

RMA FORM 5



# Submission on publicly notified Proposed Porirua District Plan

Clause 6 of the First Schedule, Resource Management Act 1991

To: Porirua City Council

1. Submitter details:

Full Name	<i>Last</i> McPhee	<i>First</i> Brian
Company/Organisation <i>if applicable</i>	Judgeford Heights Ltd	
Contact Person <i>if different</i>		
Email Address for Service	<a href="mailto:cmtransportltd@outlook.com">cmtransportltd@outlook.com</a>	
Address	346C Paremata Haywards Road, Judgeford	
	<i>City</i> Porirua	<i>Postcode</i> 5381
Address for Service <i>if different</i>	<i>Postal Address</i> C/- C & M Transport Ltd PO Box 37-144 Stokes Valley, Lower Hutt 5141	<i>Courier Address</i> C/- C & M Transport Ltd 346 Hebden Crescent Belmont, Lower Hutt 5010
	<i>Mobile</i> 027-4421897	<i>Home</i>

2. This is a **submission** on the **Proposed District Plan** for Porirua.

3. I could  I could not   
gain an advantage in trade competition through this submission.  
(Please tick relevant box)

If **you could** gain an advantage in trade competition through this submission please complete point four below:

4. I am  I am not   
directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.  
(Please tick relevant box if applicable)

Note:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

5. I wish  I do not wish   
To be heard in support of my submission  
(Please tick relevant box)

6. I will  I will not   
Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.  
(Please tick relevant box)

Please complete section below (insert additional boxes per provision you are submitting on):

<b>The specific provision of the proposal that my submission relates to:</b>
General Rural Zone on my property at 346A, 346C & 352 Paremata Haywards Road, Judgeford
<b>Do you: Support? Oppose? Amend?</b>
Amend
<b>What decision are you seeking from Council? What action would you like: Retain? Amend? Add? Delete?</b>
Change General Rural Zone to Future Urban Zone and Rural Lifestyle Zone

<b>Reasons:</b>
<p>i) The General Rural Zone is not supported on my property.</p> <p>ii) The site borders the Future Urban Zone which can be extended further into my property easily and meets Council objectives for Industrial expansion.</p> <p>iii) A transition zone is good for the area between Industrial and Rural Zones.</p>

Please return this form no later than **5pm on Friday 20 November 2020** to:

- Proposed District Plan, Environment and City Planning, Porirua City Council, PO Box 50-218, PORIRUA CITY or
- email [dpreview@pcc.govt.nz](mailto:dpreview@pcc.govt.nz)

Signature of submitter  
(or person authorised  
to sign  
on behalf of submitter):

Brian McPhee

Date: 20 November 2020

*A signature is not required if you make  
your submission by electronic means*

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20 November 2020

Proposed District Plan  
Environment & City Planning  
Porirua City Council  
PO Box 50-218  
**PORIRUA 5240**

Dear Sirs

In the publicly advertised Proposed District Plan our property is proposed as General Rural Zone and we wish to have 346A, 346C and 352 Paremata Haywards Road rezoned to Future Urban and Rural Lifestyle Zone as shown on the attached map. This proposal affects the whole of our property.

In our view the property is better suited to a more intensive use than the General Rural Zone and is entirely appropriate. The site has all the necessary features that allow for the intended uses and activities of a Future Urban Zone and Rural Lifestyle zone including;

- Legal and physical access to Paremata Haywards Rd allowing for efficient road access,
- power is available via overhead lines along the road frontage,
- a more intensive use of the property is beneficial for a local workforce for the intended industrial development along the Judgeford Flats zone and Paremata Haywards Rd
- the developing character of the Judgeford flats area over the last few years shows that a slow change is occurring and, looking into the future, continued change is expected to accelerate. The proposed BRANZ building is an example of a substantial change to the local rural character in the near term. With the signals offered by the District Plan, the pace and magnitude of change is likely to undergo further substantial acceleration particularly once the Proposed District Plan becomes operative. The Proposed Plan needs to recognise all the opportunities, influences and possible demands created by the rezoning of this area for Industrial purposes,
- the proposed Judgeford Flats Future Urban Zone is effectively a spot zone with little supporting residential potential in close vicinity. In planning for industrial expansion, an effective planning approach will provide for a localised workforce that promotes minimal transport use and travel times. An industrial workforce need not all be sourced from urban areas and Rural Lifestyle is just as appropriate a living area for workers as central Porirua for example
- the expansion of the Future Urban Zone in the Judgeford flats area is on offer voluntarily and we submit that Council should take this into account in planning for future activities. Planning policies and practices that limit development potential have been shown to cause a number of negative effects that can affect land pricing, land availability and limiting the potential of the local economy to expand and provide for growth in the long term. If any land owner is able to offer additional land to provide for growth,

particularly if it adjoins an existing site zoned for future development then Council should take advantage of that offer and include that land in its forward planning.

The purpose of the Future Urban Zone is to provide for urban development in the future when circumstances permit the provision of appropriate infrastructure to allow for normal housing densities and industrial expansion. In the Proposed plan FUZ-01 seeks to ensure that the continuation of existing activities and the establishment of any new rural uses and development does not compromise the potential of Judgeford Flats area to 'accommodate integrated, serviced and primarily industrial urban development'. We note that this description appears to offer a range of possibilities for the zone which is supported.

The plan attached to this submission shows a line indicating a general division of the site along a general topographical boundary, with Future Urban Zone in the lower flatter parts of the site and Rural Lifestyle in the upper part.

The Proposed District Plan maps show the site as General Rural Zone bordering the Future Urban Zone along the north western boundary (property at 346B Paremata Haywards Rd). It is considered appropriate to extend the proposed Future Urban Zone into our property (346A, 346C and 352) because the topography is very similar to that of 346B and the land is suitable for housing and business purposes. We submit that this will be able to be confirmed in any future structure plan.

We also submit that if Council has identified our neighbours property as suitable for Future Urban development and part of our property has the same topography and are adjoining sites and also benefit from the proximity to roading network, then it is very appropriate for both to have the same zoning.

The neighbouring site shows topography that is very similar to the subject site with relatively flat ground in the foreground 100m from the road which then rises up to the rear boundary by moderately sloping land. The Pauatahanui Stream transects the lower parts of that site which will allow for stream edge protection in future development proposals.

The inclusion of Future Urban Zone in the subject site extends the proposed zone into an area that is capable of supporting the proposed uses for the zone. There is flat land along a road margin approximately 100m wide paralleling the road from where the site rises up in moderate slopes. The site is similar to 346B in that a substantial area of the flat land along the lower flat sections is likely be dedicated to stream reserve and any future activity will be concentrated in the part of the site with higher slopes.

The Pauatahanui Stream also transects the subject site close to Paremata Haywards Rd and follows similarly moderately sloping land up to the proposed zone boundary. The land slope allows for some modification for light industrial uses with good road access.

The proposed zoning implies that the land is capable of being serviced by the normal services available for urban growth including power, communications, water and wastewater. Extension of these services into a Future Urban Zone in the property is not restricted and road access into the adjoining property 346B can be improved by extending the zone boundaries. An appropriate point of road access is located at the site of the existing access lane serving all three properties, 346A, 346B and 346C, which has excellent visibility and is an approved point of access from a limited access road. There is considerable efficiency and logic offered by an extension to the zone from the point of view of road access by the development of a road entry at the site of the existing access.

Use of the land does not conflict with the intent of each zone type. The Future Urban Zone along the Judgeford Flats area is intended to permit expansion of urban Industrial growth (FUZ-01, (2)) in Porirua. Typically land suitable for industrial use supports the development of flat sites for larger buildings but it is appropriate to allow for smaller industrial units in addition to larger buildings for a balanced range of activities.

The zoning proposed for the adjoining property appears to anticipate that some land modification will be necessary to achieve the zone purposes. The same situation applies to our site and the current topography and contour permits change to the extent that the purpose of the zone anticipates.

Providing a Future Urban Zone within the property allows full compliance with the intent of the Proposed District Plan. All the Plan objectives are met by inclusion of the site in the Future Urban Zone including;

- FUZ-01 – the land is able to accommodate integrated and serviced urban development
- FUZ-02 – the zone can support existing rural use until such time as it is rezoned for urban purposes

- FUZ-03 – use and development of the site will not result in any of the matters identified in items 1 to 7 from being met.

In relation to the Policies outlined in Sections FUZ-P1 to FUZ-P6, inclusion of the land in the zone is met as follows;

- FUZ-P1- the site meets the intentions and requirements of P1 (1) and P1 (2) as it is consistent with the zone proposal for the adjoining site at 346B Paremata Haywards Rd
- FUZ-P2 – the land can be included in any structure plan for the zone and it is appropriate for inclusion due to the efficiency gained by the provision of infrastructure and site development that can be gained by enlarging the area of the zone in this immediate vicinity
- FUZ-P3 – inclusion of the site in this Future Urban Zone can meet the intent of this policy
- FUZ-P4 – zoning of the site can meet the intent of this policy
- FUZ-P5 – inclusion of the site in the Future Urban Zone can maintain the intent of matters 1 to 7 in this policy
- FUZ-P6- the current use of the site does not inhibit or restrict the future development potential of the site for industrial development.

The submission plan attached shows our proposal for the balance of the site to be zoned Rural Lifestyle.

In the Proposed District Plan, the purpose of this zone is to permit a higher concentration of residential activity in a rural area by allowing smaller lot sizes than the General Rural Zone. The zone description indicates that the Rural Lifestyle Zone is located on the edge of urban areas where there is a distinct rural character and offers a transition from a more dense zone to the General Rural Zone.

It is proposed that our site is zoned Rural Lifestyle because;

The land is suitable for such purposes as the topography is characterised by a diversity of rolling landscape interspersed by vegetated gullies which meet all the Proposed District Plan Objectives for the zone.

- Objective RLZ-01 intends that a residential lifestyle can be accommodated on the land while allowing primary production to occur. This site meets the intent of this objective by virtue of the varied topography which would encourage a wide range of lot sizes while still allowing for primary production to occur.
- Objective RLZ-02. Inclusion of the site in the Rural Lifestyle Zone will allow the character anticipated in this objective to be maintained. The diversity of topography, the northerly aspect, the potential for road access and servicing can all be used to provide landscape outcomes that enhance the rural character and result in an attractive rural living environment.
- Objective RLZ-03 can be met by the zoning proposal. The objective mentions avoidance of adverse effects particularly at zone boundaries and in this site the varied and diverse topography can be used to meet this objective.
- Objective RLZ-04 can be met by retention of existing vegetated gully systems, riparian management and appropriate responses to residential development at the time of design and consents.

The policies that apply to the Rural Lifestyle Zone can all be met by the inclusion of the site in the zone.

- Policy RLZ-P1 can be met by the ability of the site and any development to provide for residential living at the same time as, and compatible with, rural production,
- Policy RLZ-P2 enable appropriate buildings to be built that meet the objectives for a dispersed transition zone between denser urban/industrial uses and the General Rural Zone,
- Policy RLZ-P3 is not restricted in any way by the zoning proposal for this site,
- Policy RLZ-P4 describes a range of activities and uses considered appropriate for a site in the Rural Lifestyle Zone. All are areas of potential or possibility for this site and to avoid any effects of reverse sensitivity, caused by close proximity to the Future Urban Zone. It is noted that no.346C is within a proposed Significant Natural Area however the construction of any future dwellings would avoid this area, therefore ensuring this indigenous vegetation is retained,
- Policy RLZ-P5 intends that inappropriate activities are prevented from being established in the Rural Lifestyle Zone and this can be accomplished by rule compliance,

- Policy RLZ-P6 anticipates that appropriate separation distances are achievable or provided to avoid reverse sensitivity effects and this is often a matter of detailed design. Within this site there are means to avoid reverse sensitivity effects due to the aspect of the site and the diverse topography.

It is our view that the land is capable of supporting land uses and activities that are anticipated within the Future Development and Rural Lifestyle zones and accordingly we request that the zoning of 346A, 346C and 352 Paremata Haywards Rd to be changed to Future Urban and Rural Lifestyle Zones as indicated on the attached zone plan. We wish to be heard in support of our submission.

Yours faithfully

**JUDGEFORD HEIGHTS LTD**

Brian McPhee  
**DIRECTOR**



Encls

Item	Date	Description	Des.	Ver.	App.
1	19/11/2020	FOR INFORMATION			

Drawn: JBC Date: 19/11/2020  
 Checked: PJK Date: 19/11/2020  
 Designed: PJK Date: 19/11/2020  
 Verified: [ ]  
 Date: [ ]

DATE: [ ] BY: [ ]  
 CONFIRMED [ ]  
 CORRECTED [ ]  
 MARKUP [ ]  
 PRELIMINARY  FINAL  INITIAL  DATE [ ]

**FOR INFORMATION ONLY**  
 NOT TO BE USED FOR CONSTRUCTION PURPOSES

Project: 346A-346C JUDGEFORD HEIGHTS  
 PAREMATA HAYWOODS ROAD  
 JUDGEFORD HEIGHTS LIMITED

Title: FUTURE ZONING

Drawing Number: W19069-01-SK103  
 Council Ref: [ ] Scale: 1:3000m  
 Original Size: A1

DO NOT SCALE DRAWING

CHECK PRINT

SELF CHECK

SCALE 1:3000

