

Hearing Stream 5 – 5 July 2022

FUZ – Future Urban Zone - Silverwood

Gina Sweetman’s Speaking Notes

The FUZ is a culmination of work undertaken over the last 14 years.

This has included:

- The Porirua Development Framework 2008
- The Pāuatahanui Judgeford Structure Plan 2012
- The Northern Growth Area Structure Plan 2014
- The Porirua Growth Strategy 2048, 2019

[note – the background to the FUZ and the role of these documents above is set out in 4.11 and 4.12 of the section 32 evaluation report]

The Future Urban Zone is proposed to apply to identified growth areas in the Porirua Growth Strategy. The Growth Strategy is a strategy produced under the Local Government Act and was appropriately consulted on.

The FUZ is also one of the District Plan’s responses to section 31 of the RMA and Policy 2 of the NPS-UD which requires the Council to ensure that it has provided sufficient land for housing and business for the next 30 years. Council’s approach to growth is addressed through the Overarching s32 evaluation report and has also been addressed in Hearing Stream 1 through the Part A Overarching report.

The intent of the FUZ is to allow existing activities to occur and allow new rural use and development, as long as it does not compromise the potential future urban development of these areas. It is in large effect a “holding zone” which will stay largely the same for the foreseeable future, until such time as Council initiates a plan change or a landowner initiates a private plan change to rezone the land. Once rezoned, resource consents from both Porirua City Council and Greater Wellington Regional Council would be required in order for development to occur.

FUZ-P1 sets out how:

- Areas for future urban development have been identified as FUZ in the PDP
- How any new areas would be identified, including a range of criteria.

In short, FUZ-P1-1 recognises areas identified for future urban development in Council’s 2019 Growth Strategy 2048. There were no submissions received seeking any changes to FUZ-P1-1.

FUZ-P1-2 sets out the relevant criteria for identifying new areas for future urban development. These are purposefully broader to include infrastructure and transport. The reason for this difference with clause 1 is that these two aspects were addressed as part of their identification in the Growth Strategy. There was one submission received on this clause; to address the provision of infrastructure. That was addressed in the May hearing.

FUZ-P2 then sets out the process for land to be upzoned from FUZ for urban development to occur. This requires a structure plan to be prepared and rezoning as a Development Area. Appendix 11 sets out the guidance for preparing a Structure Plan.

The Growth Strategy identified areas for predominantly residential development and industrial development, both to meet identified demands for growth. These areas are articulated through FUZ-O1 and FUZ-P3.

FUZ-P4 and FUZ-P6 provide the framework for interim use and development in the FUZ. This is largely consistent with the framework in the GRUZ.

One of the key focuses is avoiding the establishment of land use activities and the fragmentation of land through subdivision that may compromise future urban development. It would not allow rural lifestyle development as an interim option.

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Turning to Silverwood. My recommendations on Silverwood are set out in section 3.14 of my s42A report.

The objective of the Silverwood submission is to rezone the site from General Rural to Future Urban Zone. The focus of my assessment has been on the appropriateness of the rezoning sought, compared to the zoning as proposed in the PDP. In doing so, I have considered the provisions as proposed in the Future Urban Zone chapter, the proposed strategic objectives, the Regional Policy Statement and the National Policy Statement on Urban Development 2020. In terms of the RPS, its relevant objectives and policies informed the proposed strategic objectives. How these did so are set out in the Overarching section 32 evaluation report and also in the Future Urban Zone section 32 evaluation report.

As is explained in the overarching s32 evaluation report and the overarching s42A report, the NPSUD only came into effect a short time before the PDP was notified. As a result, the PDP does not fully give effect to it. To that end, I have been mindful of the objectives and policies contained within it. The December amendment act (which I will refer to as the RMA-EHS) has also changed the landscape since the PDP was notified. The forthcoming Intensification Planning Instrument Variation to give effect to the RMA-EHS must by law be notified by 20th August 2022.

As the Panel has already been informed, this will bring substantial change to Porirua, in particular through the mandatory adoption of the medium density residential standards (MDRS) and the requirement to give effect to Policy 3 of the NPS-UD. Policy 3 sets the requirement for intensification.

The MDRS will have immediate legal effect once notified, unless they are modified due to the presence of what are called qualifying matters. This IPI will be going through an Intensification Streamlined Planning Process. While the IPI will be able to be submitted on and there will be a hearing, there are no rights of appeal as set out in clause 107 of Schedule 1. I can provide the Panel with a guidance document on IPIs and the ISPP prepared by the Ministry for the Environment.

The key message though that I want to impart is the directiveness of the RMA-EHS and how it has amended the RMA. Intensification is mandatory for a Tier 1 Council like Porirua. Its introduction has changed the level of intensification that is anticipated, albeit not as radically as for some councils, given the PDP is comparatively permissive compared to many other district plans. While the IPI Variation has yet to be notified, in my view for the reasons I have just talked through, it is a relevant consideration.

I do not disagree with Ms Blick that there are many attributes of the site that lend itself to urban development. I have set these out in my overall evaluation as well.

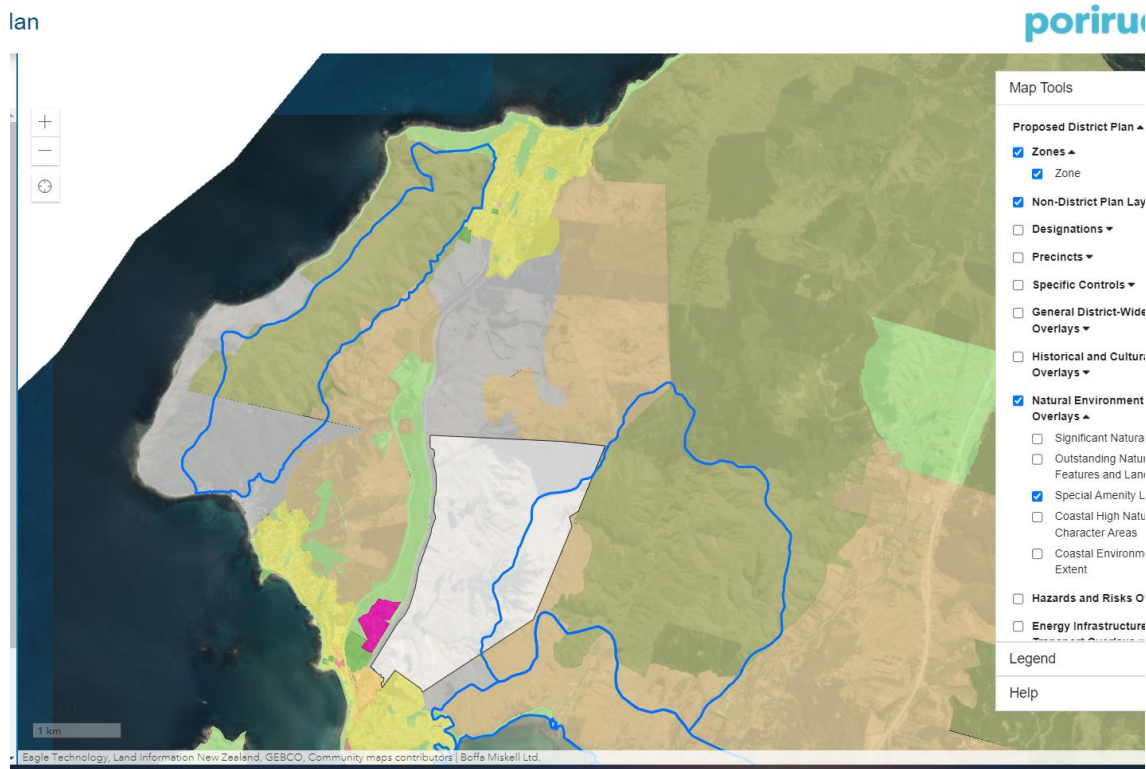
There are also attributes that do not, such as the special amenity landscape which Ms Armstrong will be available to answer questions on.

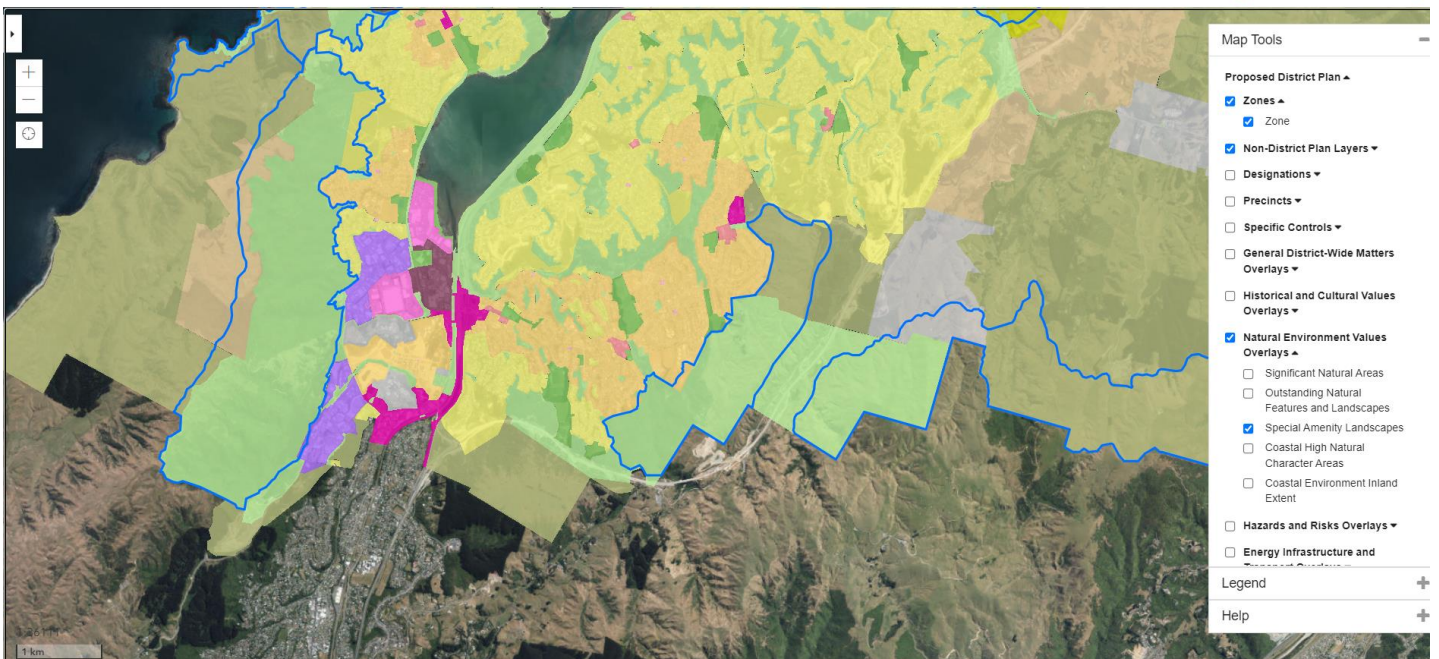
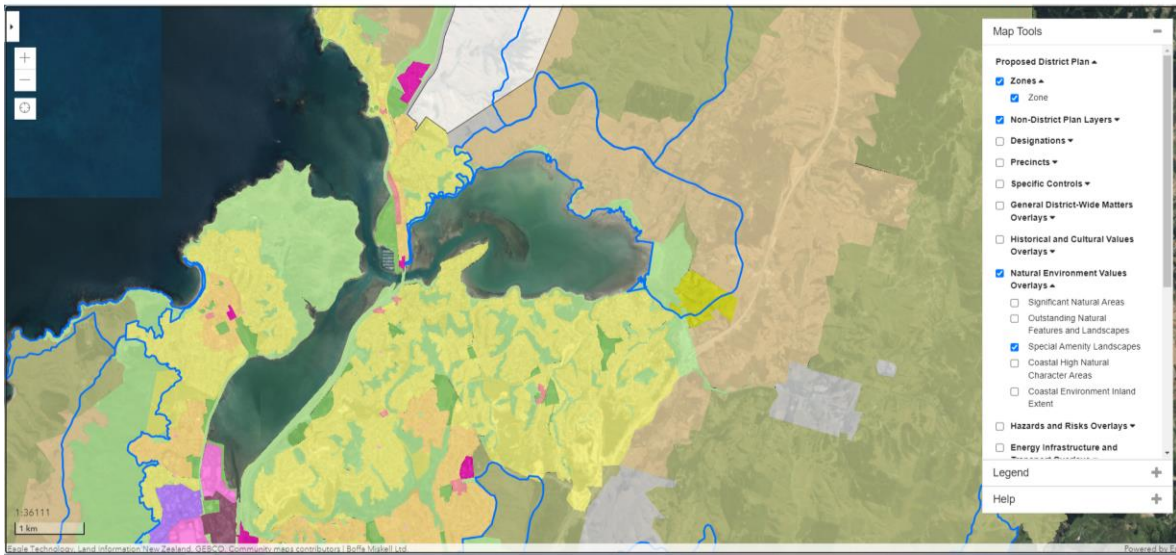
For the Panel's information, following are screen print outs from the PDP planning maps showing the location of SALs through the City. As the Panel can see, for the most part these are not located on areas of urban development, but rather General Rural, Rural Lifestyle or Open Space.

There is a small area of undeveloped General residential zoned land in Takapuwahia and some of the Māori Special Purpose Zone in Hongoeka which have SALs over them. These have been responded to with bespoke provisions in the natural features and landscape chapter. There is another piece of medium density residential zoned land in Cannons Creek. This is on the designated Porirua College and Brandon Intermediate site.

Part of the Judgeford Hills Future Urban Zone does have a SAL over it. Judgeford Hills of course, has been zoned for a higher intensity of development than the adjoining Rural Lifestyle Zone for some time.

In this first plan, I note the boundary between the Future Urban Zone and the Rural Lifestyle Zone which applies to the northern part of the Northern Growth Area. This boundary is based on the earlier NGA Structure Plan 2014, which identified the area zoned as rural lifestyle generally not being suitable for urban development.





As I have set out in paragraph 333 of my s42A, my primary concern as to the appropriateness of the rezoning sought by the submitter is in respect to UFD-O1 and UFD-O2, and objectives 2, 3 and 6 of the NPS-UD. Clearly, this consideration needs to factor in the PDP as a whole, in how it will give effect to the NPS-UD and the RPS. These objectives are in respect to competitive land markets, ensuring a sufficiency of land supply and that Porirua grows in a planned, compact and structured way.

My opinion has been informed by the advice of Mr Osborne, who the Panel will be able to answer questions of.

While I appreciate that any evaluation needs to be undertaken as a whole considering all factors, in this instance and based on Mr Osborne’s evidence, my view is that Porirua as a whole has sufficient development capacity for residential purposes in the short, medium and long term, in terms of its

zoned land and its Future Urban Zoned land. Mr Osborne has set out in his supplementary evidence that with the mandatory IPI Variation, the amount of market enablement is going to be significantly greater than under the PDP.

I agree with Ms Blick that the requirements under FUZ-P2 for rezoning would require the provision of information on future supply and projected demand to achieve an appropriate capacity to meet the requirements of the NPS-UD. However, that does not address the issue in the first instance if the rezoning to Future Urban is the most appropriate means of achieving the objectives in the PDP, the NPS-UD and the Act as a whole.

Mr Osborne's evidence is that zoning additional land as Future Urban in the City would not be efficient and would likely result in outcomes that are not in line with the NPSUD, RPS and the PDP's strategic objectives. While the rezoning of this land in itself may meet some of the objectives in the PDP and NPS-UD, in my view, the impact as a whole in terms of the strategic direction of the PDP and the NPS-UD itself, in terms of Porirua's growth, has greater weight.

I am happy to answer any questions.