environment, Hon Penny Simmonds

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Tēnā korua Hon. Chris Bishop and Hon. Penny Simmonds

Last week Wellington City Council's Infrastructure and Environment Committee considered the recommendations of the Independent Hearings Panel on the Intensification Streamlined Planning Process. Those recommendations which were rejected by the Council are detailed in this letter, along with the Council's alternative recommendations and reasons.

The District Plan is a key instrument for the capital in addressing the clear and present need for housing. We refer these recommendations to you and await your final decisions.

Summary of Wellington City Proposed District Plan and its ISPP

- Gazette notice [2022-sl2033] dated 25 May 2022, directed Wellington City Council (the Council) to notify decisions on the Independent Hearings Panel's (IHP) recommendations for those parts of the Proposed District Plan (PDP) subject to the intensification streamlined planning process (ISPP) in accordance with clause 102 of Schedule 1 of the RMA by 20 November 2023.
- The Wellington City PDP was notified on 18 July 2022.
- The notified PDP included both the Council's Intensification Planning Instrument (IPI) notified under the ISPP Schedule 1, Part 6 process and provisions notified under the Standard Schedule 1 Process, Part 1 process.
- 497 submissions and 138 further submissions on the PDP were received during a 10week submissions period.
- An IHP conducted hearings on all IPI provisions and some related Schedule 1, Part 1 provisions between February and October 2023.
- The Gazette notice was amended 31 August 2023 [2023-sl4044] to change the date by when the Council is required to notify ISPP decisions, to 20 March 2024.

- On 14 March 2024 the Council considered the recommendations of the IHP on the ISPP and those Schedule 1, Part 1 provisions heard to date in Hearings 1 – 5.
- The Council accepted the recommendations of the IHP, except for those listed below which are rejected. Each rejected recommendation has an alternative recommendation from Council based on submissions and evidence presented at the ISPP hearings, for the Minister for the Environment to consider.

Referred recommendations

Pursuant to clause 101(2) of Schedule 1 to the RMA, the Council refers the following recommendations of the Independent Hearings Panel that it has rejected, along with its reasons and its alternative recommendations.

The Council commends these alternative recommendations for the Minister's decisions under clause 105 of Schedule 1 of the RMA.

The IHP reports referenced in the rejected recommendations below are available at: Independent Hearings Panel Reports and Councillor briefings for hearing streams 1 to 5 - Plans, policies and bylaws - Wellington City Council.

The S42A reports and other evidence referenced in the rejected recommendations below are available at: Hearings information - Plans, policies and bylaws - Wellington City Council.

The submissions referenced in the rejected recommendations below are available on the Council's website at: Submissions database - Plans, policies and bylaws - Wellington City Council.

Matter: Adelaide Road
IHP recommendation(s) rejected
Recommendations in Report 4B, para 11 and Report 4B, para 106.
Alternative recommendation(s)
Retains the City Centre zoning and the associated zone-based provisions and associated spatial layers as it relates to Adelaide Road between Rugby St and John Street in the notified 2022 Proposed District Plan.
Reasons
Council agrees with the reasons stated in the Hearing Stream 4 Section 42A Report – Part 1 – City Centre Zone, paragraph 118, including Figures 11 and 12.
Scope
Zone and provisions in notified 2022 Proposed District Plan.

Matter: Walkable catchment around City Centre Zone
IHP recommendation(s) rejected
Recommendations in Report 1A as it relates to the City Centre Zone walkable catchment for NPS-UD: paras 6c, 299, 303, 341; Report 2A, as it relates to the Council amendment: paras 687, 696, 701, 703, 704, 707, 724; and Report 4C, para 515 as it relates to maximum height; Report 3B, paras 107, 111, 113 as it relates to Kelburn High Density Residential Zone and viewshafts.
Alternative recommendation(s)

1. Within a City Centre Zone walkable catchment as shown in the attached Map A: *The City Centre Zone Walkable Catchment* as per Section 42A Report Recommendations, which applies the 15 minute walkable catchment as recommended in Hearing Stream 1 Section 42A report para 360, and with the minor adjustment around Hay Street identified in the Hearing Stream 1 Addendum to Council Officers Right of Reply para 12:

- All residential areas are to be High Density Residential Zone, as shown in the Map A.
- All centres within this identified City Centre Zone walkable catchment to have a maximum height standard of 22 m where the IHP recommended maximum height is under 22 m.
- These amendments do not apply to qualifying matter areas (e.g. character precincts, heritage areas, high natural hazard overlays) which retain their 2022 notified PDP zoning and heights as further amended by Council decisions 14 March 2024.

The measurement of the walkable catchment uses the methods described in the Walking Network Statement of Evidence at Hearing 1. It rejects the additional factors recommended by the Hearings Panel e.g. distance from the core of the City Centre Zone, and desirability. The specific mapping metadata and process to draw the walkable catchment and zoning will be supplementary evidence to the Minister.

2. Adds a new (c) into Viewshafts chapter rule VIEW-R2.2 [permitted activity High Density Residential Zone]: "any building or structure in Kelburn does not intrude into Viewshafts 13, 14 or 15."

Reasons

Council agrees with these submitters' reasons, as relevant, about why a walkable catchment based on 15 minutes from the City Centre Zone and the Wellington City Spatial Plan's general identification of the Central City 15 minute walkable catchment in Vol. 3: Our Plan – Inner Suburbs) is most appropriate catchment for giving effect to NPS-UD Policy 3:

- Kāinga Ora #391, Cameron Vannisselroy #157, MHUD #121, Grant Buchan #143, Gen Zero #254, Paihikara Ki Pōneke Cycle Wellington #302, Rod Bray #311, Trevor Farrer #332, Property Council #338, WCC ERG #377, Miriam Moore #433, Rachel Leilani #464, Escape Investments #484, Jonathan Markwick #490, Simon Ross #37, Elayna Chhiba #480, Zoe Ogilvie-Burns #131, Anne Lian #132, Robert Murray #133, Olivier Reuland #134, Ella Patterson #138, Braydon White #146, Jill Ford #163, Amos Mann #172, Patrick Wilkes #173, Peter Gent #179, Peter Nunns #196, Andrew Flanagan #198, Richard W Keller #232, Regan Dooley #239, Svend Heeselholt Henne Hansen #308, Henry Bartholomew Nankivell Zwart #378, Matthew Tamati Reweti #394, David Cadman #398, Emma Osborne #410, Luke Stewart #422, Daniel Christopher Murray Grantham #468, Parents for Climate Aotearoa #472.

Council agrees with the reporting officer's evidence in Hearing Stream 1 Section 42A report on plan-wide matters and strategic direction paras 349 - 360; and in the Hearing Stream 1 Right of Reply Addendum evidence from Mr Wharton (paras 8 - 12).

It also accepts the submitter evidence tabled at Hearing 1 from Matt Heale (paras 4.14, 4.23 - 4.27), Alastair Cribbens (Request 1) and Nick Rae (paras 9.1 - 9.21) and Hearing 2 from Alastair Cribbens (paras 6.1 - 8.1) and Matt Heale (paras 5.10 - 5.12, 5.25 - 5.29), as far as it supports the Council's alternative recommendation.

Council notes that this amendment aligns with the Wellington City Spatial Plan 2021 content on a Central City walkable catchment to apply NPS-UD Policy 3c.

Council agrees with submitter Jonathan Markwick (#490) that if high density residential buildings are allowed in Kelburn, that the viewshafts from the top of the cable car should be protected. Council also agrees with the reporting officer's evidence on this point in Hearing Stream 3 Right of Reply Response, paras 38 - 50.

Scope
15-20 minutes from CCZ: Kāinga Ora #391, Cameron Vannisselroy #157 15 minutes from CCZ: MHUD #121, Grant Buchan #143, Gen Zero #254, Paihikara Ki Pōneke Cycle Wellington #302, Rod Bray #311, Trevor Farrer #332, Property Council #338, WCC ERG #377, Miriam Moore #433, Rachel Leilani #464, Escape Investments #484, Jonathan Markwick #490. 15 minutes or 1,200 m whichever is greater: Simon Ross #37 Larger catchments around Centres generally: Elayna Chhiba #480, Zoe Ogilvie-Burns #131, Anne Lian #132, Robert Murray #133, Olivier Reuland #134, Ella Patterson #138, Braydon White #146, Jill Ford #163, Amos Mann #172, Patrick Wilkes #173, Peter Gent #179, Peter Nunns #196, Andrew Flanagan #198, Richard W Keller #232, Regan Dooley #239, Svend Heeselholt Henne Hansen #308, Henry Bartholomew Nankivell Zwart #378, Kāinga Ora #391, Matthew Tamati Reweti #394, David Cadman #398, Emma Osborne #410, Luke Stewart #422, Daniel Christopher Murray Grantham #468, Parents for Climate Aotearoa #472, Johnathon Markwick #490.

Matter: Hay Street
IHP recommendation(s) rejected
Independent Hearing Recommendations in Report 1A, para 6(c)(vii) for properties south of #7 and #8 Hay Street; Report 1A, para 341(g) for properties south of #7 and #8 Hay Street and Report 2A, para 706 for properties south of #7 and #8 Hay Street
Alternative recommendation(s)
The High Density Residential Zone and maximum heights limits are applied to Hay Street in the same way as other areas within a walking catchment of the City Centre Zone without any Hay Street exemption.
Reasons
Council agrees with the reporting officer's evidence in Hearing Stream 1 Section 42A report on plan-wide matters and strategic direction para 90; and in the Hearing Stream 1 Right of Reply evidence from: Mr Wharton (paras 112 - 113); Ms Mandic (Appendix 2); and Ms Hammond (Appendix 3) that the area of Hay Street is within the area of the walkable catchment and upzoning gives effect to Policy 3 of the NPS-UD.
Scope
Submitters who requested a 20 minute walkable catchment, as this would encompass all of Hay Street: Conor Hill #76, Wellington City Youth Council #201; also Waka Kotahi #370 who requested a minimum 1.5 km from CCZ walkable catchment. The zones and provisions in notified 2022 Proposed District Plan also did not mention a Hay Street exclusion.

Matter: Character Precincts
IHP recommendation(s) rejected
Recommendations in Report 2B para 481; Report 2A para 823; and Report 4C para 522.
Alternative recommendation(s)
The extent of Character Precincts remain the same as that in the notified 2022 Proposed District Plan.

Areas of extended Character Precincts as recommended by the Independent Hearings Panel that were recommended to be consequentially downzoned to Medium Density Residential Zone from High Density Residential Zone or that had their Medium Density Residential Zone maximum height limits reduced, be reverted back to their notified Medium Density Residential and High Density Residential Zone, with their notified maximum height limits.

Consequential on the above relief, the maximum building height within the Berhampore Neighbourhood Centre Zone to retain the notified 22m limit.

Reasons

Council considers that more weight should be applied to the national significance of urban development, therefore the notified extent of character precincts is the most appropriate way to give effect to the NPS-UD.

Relatedly, Council agrees with submitter Generation Zero #254 that character precincts should only be applied in small areas with high concentration of character following rigorous site specific analysis.

Given the rejection of expanded character precincts, Council agrees with submitter Kainga ora #391 that greater height limits in Berhampore Neighbourhood Centre Zone are appropriate.

Scope

Submissions seeking to retain Character Precinct extents as notified:

- Generation Zero Wellington #254
- Cameron Vannisselroy #157

Submissions questioning the validity of/wanting character precincts removed altogether:

- Kainga ora Homes and Communities #391
- Waka Kotahi #370
- Matthew Gibbons #148
- Craig Erskine #325
- Khoi Phan #326
- VicLabour #414
- VUWSA #123
- MHUD #121

Submission seeking to increase height limit in Berhampore:

- Kainga ora Homes and Communities #391

Extents in notified 2022 Proposed District Plan.

Matter: Moir and Hania Street Interface

IHP recommendation(s) rejected

Recommendations in report 4B para 40.

Alternative recommendation(s)

The height in relation to boundary controls and building height settings in the City Centre Zone managing the interface of Hania and Moir Streets be returned back to the notified 2022 Proposed District Plan numbers (with the retention of Independent Hearing Panel recommendation for CCZ-S1 to be height thresholds, not maximum heights).

Reasons
Council agrees with the following submitters to retain the building heights set out in CCZ-S1 and height in relation to boundary controls CCZ-S3 as relates to the area of Hania Street as notified on the edge of the City Centre Zone: • Wellington City Youth Council #201, Restaurant Brands Limited #349, Fire and Emergency NZ #273, Century Group limited #238.
Scope
Wellington City Youth Council #201, Restaurant Brands Limited #349, Fire and Emergency NZ #273, Century Group limited #238. Provisions in notified 2022 Proposed District Plan.

Matter: Setbacks for 1-3 residential units
IHP recommendation(s) rejected
Report 2A para 200 in relation to para 199(m), 419 and 473.
Alternative recommendation(s)
The development of 1-3 residential units in the Medium and High Density Residential Zones have no minimum front or side yard requirements.
Reasons
Council agrees with the following submitters' reasons why having no minimum front or side yard setback requirements for the development of 1-3 residential units in the Medium and High Density Residential Zones per the notified 2022 Proposed District Plan is appropriate: • Retirement Villages Association of New Zealand Incorporated #350, Kainga Ora #391, Environmental Reference Group #377.
Scope
Retirement Villages Association of New Zealand Incorporated #350, Kainga Ora #391, Environmental Reference Group #377. Provisions in notified 2022 Proposed District Plan.

Matter: Johnsonville Line and its walkable catchments
IHP recommendation(s) rejected
Reports Report 1A: paras 4, 232, 233, 235, 237, 238, 299 (in relation to Johnsonville Line); Report 2A: paras 31(a), 728, 729, 730; Report 4C: paras 15, 261, 415, 595 (in relation to centres within 10 minutes of Johnsonville Line stations); and any other more general Independent Hearings Panel statements that are contrary to centres within 10 minutes walkable catchment of Johnsonville Line stations having a maximum height standard less than 22 m.
Alternative recommendation(s)
1. Within the ten minute walkable catchments of the train stations of Crofton Downs, Ngaio, Awarua Street, Simla Crescent, Box Hill, Khandallah and Raroa, as shown in the attached *Map B: The Johnsonville Train Line and 10 minute Walkable Catchments from its Stations*, which is in turn based on the 2021 Spatial Plan for Wellington City: Our Plan – Outer Suburbs: • All residential areas are to be to be High Density Residential Zone, as shown in the Map B.

- All centres and mixed use zones within these identified 10 minute walkable catchments to have a maximum height standard of 22 m where the Independent Hearings Panel recommended maximum height is under 22 m.
- These amendments do not apply to qualifying matter areas (e.g. character precincts, heritage areas, high natural hazard overlays) which retain their notified 2022 Proposed District Plan zoning and heights as amended by Council decisions 14 March 2024.

The measurement of the walkable catchment uses the methods described in the Walking Network Statement of Evidence at Hearing 1. It rejects the additional factors recommended by the Hearings Panel e.g. desirability and footpath quality. The specific mapping metadata and process to draw the walkable catchment and zoning will be supplementary evidence to the Minister.

2. Amend the 'Rapid Transit' definition to add "... includes the Kapiti Rail Line, the Johnsonville Line and the Hutt/Melling Line."

3. Amend the 'Rapid Transit Stop' definition to add: "... include Wellington Railway Station, Ngauranga Railway Station, the Johnsonville Line's Crofton Downs, Ngaio, Awarua Street, Simla Crescent, Box Hill, Khandallah, Raroa and Johnsonville 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."

Reasons

Council agrees with the submitters' reasons that the Johnsonville Line is 'rapid transit' and that the appropriate way to give effect to Policy 3c of the NPS-UD is to apply it within a 10 minute walkable catchment around each of the Johnsonville Line's rapid transit stops:

- Jack Chu #4, Simon Ross #37, Noelle Pause #55, Stephen Pause #64, Conor Hill #76, Hugh Good #90, Ministry of Housing and Urban Development #121, Cameron Vannisselroy #157, Patrick Wilkes #173, Wellington Youth Council #201, Anna Jackson #222, Regan Dooley #239, Generation Zero Wellington #254, Dawid Wojasz #295, Paihikara Ki Pōneke Cycle Wellington #302, Bruce Rae #334, Greater Wellington Regional Council #351, Waka Kotahi #370, WCC Environmental Reference Group #377, Kāinga Ora Homes and Communities #391, Investore Property Limited #405, VicLabour #414, Miriam Moore #433, Michelle Rush #436, Stride Investment Management Limited #470, Te Rūnanga o Toa Rangatira #488, Jonathan Markwick #49, Investore #405, Stride #470.

It also accepts the submitter evidence tabled at Hearing 1 from Joe Jeffries (paras 4.1 - 4.7), Mark Georgeson (paras 4.1 - 6.12), Matt Heale (paras 4.8 - 4.22), Mike Cullen (paras 7.1 - 7.16) and Alastair Cribbens (paras 5.1 - 6.7) and at Hearing 2 from Matt Heale (paras 5.10 - 5.12, 5.25 - 5.29).

Scope

Johnsonville Line is rapid transit:

Jack Chu #4, Simon Ross #37, Noelle Pause #55, Stephen Pause #64, Conor Hill #76, Hugh Good #90, Ministry of Housing and Urban Development #121, Cameron Vannisselroy #157, Patrick Wilkes #173, Wellington Youth Council #201, Anna Jackson #222, Regan Dooley #239, Generation Zero Wellington #254, Dawid Wojasz #295, Paihikara Ki Pōneke Cycle Wellington #302, Bruce Rae #334, Greater Wellington Regional Council #351, Waka Kotahi #370, WCC Environmental Reference Group #377, Kāinga Ora Homes and Communities #391, Investore Property Limited #405, VicLabour #414, Miriam Moore #433, Michelle Rush #436, Stride Investment Management Limited #470, Te Rūnanga o Toa Rangatira #488, Jonathan Markwick #490.

10 minutes around Johnsonville train stations: Investore #405, Stride #470.

800 m from Johnsonville train stations: Waka Kotahi #370 (as a minimum), Kāinga Ora #391.

Other submitters asking for 15 minutes and other sized walkable catchments from the train stations are listed in section 4.4.1 of the Hearing Stream 1 Section 42A Report - plan wide matters and strategic direction.

Matter: Kapiti Line walkable catchments

IHP recommendation(s) rejected

Report 1A, para 317, 312 and 321; and Report 2A, para 739.

Alternative recommendation(s)

1. Within the ten minute walkable catchments of the train stations of Takapu Road, Redwood and Linden, as shown in the attached Map C: *The Kapiti Train Line and 10 Minute Walkable Catchments from its Stations in the Tawa Suburb,* which is in turn based on the 2021 Spatial Plan for Wellington City: Our Plan – Outer Suburbs:
    - All residential areas are to be High Density Residential Zone, as shown in Map C. Map C also includes the walkable catchments of Tawa and Kenepuru as unchanged from the IHP recommendations, in order to show the collective walkable catchment for these rapid transit stations in the Tawa suburb.
    - All centres zones within these identified 10 minute walkable catchments to have a maximum height standard of 22 m where the Independent Hearings Panel recommended maximum height is under 22 m.
    - All mixed use and industrial zones within these identified 10 minute walkable catchments to have a restricted discretionary activity maximum height standard of 22 m where the IHP recommended maximum height is under 22 m.
    - These amendments do not apply to qualifying matter areas (e.g. character precincts, heritage areas, high natural hazard overlays) which retain their notified 2022 Proposed District Plan zoning and heights as amended by Council decisions 14 March 2024.

The measurement of the walkable catchment uses the methods described in the Walking Network Statement of Evidence at Hearing 1. It rejects the additional factors recommended by the Hearings Panel e.g. desirability and topography. The specific mapping metadata and process to draw the walkable catchment and zoning will be supplementary evidence to the Minister.

Reasons

Council agrees with the following submitters' reasons about why a 10 minute walkable catchment from the Takapu Road, Redwood and Linden Stations is the most appropriate:

- WCC Environmental Reference Group #377, Penny Griffith #418, Murray Pillar #393, Johnathon Markwick #490, 292 Main Road Ltd #105, Waka Kotahi #370, Kāinga Ora #391.

It also accepts the submitter evidence tabled at Hearing 2 from Matt Heale (paras 5.10 – 5.12, 5.25 – 5.29. It also agrees with the reporting officer's evidence in Hearing Stream 1 Section 42A Report Part 1 Plan-wide Matters and Strategic Direction, paras 266 - 306.

Scope

10 minutes from the train stations (various descriptions): WCC ERG #377, Penny Griffith #418, Murray Pillar #393, Johnathon Markwick #490, 292 Main Road Ltd #105.

800 m from all rapid transit stations: Waka Kotahi #370 (as a minimum), Kāinga Ora #391 (with amendments mapped and updated at hearing).

Other submitters asking for 15 minutes and other sized walkable catchments from the train stations are listed in section 4.4.1 of the Hearing Stream 1 Section 42A Report - plan wide matters and strategic direction.

Matter: Gordon Wilson Flats
IHP recommendation(s) rejected
Report 3A para 441.
Alternative recommendation(s)
Heritage building - #299, 320 The Terrace, Gordon Wilson Flats be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Te Herenga Waka Victoria University of Wellington #106

Matter: Gas Tank (Former)
IHP recommendation(s) rejected
Report 3A para 475.
Alternative recommendation(s)
Heritage building #511, 139 Park Road, Gas Tank (Former) be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
WingNut Films Productions Limited #467

Matter: Emeny House
IHP recommendation(s) rejected
Report 3A para 556.
Alternative recommendation(s)
Heritage building #415, 1 Ranfurly Terrace, Emeny House (former) be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.

Scope
Tony De Lorenzo #009

Matter: Kahn House
IHP recommendation(s) rejected
Report 3A para 506.
Alternative recommendation(s)
Heritage building #520, 53 Trelissick Crescent, Kahn House be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Sophie Kahn #161

Matter: Olympus Apartments
IHP recommendation(s) rejected
Report 3A para 471.
Alternative recommendation(s)
Heritage building #510, 280 Oriental Parade, Olympus Apartments be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Olympus Apartments #473

Matter: Wharenui Apartments
IHP recommendation(s) rejected
Report 3A para 467.
Alternative recommendation(s)
Heritage building #509, 274 Oriental Parade, Wharenui Apartments be removed from SCHED1
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Wharenui Apartments #358

Matter: Robert Stout building
IHP recommendation(s) rejected
Report 3A para 456.
Alternative recommendation(s)
Heritage building #497, 21 Kelburn Parade, Robert Stout Building be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Te Herenga Waka Victoria University of Wellington #106

Matter: Primitive Church
IHP recommendation(s) rejected
Report 3A para 454.
Alternative recommendation(s)
Heritage building #490, 24 Donald McLean Street, Former Primitive Methodist Church be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Wellington Chinese Baptist Church #144 Andrew Gan #136

Matter: Masonic Hall
IHP recommendation(s) rejected
Report 3A para 445.
Alternative recommendation(s)
Heritage building #366, 25-29 Phillip Street, Johnsonville Masonic Hall be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Ngatiawa Russell Masonic Lodge #78, Johnsonville Masonic lodge #263, The Coronation Lodge #149, Stephen Inzon #177

Matter: Star of the Sea
IHP recommendation(s) rejected
Report 3A para 435.
Alternative recommendation(s)
Heritage building #120, 69 Tio Tio Road, Our Lady Star of the Sea Chapel and Stellamaris Retreat House be removed from SCHED1.
Reasons
Council does not consider that retaining the building on the heritage schedule is the most efficient and effective option to give effect to the NPS-UD, because the heritage values are insufficient to justify accommodating historic heritage as a qualifying matter.
Scope
Wingnut PM #428

Matter: Kilbirnie plan change
IHP recommendation(s) rejected
Report 1A paras 5, 336, 337; and Report 2A paras 690, 711, 712; that alter the Proposed Plan to include a walkable catchment and consequential zoning for Kilbirnie.
Alternative recommendation(s)
NPS-UD Policy 3(c) will instead be implemented in a Part 1, Schedule 1 district plan change, with early consultation with the community that includes the Independent Hearing Panel's recommended walkable catchment and High Density Residential Zone around Kilbirnie Metropolitan Centre Zone. The plan change will be notified within one year of the Minister's acceptance on this topic.
Reasons
Council agrees with the view of the reporting officer in the Section 42A Report (Stream 1, Part 1 para 373) that "*the Council has not proposed the upzoning at any stage: Draft Spatial Plan, Final Spatial Plan, Draft plan nor [Proposed] plan. The effects (both positive and adverse) of enabling six storey buildings may be significant. Landowners and residents affected have not had the opportunity to consider and submit on the change. From a best-practice engagement perspective, it would be best for this scale of upzoning to be discussed with the community about its implications and let them have their say. While the NPS-UD requirement to enable six stories in this area would remain, people may raise relevant points about a High Density Residential Zone boundary … or other matters.*" The change arose from submissions highlighting how the NPS-UD and its qualifying matters (such as natural hazard overlays) had been applied around Kilbirnie. This creates a situation of natural justice – where other areas of the City had the opportunity to provide their views through consultation but not the people of Kilbirnie. The Section 42A Report officer advice that that community consultation would be desirable given the scale of change now proposed was apparently overlooked by the IHP panel with the Chair claiming that advice had not been provided when questioned at the Q&A session.
Scope
The Proposed District Plan 2022 notified residential zoning in Kilbirnie.

Matter: Hydraulic Neutrality (application to CCZ)

IHP recommendation(s) rejected
Recommendations in Report 5C paras 5 and 46.
Alternative recommendation(s)
Three Waters Chapter rule THW-R6 (Hydraulic neutrality - four or more residential units and non-residential buildings) apply to the City Centre Zone, as notified in the 2022 Proposed District Plan.
Reasons
Council agrees with the reasons set out in the reporting officer Ms Cook's Section 42A Report - Three Waters paragraph 309, Ms Cook's supplementary planning evidence (in particular para 29), and Ms Cook's Right of Reply (in particular para 26).
Scope
THW-R6 notified in the 2022 PDP Wellington City Youth Council #201

Please see the response copied to:

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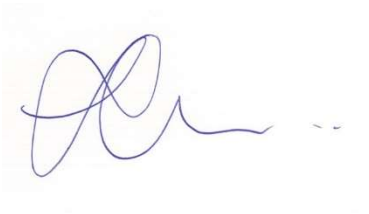

Tory Whanau

Mayor of Wellington | Wellington City Council

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Attachments and supporting material

Attachment 1: *Map A: The City Centre Zone Walkable Catchment*

Attachment 2: *Map B: The Johnsonville Train Line and 10 minute Walkable Catchments from its Stations*

Attachment 3*: Map C: The Kapiti Train Line and 10 Minute Walkable Catchments from its Stations in the Tawa Suburb*

Attachment 4: *Additional mapping metadata and process to draw the walkable catchment and zoning*

Link to map viewer: Experience (arcgis.com)