

**Proposed Change 1 to the Wellington Regional Policy Statement
Hearing Stream 4 – Urban Development**

Speaking Notes – Rory Smeaton on behalf of Porirua City Council

9:30am, Wednesday 4th October 2023

1. Ko Rory Smeaton tōku ingoa. Kei Johnsonville ahau e noho ana. Kei te Kaunihera o Porirua e mahi ana. He Kaihanga Mahere Kaupapahere Matua ahau.
2. Thank you Chair and members of the two hearing panels.
3. My name is Rory Smeaton. I am a Principal Policy Planner employed by Porirua City Council (PCC). I produced a statement of planning evidence in support of PCC’s submission points being considered in Hearing Stream 4 – Urban Development.
4. I note that I have reviewed the section 42A report as well as the rebuttal evidence of Ms Mika Zöllner and Mr Owen Jeffreys. Like other submitters, while not always in agreement with their conclusions, I acknowledge the comprehensive work that has been undertaken by the Council officers.
5. I would like to firstly address a small matter I noted while reviewing Ms Zöllner’s rebuttal evidence. Ms Zöllner often refers to PCC when addressing the matters raised in my evidence. While this is likely to be simply for ease of reference, I would like to reiterate that, as noted in paragraph [4] of my evidence, while I am an employee of PCC, I am giving evidence as a planning expert and the views I express are my own.
6. PCC’s submission raises a number of concerns with the Urban Development provisions proposed by Change 1. As addressed in my evidence, high-level concerns raised relate to the implementation of the NPS-UD, undefined and unclear terms, climate resilience, duplication of other provisions, and explanations. While I consider that that the recommended amendments in the Section 42A Report have somewhat improved the provisions, there remain a range of matters where further amendments are required. In particular, I do not consider that the rebuttal versions of the Urban Development provisions sufficiently address these cross-cutting issues.
7. As noted in my evidence, I have not had the benefit of time to address redrafting of the chapter introduction. However, I consider that the rebuttal version remains overly long and complex.
8. PCC’s submission provided comprehensive redrafted provisions for Objective 22, Policy 30 and Policy 31, to ensure the outcomes sought and appropriate direction is clearly stated within these provisions. I support the wording of those provisions as put forward by PCC as I consider them to be more appropriate than the wording as notified in Change 1 or recommended to be amended by the section 42A report authors.
9. Specifically in relation to the regionally significant centres listed in Policy 30, I would like to draw the Panel’s attention to the Proposed Regional Policy Statement for the Wellington Region 2009.¹ Policy 29 of that 2009 document included Petone, Kilbirnie and Johnsonville in the list of ‘centres of regional significance’. The Decisions Version of that document (and

¹ Available from Greater Wellington’s website here: <https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/policies/regional-policy-statement/versions-of-the-regional-policy-statement/>

subsequently the operative RPS) split the listed centres into 'sub-regional centres' and 'suburban centres'. Petone, Kilbirnie and Johnsonville are listed as the suburban centres. The section 32 report for the Wellington City Proposed District Plan identifies that the Metropolitan Centre Zoning was applied to the areas of 'sub-regional centre' zoning in the operative district plan, which relates to Johnsonville and Kilbirnie. However, Policy 6.2.1.1 of the operative Wellington City District Plan notes that "These two Centres are recognised as Regionally Significant Centres *in the proposed Regional Policy Statement.*" (my emphasis).

10. As such, it appears to me that the section 42A author is basing his recommendation on zoning in the Wellington City PDP, which was based on the operative Wellington City district plan zoning, which itself was based on policy direction in the *proposed* RPS and which was subsequently changed in the operative RPS. The section 42A report author is now recommending the same list of regionally significant centres included in the 2009 Proposed RPS and which was amended through the hearings process for that document. I see no reason why the decision made on the Proposed RPS at that time would be different now. As discussed from paragraph [39] of my evidence, I consider that the identification of Johnsonville and Kilbirnie as 'regionally significant centres' has the potential to undermine the overall centres hierarchy, and specifically the importance of the regionally significant centres such as Porirua.
11. I have recommended a range of amendments to other policies included in Hearing Stream 4. Some of these amendments have been incorporated through the recommendations of the section 42A report authors, which I appreciate. However, many of the issues I raise in my evidence remain, such as the use of undefined and unclear terms and duplication of provisions. I have recommended amendments through my evidence in chief which I still support, including:
 - a. I consider that Policies UD.1, 32, 56, and 67 require relatively minor amendments to make them clearer and remove duplication by deleting superfluous clauses;
 - b. I appreciate that some amendments have been recommended by the section 42A report author to Policy 55 to incorporate some of my recommended amendments. However, I remain of the opinion that further amendments are required, including deletion of clause (4) of the policy;
 - c. I consider that the amendments to Policies 57 and 58 proposed through Change 1 have significant issues that have not been resolved through the amendments recommended by the section 42A report authors, and should be deleted;
 - d. I consider that Policy UD.3 should be significantly amended to better give effect to the NPS-UD and be more concise and directive, and have suggested wording to achieve that; and
 - e. I consider that Policy UD.5, as recommended to be included by the section 42A report author, should be deleted as it lacks clarity and appears to set the bar inappropriately high.
12. I note that Ms Zöllner's rebuttal evidence includes incorporation some of my recommended amendments to UD.2, which I agree with.

13. Overall, I consider that further amendments are required to the provisions in Change 1 relating to the Urban Development topic to ensure PCC can continue to meet its statutory obligations.