REPRESENTATION in SUPPORT

of

SUBMISSION

on

VARIATION ONE to PROPOSED DISTRICT PLAN

and

PLAN CHANGE 19 to OPERATIVE DISTRICT PLAN

BRIAN WARBURTON

Introduction

1. My full name is Brian John Warburton.

2. I hold the qualification of Master of Science (Resource and Environmental Planning) which is a planning qualification accredited by the New Zealand Planning Institute. I have previously been a member of the New Zealand Institute of Surveyors and the New Zealand Planning Institute. I have successfully completed the MfE certification programme for RMA decision makers.

3. Between 1995 and 2020 I was involved with RMA consenting and plan changes associated with a range of residential and rural developments and subdivisions in the Wellington region. I have been personally responsible for RMA decision-making relating to many hundreds of development and subdivision projects in Wellington, Porirua and Kapiti Coast.

4. I am participating in these RMA proceedings as a submitter (OS64) and as a further submitter (FS64).

5. My submission related to matters associated with Variation 1 to the Proposed District Plan (PDP).

6. My further submission was in respect of matters associated with the submission by KM and MG Holdings Ltd (OS54).

Primary Submission Points

7. I have prepared a summary of my submission points which is attached to this representation. I intend to speak briefly to each point.

8. OS64.1 MRZ-S3 - Height in Relation to Boundary - The Height In Relation to Boundary (HIRB) permitted activity standards need amending to address uncertainty about the scenario outlined in my submission.

9. OS64.2 – Qualifying Matters - General - Variation 1 does not apply the exclusions provided for in Section 77I of the RMA. Nor does the Council explain why those exclusions have not been applied. For all intents and purposes Variation 1 has been prepared and notified in complete ignorance of 'qualifying matters'. That was not the Government's intent.

10. OS64.3 – Qualifying Matters – Land Subject to a Qualifying Matter Overlay - Variation 1 should be amended so the housing intensification provisions of Variation 1 do not apply to land identified in the PDP as being: an SNA, subject to the NES-FW, having cultural and/or historical values, and/or within a coastal high natural character area.

11. OS64.4 – Qualifying Matters – Land Adjacent to Land Zoned as Open Space and/or Subject to the ONF/ONL, SAL Overlays - Variation 1 should be amended to include specific development controls applicable to residential land due to its proximity with other land with open space or landscape values.

12. OS64.5 – Qualifying Matters – Infrastructure - Variation 1 should be amended so any intensified housing is deferred until such time as the land has adequate 3-Waters servicing. Titahi Bay is already subject to frequent overflow of **untreated** wastewater. Any additional housing will intensify this adverse effect. That's a fact. The 'subdivision/development' servicing provisions of the operative district plan do not prevent these additional effects so the PDP provisions will achieve nothing more.

13. OS64.6 – Qualifying Matters – Coastal Margin - Variation 1 should be amended so there are adequate provisions to avoid buildings, and the adverse effects on coastal natural character therefrom, due to intensified housing on land located within the coastal margin. The definition of coastal marine area needs amendment so it is relative to a tangible MHWS, not one based on an erroneous concept derived from cadastral boundaries which in places can be askew by 100s of metres.

14. OS64.7 – Extent of MRZ-RIP in Titahi Bay - As far as the MRZ-RIP in Titahi Bay and the 'accessibility' parameter of the NPS-UD are concerned, the Council should discount St Pius School in Tuki Street, Titahi Bay. The limit of the MRZ-RIP in Titahi Bay must be amended to reflect the fact that primary school education for about 90% of children is not "accessible" at this catholic school.

15. OS64.8 – Policy Ratification – There is no available public record confirming that councilors understood what they were agreeing to when they adopted a recommendation from council officers that a IPI (Intensification Planning Instrument), ie: Variation 1, be notified. Commentary I have cited from the relevant council meeting confirms the Council's decision to notify Variation 1 in its current form was made in a 'policy vacuum'. Therefore, the content of proposed Variation 1 has not been suitably ratified by Council, and the RMA process currently underway is invalid.

16. OS64.7 – MRZ-RIP Walkable Catchment – In common with other councils, and in accordance with MfE guidance, the Council agreed to notify Variation 1 on the basis of an 800m walkable catchment. Despite this, and in the absence of any submission support, the Council's 'urban design expert' now considers an acceptable walkable distance to be 1,000 metres. Screenshots showing the discrepancy are included in my submission, and attached to this summary. The evidence of the Council's urban designer is an attempt to expand the scope of the Variation 1 as notified and should be discounted accordingly.

Further Submission Points

17. As noted above, I have further submitted on the submission by KM & MG Holdings Ltd.

18. KM & MG Holdings Ltd has sought:
    - by way of Plan Change 19, amendments to the overlay maps (specifically, but not limited to, Map A – PFZ-2) applicable to land commonly described as Plimmerton Farm; and,
    - by way of Variation 1, amendments to the provisions of the operative district plan as far as it relates to Plimmerton Farm so that the housing intensification provisions of Variation 1 will apply to Plimmerton Farm.

19. KM & MG Holdings Ltd seeks outcomes from PC19 to the operative district plan that are not within the scope of the PC19 as it was notified. PC19, as it was notified, specifically only addressed those matters required to give effect to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act.[1]

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1. If (as KM & MG Holdings Ltd are trying to claim) the extent of any ecological offsetting area is a matter that can be addressed via PC19 because it falls with the definition of 'qualifying mater', then surely this means that such policy matters (eg: infrastructure, SNAs, CHNC, etc) can also be so addressed. Council officers appear to be advocating a bob-each-way.

20. It is a matter of law that Variation 1 cannot apply to the Plimmerton Farm site. A variation only applies to a proposed district plan not one that is already operative.

21. It is a matter of law that the amendments to PC19 sought by KM & MG Holdings Ltd exceed those that can be achieved by way of submission. In short, the scope of what the submitter seeks exceeds what any reasonable person who might have envisaged and anticipated/considered submitting on.

22. If there are actually mapping mistakes, then a specific plan change process is the RMA means by which this can be rectified. Slipping such a significant amendment in via 'the back-door' does not accord with good practice or natural justice.[2] Natural justice would not be served if KM & MG Holdings Ltd's submission was accepted.

Summary

23. I am happy to provide clarification needed by the Panel or answer any questions it has.

Brian Warburton 07 March 2023

ATTACHMENT ONE:

Summary of Submission Points

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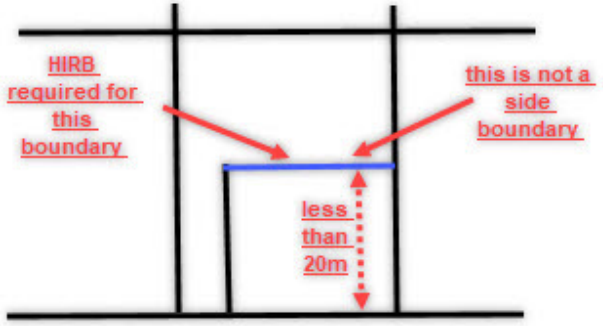
[2] I note that in the previous Plimmerton Farm proceedings there were questions raised by submitters about unauthorised amendments (of a policy nature and made by staff working on PC18) to the notified version of the PC18 after the Council agreed to notify an earlier version. I refer to section 16 of the submission by Ms Smith (No. 107) which is accessible here: https://poriruacity.govt.nz/documents/3841/PC18_101-110.pdf. Random amendments to statutory documents outside a process that should be fully participatory is not democracy.

ATTACHMENT ONE: Variation 1 to Proposed District Plan and Plan Change 19 to the Operative District Plan - Representation by Brian Warburton (Submitter 64)

Sub No. / Point No.	Specific provision / matter	Position	Decision Requested	Reasons and Comment
OS64.1	MRZ - Medium Density Residential Zone > Standards > MRZ-S3 Height in Relation to Boundary	Oppose as it Reads	Amend to address issue highlighted in submission	Variation 1 does not include details of the recession plane that would apply to buildings on a rear site in the MRZ – Residential Intensification Precinct where the boundary is common between the rear site and a front site. This is depicted in the diagram below.  For the boundary coloured blue in the image above RZ-S3 doesn't apply because: • the boundary is not further than 20m from the road and • it is not a side boundary. This makes defining and enforcing provisions relating to boundaries (eg: the HIRB) particularly difficult, and potentially impossible.

OS64.2	Qualifying Matters - General	Oppose as it Reads	Seeks that the provisions of Variation 1 require amendment, so the proposed height and density requirements do not apply to specific land.	Variation 1 does not apply the exclusions provided for in Section 77I. Nor does the Council explain why those exclusions have not been applied. Instead, it appears the council officers are suggesting that the trade-off between enabling development, and recognising and protecting the high-level matters listed in Section 77I, can be happily left until the resource consent stage. I object to this approach as it will invariably lead to key environmental values being denigrated. Because, unfortunately this is what has happened in the past. Council officers' apparently think the provisions of the PDP already sufficiently address such matters as natural hazards, coastal environment, ecosystems and biodiversity, historic heritage and cultural sites. This approach overlooks several matters and as follows: • The PDP is still a proposed district plan, decisions on submissions have not yet been made, and submitters on the PDP have the option of appealing unfavourable decisions to the Environment Court. • Because the PDP (that part of it already heard) is still only 'proposed' it's not possible to know what its substance will eventually entail. • Because submitters don't know what the substance of the PDP will be they don't know how the PDP will integrate with the Variation 1 provisions. • Because submitters don't know how the PDP and the Variation 1 will integrate it is impossible for participants to make submissions with any confidence about the plan provisions necessary to achieve the proposed of the Act. • The only way submitters can have confidence that the purpose of the Act will be achieved [once the Variation 1 provisions (yet to be determined) are integrated within the PDP provisions (also yet to be determined)] is for the

				Variation 1 provisions to include Qualifying Matters and for those to relate to the resource management issues referred to this submission. When submitters submitted on the PDP they knew nothing about the extent to which the Council would apply the intensification provisions of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. It appears council officers are suggesting that submitters (when they submitted on the PDP) should have known what the Council would propose in terms of residential building height and coverage as a consequence of Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Submissions on the PDP closed on 20 November 2020. But Submitters on the PDP could not have possibly known or envisaged what Variation 1 would comprise. For example, when stakeholders submitted on the PDP they could not have possibly known that the Council would be proposing such things as: • five storey residential buildings in an area (eg: Titahi Bay) where the wastewater network is already defective and unlawful; and, new high density residential development in parts of the city subject to significant natural hazard risks, and/or valued for its significant natural character relating to the coastal environment. If submitters on the PDP had known then, what they know now, submissions would likely have been substantially different. Similarly, all experts (for all participants) who have so far contributed to the PDP process were, when they prepared their technical assessments and evaluation, looking at the environment in the context of the PDP as it was notified. They weren't looking at the environment in the context of the PDP but as modified by

				Variation 1. Indeed, it was impossible for them to have done so. This has obvious consequences for the scope of the district plan provisions. For example, it is quite possible that experts dealing with the ecosystem and biodiversity provisions (if they had assessed the potential implications of 22m high buildings when they considered the provisions of the PDP) would have recommended no-building buffers around the permitters of SNAs relating to shade intolerant plants. But, those ecological experts wouldn't have been thinking about this as a resource management issue/tool, because the concept of 22m high buildings in the residential area was not known to them. There are numerous other examples, where the outcome (in terms of submissions, experts' contribution and assessment, and the Panel's questioning and consideration) could likely have been substantially different if the consequences of the Variation 1 were known during the PDP submission and hearing process. The Panel hearing submissions on the PDP has also been in this position. The Panel's questioning of submitters and council experts (in relation to such matters as natural hazards, coastal environment, catchment hydrology, ecosystems and biodiversity, historic heritage ,and cultural sites) is likely to have been significantly different if the PDP had (from the outset) included what is now being proposed with Variation 1. Council officers are apparently suggesting this is inconsequential.

OS64.3	Qualifying Matters – Land that is a SNA, Subject to Natural Hazards, has Cultural or Historic Values and/or Located in the Coastal Margin	Oppose as it Reads	Seeks that the provisions of Variation 1 require amendment to the extent that no buildings or structures (regardless of height or density) shall be permitted on: • land (whether or not it comprises an entire parcel) that is subject to the significant natural area provisions of the PDP, • land (whether or not it comprises an entire parcel) that is subject to the provisions of the NES-FW relating to natural wetlands, land (whether or not it comprises an entire parcel) that is subject to the natural hazard and risk provisions of the PDP, • land (whether or not it comprises an entire parcel) that is subject to the historical and cultural values provisions of the PDP, and • land (whether or not it comprises an entire parcel) that is subject to	My comments in relation to submission point OS64.2 are equably applicable to this submission point. At the risk of repetition, it is not possible for robust technical assessments to reconsider the provisions of PDP in the light of what is now proposed with Variation 1. This is not possible because hearings on the substantive provisions of the PDP have already concluded. With the absence of such technical assessments a significant degree of precaution is required. In other words, with Variation 1 (and compared to the 'unvaried' PDP) participants in the process can't have the same degree of confidence that the overlay boundaries are suitably defined. This being the case, and in the absence of site-by-site detailed analysis, I consider an all or nothing approach should be applied to policy overlays. In these circumstances (eg; where there is no or insufficient evidence) it is wise to apply the 'precautionary principle'. In other words, if part of a site is subject to an overlay (regardless of extent), then the overlay provisions should apply to all the site unless proven otherwise.

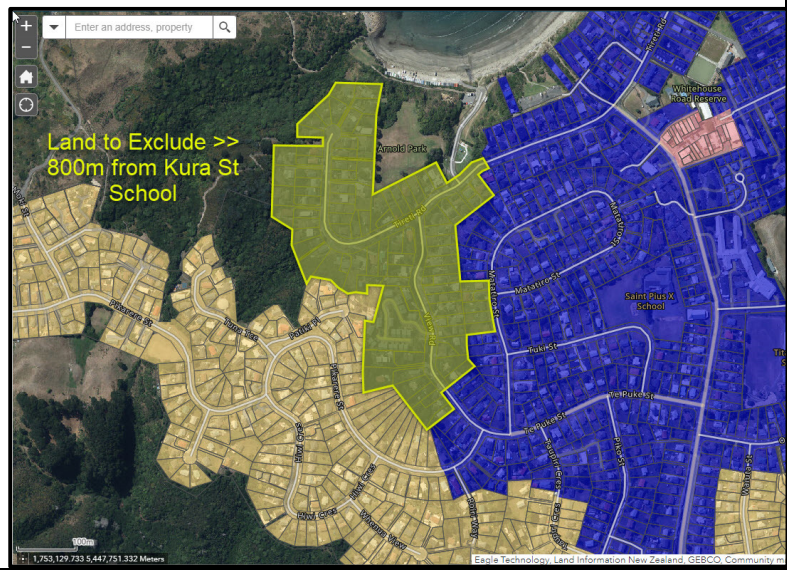
			the coastal high natural character area provisions of the PDP.	
OS64.4	Qualifying Matters – Land Adjacent to Land Zoned as Open Space and/or Areas Identified as an ONF/ONL, and/or Areas Identified as SAL	Oppose as it Reads	The standards of Variation 1 should be amended to include development controls applicable to residential land that is adjacent to land zoned as Open Space and/or areas identified as an ONF/ONL, and/or areas identified as SAL. A 3m + 45o recession plane should apply on such common boundaries. The provisions of Variation 1 require amendment to the extent that buildings or structures higher than 8 metres, higher than a 3m + 45^{O} height recession plane, and occupying more than 40 percent of a site area (either alone or in combination with other buildings) shall not be	Those development controls are needed because residential development on adjacent land can adversely affect the values attached to land in the Open Space zone and/or land identified as ONF, ONL and SALs. There is no reason to consider that the level of development permitted by the MDRS, and by the MRZ-RIP, provides the protection and avoidance to which s77I 'qualifying matters' refers." For example, what evidence has been provided confirming that buildings 22 metres high [refer HRZ-S2(1)(a)], as per Variation 1, will not have any greater effects on the landscape, open space and/or recreational values of adjacent land, than buildings only 8 metres high [refer GRZ-S(1)] as per the notified PDP. There is nothing to suggest that the provisions of the PDP as modified by Variation 1, will allow for the protection and avoidance required in terms of the matters listed in s.77I (a) to (h).

			permitted on: Land (whether or not it comprises an entire parcel) that is adjacent to (namely shares a common boundary with) land zoned as Open Space and/or areas identified as an ONF/ONL, or areas identified as SAL.	
OS64.5	Qualifying Matters – Infrastructure	Oppose as it Reads	The standards of Variation 1 should be amended to preclude buildings or structures regardless of height or density on land (whether or not it comprises an entire parcel) within a 'Three -Waters' catchment that does not have installed, operating and functional infrastructure, the capacity of which is sufficient to cater for the additional input (in the case of SW and WW) or demand (in the case of W), from additional development.	My comments in relation to submission point OS64.2 are equably applicable to this submission point. At the risk of repetition, it is not possible for robust technical assessments to reconsider the provisions of PDP in the light of what is now proposed with Variation 1. In this regard, I note the following: - The Rukutane Point overflow occurs when the network flow from Titahi Bay to the Rukutane Point pumpstation exceeds the pump's capacity (see attached email from WWL). - The Rukutane Point pumpstation has a capacity of 135 L/s. - Any such overflow results in untreated wastewater discharging directly to the marine environment via the main wastewater outfall. - At least twenty such overflows have occurred in the preceding two years. The scope of the WWTP consent currently being sought does not encompass any overflows at the Rukutane Point pumpstation. There is no current coastal permit allowing WWL and PCC to discharge wastewater 'overflows' at Rukutane Point directly into the coastal marine area. - In summary, the wastewater network, or at least the Titahi Bay 'sub-catchment' part of it, is currently being operated by WWL and PCC in breach of section 12 of the RMA, as there is no current coastal permit [refer section 87(c) of the RMA] allowing the discharge of wastewater to the coastal

				marine area as a result of 'overflows' at the Rukutane Point pumpstation. • The so-called 'upgrades' to the WWTP, and to the network will not avoid this direct discharge of untreated WW to the CMA. • The proposed 'storage/retention' tanks at Paremata, Plimmerton, and the CBD will do nothing to stem the flow of wastewater from Titahi Bay to the Rukutane Point PS and therefore will not prevent untreated discharge. • And that flow is guaranteed to increase with PCC's proposed housing intensification in Titahi Bay. It's fair to say that intensification has already increased the frequency of WW overflows of untreated wastewater from the Rukutane Pt pump station directly into the CMA. Every bullet point above is a matter of fact. The Council's functions under the RMA include: "the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district." It appears council officers are suggesting that the function of council, in respect of managing the effects from residential development (including effects on the limited capacity of wastewater infrastructure) can be achieved by assessment of individual developments on a case-by-case basis. This is the approach historically used. But this has not avoided the current situation whereby development In Titahi Bay has reached a point where infrastructure is unable to cater for demand and the Council is in breach of the RMA provisions relating to discharges of untreated sewage to the coastal environment.

				For this reason, I do not believe the council officers' approach (which is that these matters are managed by the THWT - Three Waters chapter in the PDP) to be realistic. If it was achievable, then why hasn't it already happened. Why is PCC/WWL currently in breach of the section 12 of the RMA. Afterall the operative District Plan also has provisions in it about developments needing to be adequately serviced.
OS64.6	Qualifying Matters – Coastal Margin	Oppose as it Reads	Provisions of Variation 1 require specific amendment to address matters relating to the 'coastal margin' provisions of the PDP, and to ensure that Variation 1 meets the Council's obligations under section 6(a) of the RMA. The provisions of Variation 1 require amendment to: a. prevent buildings or structures regardless of height or density on any land within a coastal margin: b. amend the definition of 'coastal margin' to include this (or similar) statement: (i) or the purposes of determining the extent of the coastal margin the line of	The proposed definition of 'coastal margin' in the PDP is: "all landward property which is within 20m of the line of MHWS". This definition is relevant in terms of the NATC provisions of the PDP. Those NATC provisions of the PDP are unworkable without the line of MHWS being defined. Mapping by LINZ suggests significant parts of the Porirua District are within the coastal margin as well as being within the residential zone. Developments within the coastal margin of the type that the Amendment Act implies should be potentially facilitated (all other things being equal) should be excluded from the enabling provisions. Council officers claim the following: • This matter is managed by the NATC - Natural Character chapter in the PDP. • Identifying the coastal margin has been addressed in HS1 and HS2 [sic] hearings. • The LINZ layer, referred to by the submitter, "in some cases is not close to the MHWS". My counter arguments are outlined in detail in my submission, and at the risk of repetition also relate to the more general comments in submission point OS64.2 above. Council staff are, in essence, stating that the coastal natural

			MHWS shall, except where provided for in (ii), be the landward extent of the LINZ's NZ Coastlines GIS Polygon (Topo, 1:50k) https://data.linz.govt.nz/layer/5 0258-nzcoastlines-topo-150k/ (ii) (i) above shall not apply for any particular project or activity where the line of MWHS (and the corresponding landward limit of the coastal margin) has been determined by a suitably qualified person as being applicable for that project and activity and for the specific location where the activity or project will be undertaken, and where that determination has been certified by the Council.	character issues associated with Variation 1 don't need to be considered because provisions relating to that issue have already been incorporated into the PDP. The implication of this approach is that officers think that coastal natural character effects of a 22m high residential building are the same as an 8m high building, or in more simplistic terms, Variation 1 is of no consequence in terms of coastal character chapter of the PDP. I dispute that. It is quite possible that experts dealing with the coastal natural character provisions (if they had considered the potential implications of 22m high buildings) may well have been recommended a coastal margin wider than 20 metres to allow for better management of adverse effects on coastal character from buildings of that dimension and scale. But, they wouldn't have been thinking about the benefits of a wider coastal margin, because the concept of 22m high buildings in the residential area was not known to them. The Panel hearing submissions on the PDP has also been in this position. The Panel's questioning of submitters and council experts (in relation to such matters as coastal natural character) is likely to have been significantly different if the PDP had (from the outset) included what is now being proposed with Variation 1. The council officers claim about Council approach to defining MWHS is not supported by the evidence, and my submission contains more commentary. Council's reliance on cadastral boundaries as a de-facto MWHS is about as inaccurate as an agency could get.

OS64.7	Residential Intensification Precinct > Policy Justification	Oppose as it Reads	As far as the MRZ-RIP in Titahi Bay and the 'accessibility' parameter of the NPS-UD are concerned, the Council should discount St Pius School.	The delineation of the MRZ-RIP is based on three simple parameters: namely, proximity to a supermarket, proximity to public transport and proximity to a school. Policy 1 of the National Policy Statement on Urban Development 2020 (NPS-UD) refers to there being, "as a minimum", "good accessibility for all people between housing … community services …" The MfE guidance document, along with Policy 1 of the NPS-UD, suggests that the assessment should relate to an 'accessibility' parameter, not a simple 'proximity' parameter. As far as the MRZ-RIP in Titahi Bay is concerned I submit a simple 'pro*xim*ity' parameter distorts the analysis The limit of the MRZ-RIP in Titahi Bay must be amended to reflect the fact that primary school education for about 90% of children is not accessible at St Pius School. And on this basis, the amended boundary for the MRZ-RIP should more or less correspond to the attached plan, which shows (as pale-yellow shading) land that should be excluded from MRZ-RIP. 

				I support the general concept of residential intensification if the amendment to the limits of the MRZ-RIP in Titahi Bay are made as outlined, but also subject to previous comment about the suitability of the land for development with respect to other resource management matters - for example, the three-waters (in particular wastewater) servicing. Council Officers' Response to My Comment on Draft of Variation 1. Refer Appendix G of Section 32 Evaluation Report - Part B: Urban intensification – MDRS and NPS-UD Policy 3. Council officers' response to my comment on the draft has been vague, predictive with no substance, and lacking policy foundation. Allowing high density residential development to occur further than 800m from a school which is inaccessible to 97% of the population does not have any rationale justification. • The Council's own website refers to 800m walkable distance. • The MfE's guidance refers to an 800m walkable distance. • Other councils are adopting the 800m accessibility test as per MfE's guidance. • A large proportion of the population would consider that St Pius School is not 'accessible'. • The NES-UD test is about accessibility. It is not about proximity.

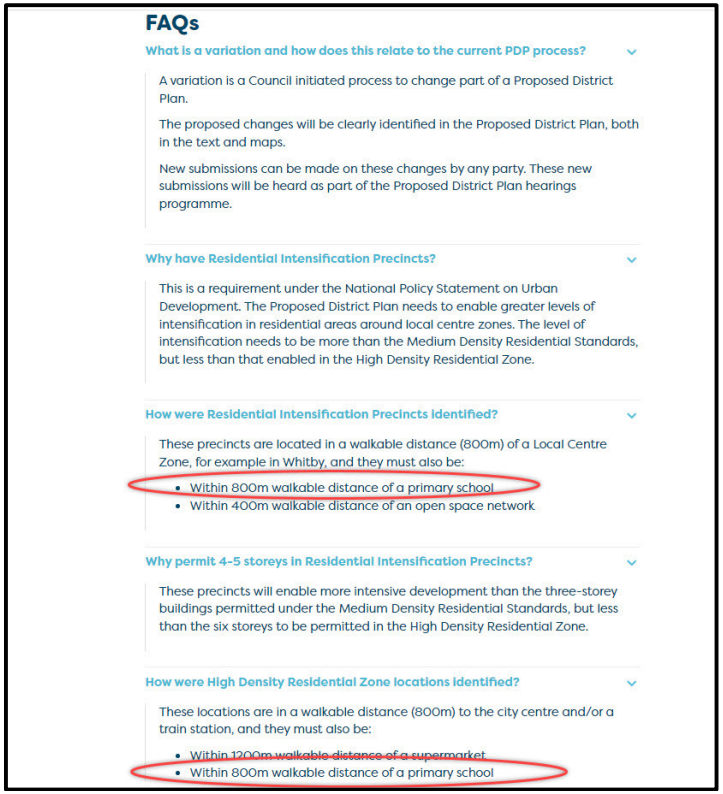
OS64.8	Scope of Authorised Proposed Variation	Oppose	When considering whether the Variation 1 should be notified Councilors displayed significant ignorance about the subject matter, their legislative roles and responsibilities	• There is no record on the Council's website of the Council agreeing to officer(s) recommendation to release a draft variation to the community for consultation and feedback, and nor is there any record of the Council agreeing to the scope of such a variation. By all accounts the decision to consult on a draft of Variation 1, and the substance of the draft, belongs to council officers and not to the councillors. • On 23 June 2022 the Council adopted a recommendation from council officers that a IPI (Intensification Planning Instrument) be notified. Council adopted that recommendation. By all accounts the decision by Council to notify Variation 1 was made in the absence of any advice from council officers about, and correspondingly no understanding by councilors of, the concept of 'qualifying matters', nor how the application of the concept of qualifying matters may result in better resource management outcomes. A review of the audio-visual recording on the 23 June meeting shows a significant degree of uncertainty amongst the councilors and also a degree of misleading information (in terms of what flexibility within the Variation 1 provisions are possible) provided to them by the Mayor, the committee chair and by council officers. Council staff gave advice to the Council (in response to questions from councillors about their scope) used expressions like this: • *"the intent to go higher and more dense we don't have"* • *"we don't have the ability to challenge that"* • *"where it is not logical for natural hazard reasons and things like that is where we have room to move"* • *"this is the reality of this Variation change as you say from the Government which has just done a blanket, a blanket change across the whole country"*

				• *"It is what it is unfortunately"* • *"It doesn't have nuance. It doesn't have bespoke in it."* • *"we're following what the government has to do".* • *"there's lots of people out there who are nervous about high risers coming to something near them but basically we're just doing what we have to do."* • *"so just going through the process"* • *'so we're really going through a process which is all about form and the actual impact that anyone can have … is actually minimal"* I think that the Council's decision to notify Variation 1 in its current form was made in a 'policy vacuum'. Therefore, the content of proposed Variation 1 has not been suitably ratified by Council, and the RMA process currently underway is invalid.
OS64.9	Walkable Catchment	Oppose	Variation as notified is not the variation that Council agreed should be notified	Policy 1 of the National Policy Statement on Urban Development 2020 (NPS-UD) refers to there being, "as a minimum", "good accessibility for all people between housing … community services …" MfE's guidance consistently refers to a walkable distance or catchment being 800m or the equivalent of a 10-minute walkable. An 800m distance is the value being consistently adopted nation-wide. An 800m distance (relative to primary schools) is the parameter adopted by the Council in developing the extent of the intensification precincts. Despite this, the Council's 'urban design expert' now considers an acceptable walkable distance to be 1,000 metres. Screenshots showing the discrepancy are included in my submission, and attached to this summary. An expansion in the walkable distance from 800m to 1,000m is a significant increase in the scope of the Variation 1. It represents a significant shift in policy that has not been endorsed by the Council. It therefore cannot be considered via the current variation

				process. In addition, there was no public feedback on Variation 1 seeking a wider walkable catchment relative to primary schools. The Council has produced no information to justify an expansion of the walkable distance from 800m to 1,000 metres. An increase from 800m to 1,000m has no evidential basis. An increase from 800m to 1,000m is not part of the Council's policy approach in response to the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Mr McIndoe's assessment is unreliable and must be discounted.

ATTACHMENT A

Council's District Plan Website



FAQs

What is a variation and how does this relate to the current PDP process?

A variation is a Council initiated process to change part of a Proposed District Plan.

The proposed changes will be clearly identified in the Proposed District Plan, both in the text and maps.

New submissions can be made on these changes by any party. These new submissions will be heard as part of the Proposed District Plan hearings programme.

Why have Residential Intensification Precincts?

This is a requirement under the National Policy Statement on Urban Development. The Proposed District Plan needs to enable greater levels of intensification in residential areas around local centre zones. The level of intensification needs to be more than the Medium Density Residential Standards, but less than that enabled in the High Density Residential Zone.

How were Residential Intensification Precincts identified?

These precincts are located in a walkable distance (800m) of a Local Centre Zone, for example in Whitby, and they must also be:

- Within 800m walkable distance of a primary school
- Within 400m walkable distance of an open space network

Why permit 4-5 storeys in Residential Intensification Precincts?

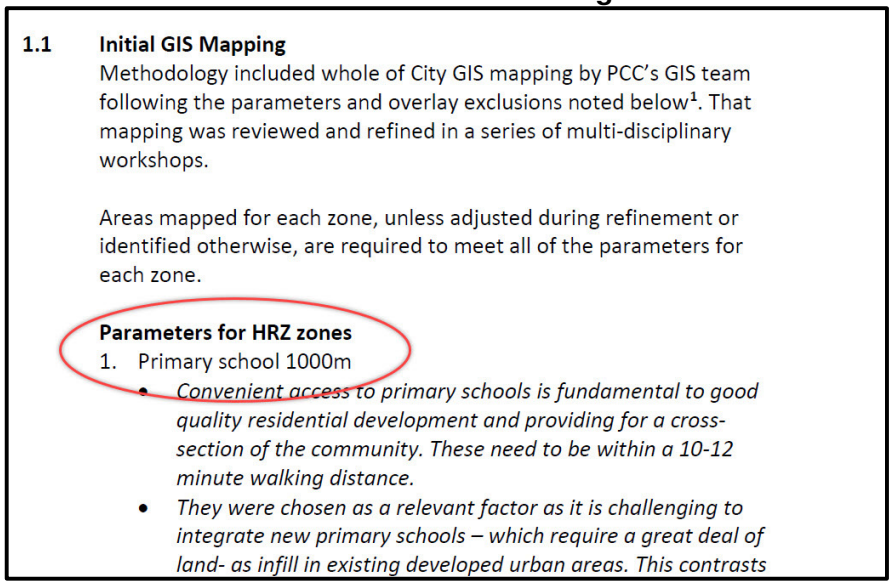
These precincts will enable more intensive development than the three-storey buildings permitted under the Medium Density Residential Standards, but less than the six storeys to be permitted in the High Density Residential Zone.

How were High Density Residential Zone locations identified?

These locations are in a walkable distance (800m) to the city centre and/or a train station, and they must also be:

- Within 1200m walkable distance of a supermarket
- Within 800m walkable distance of a primary school

McIndoe Urban 2022 Urban Design Memo 20



1.1 Initial GIS Mapping

Methodology included whole of City GIS mapping by PCC's GIS team following the parameters and overlay exclusions noted below[1]. That mapping was reviewed and refined in a series of multi-disciplinary workshops.

Areas mapped for each zone, unless adjusted during refinement or identified otherwise, are required to meet all of the parameters for each zone.

Parameters for HRZ zones

1. Primary school 1000m
   - *Convenient access to primary schools is fundamental to good quality residential development and providing for a cross-section of the community. These need to be within a 10-12 minute walking distance.*
   - *They were chosen as a relevant factor as it is challenging to integrate new primary schools – which require a great deal of land- as infill in existing developed urban areas. This contrasts*