

**OFFICER'S REPORT FOR:** Independent Hearing Commissioners:  
Trevor Robinson  
Julia Williams  
Mark St Clair  
David McMahon

**SUBJECT:** Proposed Porirua District Plan: Future Urban Zone and UFD-  
O4, HO-O3 and CEI-O8

**PREPARED BY:** Gina Sweetman, Consultant Planner

**REPORT DATED:** 14 April 2022

**DATE OF HEARING:** 16-18, 20, 23-25 and 27 May 2022

## Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the relevant objectives, policies, rules, standards, Appendices and maps of the Proposed Porirua District Plan (PDP) as they apply to the FUZ – Future Urban Zone chapter and Strategic Objectives CEI-O8, UFD-O4 and HO-O3. The report outlines recommendations in response to the key issues that have emerged from these submissions.
2. There were a number of submissions and further submissions received on the FUZ – Future Urban Zone chapter and Strategic Objectives CEI-O8, UFD-O4 and HO-O3. The submissions received were diverse and sought a range of outcomes. The following are considered to be the key issues in contention in the chapter:
  - That FUZ-zoned land can only be “released” in stages, taking into account intensification in existing residential zones;
  - Whether Judgeford Flat and Judgeford Hills should be in the Future Urban Zone, and the extent of land zoned;
  - The rezoning of the “Silverwood” land to Future Urban Zone;
  - Up-zoning of identified Future Urban Zoned land to allow urban development to occur;
  - Whether the FUZ objectives, policies and rules should allow for urban development through a resource consent pathway; and
  - The scope and content of Appendix 11 – Future Urban Zone Structure Plan Guidance.
3. This report addresses each of these key issues, as well as any other issues raised by submissions.
4. Some changes to the PDP provisions are recommended to address matters raised in submissions and are summarised below:
  - Amending FUZ-P1 to:
    - ensure that any rezoning to FUZ – Future Urban Zone is in response to Council’s obligations under s31 RMA and the NPS-UD; and
    - reference to private agreements between Council and developers for the provision of infrastructure.
  - Amending Appendix 11 to clarify the information requirements for structure plans should address certain regional council related matters;
  - Removing parts of land zoned FUZ – Future Urban Zone in Judgeford Flats;
  - Adding new land to the FUZ – Future Urban Zone in Judgeford Flats;
  - Amending HO-O3 to refer to future greenfield housing supply;
  - Amending FUZ-O1 to refer to primary production and rural activities;
  - Amending FUZ-O2 to better reference infrastructure activities, and refer to primary production and rural activities;

- Amending FUZ-R1 to refer to buildings and structures; and
  - Amending the Planning Maps to rezone the land known as “Silverwood” to FUZ – Future Urban Zone.
5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, it is recommended that the PDP should be amended as set out in Appendix A of this report.
6. For the reasons set out in the Section 32AA evaluation included throughout this report, it is considered that the amended provisions will be the most appropriate means for achieving the purpose of the Resource Management Act 1991 (RMA), the relevant objectives of the PDP, and other relevant statutory documents.

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## Interpretation

7. Parts A and B of the Officers' reports utilise a number of abbreviations for brevity as set out in Table 1 below:

**Table 1: Abbreviations**

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Porirua City Council
the Operative Plan	Operative Porirua District Plan 1999
the Proposed Plan	Proposed Porirua District Plan 2020
Growth Strategy	Porirua City Council Growth Strategy 2048 (2019)
GWRC	Greater Wellington Regional Council
HBA	Housing and Business Development Capacity Assessment
NES	National Environmental Standard
NES-AQ	National Environmental Standards for Air Quality
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health
NES-ETA	National Environmental Standards for Electricity Transmission Activities
NES-FW	National Environmental Standards for Freshwater
NES-MA	National Environmental Standards for Marine Aquaculture
NES-PF	National Environmental Standards for Plantation Forestry
NES-SDW	National Environmental Standards for Sources of Drinking Water
NES-TF	National Environmental Standards for Telecommunication Facilities
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission
NPS-FM	National Policy Statement for Freshwater Management
NPS-UD	National Policy Statement on Urban Development
NPS-REG	National Policy Statement for Renewable Electricity Generation
NZCPS	New Zealand Coastal Policy Statement
ODP	Operative Porirua District Plan 1999
PDP	Proposed Porirua District Plan 2020
PNRP	Proposed Natural Resources Plan
RMA	Resource Management Act 1991
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
RPS	Wellington Regional Policy Statement
WRGF	Draft Wellington Regional Growth Framework 2021

**Table 2: Abbreviations of Submitters' Names**

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited

Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
Kāinga Ora	Kāinga Ora – Homes and Communities
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oil companies	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Silverwood	Silverwood Corporation Limited
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited



# 1 Introduction

## 1.1 Purpose

8. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the FUZ - Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives CEI-O8, UFD-O4 and HO-O3, and to recommend possible amendments to the PDP in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the relevant objectives, policies, rules, standards, Appendix and maps as they apply to the Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance, and Strategic Objectives CEI-O8, UFD-O4 and HO-O3 in the PDP. The report outlines recommendations in response to the key issues that have emerged from these submissions.
10. This report discusses general issues, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the PDP provisions or maps based on the preceding discussion in the report.
11. The recommendations are informed by both the technical information provided by Ms Jane Black, Ms Rose Armstrong, Mr Darrell Statham, Mr Ben Fountain, Ms Sarah Herbert, Mr Andreas Giannakogiorgos and Mr Ayoub Riman, the memorandum provided by Ms Katrina Murison from Wellington Water, the report of Mr Phil Osborne of Property Economics, the section 32 evaluation reports for the FUZ-Future Urban Zone and Overarching Plan and the evaluation undertaken by the author. In preparing this report the author has had regard to the Overview section 42A report that addresses the higher order statutory planning and legal context.
12. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report, and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
13. This report is intended to be read in conjunction with Officer's Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP.

## 1.2 Author

14. My name is Gina Marie Sweetman. My qualifications and experience are set out in Appendix C of this report.
15. My role in preparing this report is that of an expert planner.
16. I was involved in the preparation of the PDP and peer-reviewed all of the PDP including the Section 32 Evaluation Reports. I was directly involved in drafting all the Strategic Objectives and directly assisted in drafting the FUZ – Future Urban Zone Chapter, Appendix 11 and the accompanying section 32 evaluation report.

17. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
18. The scope of my evidence relates to the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance, and Strategic Objectives CEI-O8, UFD-O4 and HO-O3. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
19. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
20. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

### 1.3 Supporting Evidence

21. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report includes:
  - Urban design evidence from Ms Jane Black
  - Landscape evidence from Ms Rose Armstrong
  - Transport evidence from Mr Darrell Statham
  - Ecology evidence from Mr Willie Shaw
  - Flooding evidence from Mr Ben Fountain
  - Geotechnical evidence from Mr Andreas Giannakogiorgos
  - Geotechnical evidence from Mr Ayoub Riman
  - Economic report from Mr Phil Osborne
  - Wellington Water statement from Ms Katrina Murison
  - The Plan Wide supporting information contained on <https://poriruacity.govt.nz/your-council/city-planning-and-reporting/district-plan/proposed-district-plan/overview-proposed-district-plan/>
  - Porirua Housing Typology Demand Analysis, Property Economics, July 2021
  - Porirua Feasible Capacity Assessment, Property Economics, December 2021

### 1.4 Key Issues in Contention

22. A number of submissions and further submissions were received on the provisions of the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance, and

Strategic Objectives CEI-O8, UFD-O4 and HO-O3. The submissions received were diverse and sought a range of outcomes; including for example the immediate up-zoning of some land for urban development, proposing a new discretionary activity pathway for urban development in the Future Urban Zone and removal of areas from the Future Urban Zone.

23. The following are considered to be the key issues in contention in the chapter:
- That FUZ-zoned land only being “released” in stages, taking into account intensification in existing residential zones;
  - Whether Judgeford Flat and Judgeford Hills should be in the Future Urban Zone, and the extent of land zoned;.
  - The rezoning of the “Silverwood” land to Future Urban Zone;
  - Up-zoning of identified Future Urban Zoned land to allow urban development to occur;
  - Whether the objectives, policies and rules should allow for urban development through a resource consent pathway; and
  - The scope and content of Appendix 11 – Future Urban Zone Structure Plan Guidance.
24. This report addresses each of these key issues, as well as any other issues raised by submissions.

## 1.5 Procedural Matters

25. At the time of writing this report there has not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives CEI-O8, UFD-O4 and HO-O3.
26. There are no procedural matters I wish to bring to the Panel's attention.

## 2 Statutory Considerations

### 2.1 Resource Management Act 1991

27. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:
- Section 74 Matters to be considered by territorial authority; and
  - Section 75 Contents of district plans.
28. As set out in the Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP. These documents are discussed in detail within the Section 32 Evaluation Report Part 2: Future Urban Zone. There is further discussion in the Section 32 Evaluation Report Part 1 – Overview to the s32 Evaluation on the approach the Council has taken to giving effect to the NPS-UD and NPS-FM. This is also discussed in the Officer's Report: Part A.
29. I have considered whether the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS) means that any of the submissions on the FUZ – Future Urban Zone and the three strategic objectives need to be considered through the required Variation to give effect to that Act and the NPS-UD. In my opinion, I consider that it is unlikely that the FUZ-Future Urban Zone or three strategic objectives would need to form part of the future Variation, given that the focus of the RMA-EHS is on giving effect to the intensification policies 3 and 5 of the NPS-UD and introducing the Medium Density Residential Standards into residential zones. I elaborate on this below.
- UFD-O4 – this objective is focused on ensuring that new growth areas are serviced by infrastructure; directly responding to the RPS and NPS-UD requirements for infrastructure provision and integration with land use. This does not relate to policies 3 or 5 of the NPS-UD;
  - HO-O3 and CEI-O8 – these objectives are focussed on ensuring the Council can meet its requirements for adequate land supply under s31 of the RMA and the NPS-UD. This does not relate to policies 3 or 5 of the NPS-UD;
  - Future Urban Zone – the purpose of the FUZ as articulated through its objectives is to maintain the potential of these areas for future urban development. Again, the zone is focussed on ensuring the Council can meet its requirements for adequately land supply under s31 of the RMA and the NPS-UD. This does not relate to policies 3 or 5 of the NPS-UD; and
  - There are three submissions which seek up-zoning to urban now. I recommend that all three of these submissions be rejected as they have not demonstrated that they could meet the requirements proposed under FUZ-P1-2 or Appendix 11.

### 2.2 Section 32AA

30. All recommended amendments to provisions since the initial section 32 evaluation was undertaken must be documented in a subsequent s32AA evaluation. Section 32AA states:

***32AA Requirements for undertaking and publishing further evaluations***

*(1) A further evaluation required under this Act—*

*(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*

*(b) must be undertaken in accordance with section 32(1) to (4); and*

*(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

*(d) must—*

*(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*

*(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

*(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*

31. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives CEI-O8, UFD-O4 and HO-O3 is contained within the assessment of the relief sought in submissions in section 3 of this report as required by s32AA(1)(d)(ii).

### **2.3 Trade Competition**

32. Trade competition is not considered relevant to the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives CEI-O8, UFD-O4 and HO-O3 provisions of the PDP.
33. There are no known trade competition issues raised within the submissions.

### 3 Consideration of Submissions and Further Submissions

#### 3.1 Overview

34. There were approximately 212 original submissions received on the FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives UFD-O4, HO-O3 and CEI-O8. There were approximately 39 further submissions which are also addressed within the report.

##### 3.1.1 Report Structure

35. Submissions on FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives UFD-O4, HO-O3 and CEI-O8 raised a number of issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
36. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
37. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.
38. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

##### 3.1.2 Format for Consideration of Submissions

39. For each identified topic, the consideration of submissions has been undertaken in the following format:
- Matters raised by submitters;
  - Assessment;
  - Recommendations; and
  - Section 32AA evaluation.
40. The recommended amendments to FUZ – Future Urban Zone chapter, Appendix 11 – Future Urban Zone Structure Plan Guidance and Strategic Objectives UFD-O4, HO-O3 and CEI-O8 are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.

41. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.
42. Note that there are further submissions that support submissions in their entirety:
  - The further submission from Forest and Bird [FS52] supports the submission from Director-General of Conservation [126], Queen Elizabeth II National Trust [216] and GWRC[137] in their entirety; and
  - The further submission from Queen Elizabeth II National Trust [FS06] supports the submission from Director-General of Conservation [126] and Forest and Bird [225] in their entirety
43. In these cases, recommendations in relation to these further submissions reflect the recommendations on the relevant primary submission.

## 3.2 General Submissions

### 3.2.1 *Matters raised by submitters*

44. TROTR [264.69] seek that the chapter be retained as notified, subject to amendments that Future Urban Zones should include:
  - Tangata whenua values, mātauranga, tikanga and their ability to actively practice kaitiakitanga are recognised and reflected.
  - Cultural expertise to inform design not just provide cultural impact advice.
45. QEII [216.46] seek that the provisions be amended to align with amendments sought elsewhere in their submission, for example, to ensure adverse effects on ONFL are avoided, rather than just significant effects. Silverwood [FS34.14] opposes this on the basis that there is sufficient scope within the Appendix 11 Structure Plan guidance to ensure the outcomes sought are achieved.
46. John Cody [184.7] seeks that the Northern Growth Area be rezoned as a Future Generation Area.
47. John Cody [184.6] seeks revised criteria for economic 'feasibility' to reassess the scope for redevelopment using forward looking models for providing housing in FUZs and Future Regeneration Zones. Silverwood [FS34.16] opposes this on the basis that the Council has obligations under the NPS-UD to provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term. This includes both existing and new urban areas.
48. John Cody [184.8] in respect of FUZs and Future Regeneration Zones, seeks designated reserves and regeneration zones that provide a full off-set of all residual urban environmental impacts, associated with improved public access to reserves within the active travel radius of public transport hubs to off-set any restrictions on activity implied by intensification.
49. Kāinga Ora [81.815] generally supports the Future Urban Zone and spatial extent as proposed, but seeks consequential changes consistent with its overall submission, in respect to:
  - Review and re-drafting of notification exclusion clauses;

- Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid';
  - Review and redrafting of the full package of provisions (objectives, policies, rules and definitions) in relation to the National Grid; and
  - Consequential changes to the numbering of provisions following changes sought throughout chapter.
50. This is opposed by John Carrad [FS43.2], The Neil Group Limited and the Gray Family [FS44.2], Pukerua Property Group Ltd [FS45.2] and Transpower New Zealand Ltd [FS04.59]. The first three further submitters' position is that they oppose the intent to keep the FUZ as currently proposed and the parts of the submission that suggests major intensification of small urban suburbs as a principal land supply tool in the Porirua context. Transpower's further submission relates to the deletion of the National Grid provisions and is addressed through the INF – Infrastructure s42A report.
51. Gary Lewis [248.2] discourages the rezoning of greenfield areas from future development. No reason is provided.

### **3.2.2 Assessment**

52. I consider in respect to TROTR's submission that Appendix 11 addresses their relief sought. This appendix sets out the requirements for any structure plan as part of a rezoning for urban purposes. This includes requiring feedback from Ngāti Toa Rangatira and an assessment of effects on the cultural wellbeing of Ngāti Toa Rangatira.
53. In regard to QEII's submission in respect to the avoidance of effects on ONFLs, I concur and adopt Ms Rachlin's evidence as set out in her s42A report in respect of NFL-P3 and do not recommend any amendment to the approach proposed in FUZ-P1.
54. In respect to the submission from John Cody seeking that the Northern Growth Area be rezoned as a Future Generation Zone; I note that there is no such zone as an option in the National Planning Standards. The submitter has also not provided sufficient detail to be able to determine the appropriateness of using such a Zone, and has also not provided detail of objectives, policies and rules to inform the Zone. The submitter may wish to address this further at the hearing.
55. In respect to John Cody's submission on economic feasibility, I concur with the reasons contained in the further submission from Silverwood. Further detail on the approach the Council has taken on giving effect to the NPS-UD and section 31 RMA requirements are set out in the Part 1 – Overview to the s32 Evaluation report. More specific detail on why the Council has zoned areas as Future Urban Zone is set out in the Future Urban Zone section 32 evaluation report. I concur with and rely on both of these reports. I also note that Clause 3.26 of the NPS-UD sets out how Council is required to estimate what is feasible. The submitter may wish to address this further at the hearing.
56. In respect to John Cody's submission seeking designated reserves and regeneration zones, I advise that:
- The structure plan process for rezoning land for urban purposes as set out in Appendix 11 will require consideration of the provision of reserves, public access and multi-modal transport; and



- The Council is currently working on a variation to give effect to the NPS-UD requirements and the more recently enacted RMA-EHS. This will require consideration of public access to reserves and active travel distances in respect to areas of intensification.
57. I also agree with Mr McDonnells' assessment in section 9.7 of the Part A – Overarching s42A report, where he identifies that the mechanism for the provision of reserves is through the Council's Long Term Plan and Development Contributions Policy.
58. I consider that these address Mr Cody's concerns in respect to reserves, public access and active travel distances. I am unclear what Mr Cody means about regeneration zones, and he may wish to address this further at the hearing.
59. I address Kāinga Ora's submission through this s42A report, as appropriate. I note that the National Grid is addressed through the Infrastructure s42A report. Mc McDonnell also addresses this submission point at a high level in section 9.11.2 of the Part A – Overarching s42A report, which I agree with.
60. I consider Mr Lewis's submission is somewhat unclear. I assume that he means "for" rather than "from" future development. If I am correct, then I rely on the Overview and Future Urban Zone section 32 evaluation reports which set out the rationale for why additional greenfield residential land is required to meet the Council's obligations under the NPS-UD and section 31 of the RMA.

### **3.2.3 Recommendations**

61. I recommend for the reasons given in the assessment, that the submissions from TROTR [264.69], Kāinga Ora [81.815] and John Cody [184.8] be **accepted in part**.
62. I recommend for the reasons given in the assessment, that the submissions from John Cody [184.7, 184.6], QEII [216.46] and Gary Lewis [248.2] be **rejected**.
63. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.3 Staging of Future Urban Zone "release"**

### **3.3.1 Matters raised by submitters**

64. Kāinga Ora [81.944] seeks that any staged release of Future Urban Zoned land for future residential use take into account and monitor the uptake of intensification within existing residential zones. This is for the reason that the extent of Future Urban Zone proposed in the PDP will not encourage suitable intensification of existing urban areas and the 'compact urban form' that is being sought in the strategic direction of the PDP.
65. Silverwood [FS34.1] oppose this submission on the basis that:
- s31(1)(aa) provides a clear direction in providing for urban growth
  - obligations under the NPS-UD include that Councils must provide "at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term"

- as detailed in the PCC Housing Development Summary, the number of new dwellings required in Porirua City by 2048 is currently modelled as being approximately 10,500 (a figure which has been used to inform the Council's Long Term Plan work). When considering land availability, approximately 5,000 of the required dwellings over the period to 2048 are forecast to be located in existing urban areas with the balance located in greenfield sites.

66. In a similar vein, John Cody [184.5] seeks that any application for housing on a Future Urban Zone is supported by evidence that intensification is not an option.

### 3.3.2 Assessment

67. In respect of Kāinga Ora's submission, I agree with the points raised by Silverwood in their further submission. Section 7 and Appendix 7 of the Part 1 Overview to s32 Evaluation report and Section 5.3 of the Future Urban Zone s32 Evaluation report set out the rationale for the Council identifying land as Future Urban Zone within Porirua. In short, to meet the requirements of s31 of the RMA and the NPS-UD, the Council cannot rely on intensification alone.

68. It is also important to note that neither the RMA, the NPS-UDC nor the NPS-UD require that intensification takes precedence over greenfield development. I note that the NPS-UDC requires that a Future Development Strategy identify the broad location, timing and sequencing of future development capacity over the long term in future urban environments and intensification opportunities within existing urban environments<sup>1</sup>. In my view, this does not elevate or require intensification be prioritised. In terms of the NPS-UD, while policy 3 and subpart 6 contain provisions requiring intensification to occur, again in my view there is no elevation or prioritisation of intensification over greenfield development, such that greenfield has to follow intensification. In addition, Objective 2 requires that "planning decisions improve housing affordability by supporting competitive land and development markets".

69. However, the NPS-UD also does not, in my opinion, support a carte blanche for any form of growth. Objective 3 in particular is focused on enabling intensification and states:

*Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

70. Further, Objective 1 seeks the following outcome:

*New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

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<sup>1</sup> PC13 of the NPS-UDC

71. In my view, this objective needs to be read alongside the other objectives to ensure that whatever land is available for intensification or greenfield will result in a well-functioning urban environment.
72. I am unclear what Kāinga Ora means in terms of “staged release”. As the Council identifies that land is required for urban development to meet population growth and the requirements of both s31 of the RMA and the NPS-UD, it will rezone land through a plan change and structure plan process. A plan change will most usually be prepared in partnership with, and at the request of, a property owner or developer. They are largely ‘market driven’ in this respect, and Council needs to be responsive to these requests. I also note the NPS-UD already obliges the Council to undertake regular monitoring and reporting of housing provision, amongst other matters.
73. In terms of Kāinga Ora’s reference to the PDP’s strategic objectives seeking a ‘compact urban form’, as notified, UFD-O1 reads “Porirua grows in a planned, compact and structured way”. In accordance with s32 of the RMA, case law and best planning practice, an objective in a plan should not be read in isolation. In this instance, UFD-O2 addresses ensuring that there is a sufficient supply of land for growth, UFD-O3 addresses urban form, and UFD-O4 addresses future urban areas. And of course, these objectives need to be read alongside all the other strategic objectives. Going back to UFD-O1, this objective in itself does not preclude growth or the use of the greenfield land; rather it seeks to ensure that any growth is planned, is compact in form and is structured. The use of structure plans for new greenfield areas is one means that this is implemented.
74. In respect to John Cody’s submission, I note that any request for a plan change to rezone areas of the Future Urban Zone for urban development will need to be accompanied by evidence of the future supply and projected demand for residential and business land in the structure plan areas to achieve an appropriate capacity to meet the requirements of the NPS-UD. This is a requirement under proposed clauses 1 and 2 of Appendix 11. Council’s HBA has demonstrated that the Council will need to enable both intensification and greenfield development to meet its NPS-UDC (and now NPS-UD) obligations. I note that and agree with Silverwood’s further submission [FS34.15] which also raises the Council’s obligations under the NPS-UD.

### **3.3.3 Recommendations**

75. I recommend for the reasons given in the assessment that the submissions from John Cody [184.5] and Kāinga Ora [81.944] be **accepted in part**.
76. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.4 Consideration of Freshwater, the NPS-FM and NES-FW**

### **3.4.1 Matters raised by submitters**

77. GWRC [137.66 and 137.88] seek that FUZ-P2 and APP-11 be amended to take into account the NES-FW, contaminant limits, conditions on discharge consents held by Wellington Water and water sensitive urban design. The reason given by GWRC is that urban development should only occur in a Future Urban Zone if it can do so within any contaminant limits set by Greater Wellington as required by the NPS-FM, and if future discharges from the development can comply with conditions on relevant discharge consents held by Wellington Water. Any Future Urban Zones will also need to meet the requirements of the NES-FW, particularly wetland

protection and reclamation provisions. Structure Plans should consider these matters, as well as being based on the principles of Water Sensitive Urban Design.

78. Silverwood [FS34.26, FS34.28] oppose this submission, stating:

*While SCL supports positive environmental outcomes being achieved as part of overall development of sites within the Future Urban Zone, SCL believes that there is sufficient scope within the structure plan included in Appendix 11 to require this information at the future plan change stage.*

*Given different territorial authority and regional council functions under sections 30 and 31 of the Resource Management Act, the extent of incorporation of these matters outlined in the GWRC submission is limited.*

*Also, at the time of the plan change, an assessment will be required against the relevant provisions of the NPS-FM. Further, any WSUD devices would be subject to the requirements of the Freshwater NES and GWRC's proposed Natural Resources Plan and would require specific geotechnical and ecological assessment at the detailed design stage.*

### **3.4.2 Assessment**

79. I have carefully considered GWRC's submission and Silverwood's reasoning in their further submission. I do not consider it necessary to address these matters specifically within FUZ-P2 which are matters that address the s31 functions of the Council, at a high level. I concur with Silverwood that the matters raised by the GWRC are matters that are within the scope of Appendix 11 to be accompanied with a structure plan for any rezoning proposal. I also concur with Silverwood that these are matters that would be addressed through regional council consenting processes. I consider the most appropriate time for these matters to be addressed are at the rezoning for urban purposes where the effects of urbanisation can be more carefully assessed, rather than when identifying potential Future Urban Zones. I address this in further detail under the Silverwood submission below.

80. While I agree with Silverwood that these are matters that would be addressed through Appendix 11, I consider these could be made more explicit as being required. I therefore recommend that "Infrastructure" be amended to include:

- The impact on any discharge consents;
- Contaminant limits set in the Regional Natural Resources Plan; and
- Under clause 3 "water sensitive design".

81. I also recommend that clause 1 of "Natural Resources" be amended as follows to include reference to wetlands:

1. The protection, maintenance and enhancement of natural resources, particularly those that have been identified:
  - a. in the District Plan in relation to Ngāti Toa Rangatira, areas of Outstanding Natural Features and Landscapes, areas of Coastal High Natural Character Areas and Significant Natural Areas; and

- b. in the Regional Natural Resources Plan or National Policy Statement for Freshwater Management as a natural wetland.

### 3.4.3 Recommendations

82. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** Appendix 11 as set out in Appendix A;
83. I recommend that the submissions from GWRC [137.66 and 137.88] be **accepted in part**;
84. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.4.4 Section 32AA evaluation

85. In my opinion, the amendment to Appendix 11 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:
- The additions provide necessary clarity of the information requirements that will need to be considered through a structure plan process. They would ensure that the policy better implements Strategic Objectives NE-O3 and NE-O4<sup>2</sup> and gives effect to NPS-FM insofar as territorial authorities have a role in achieving the outcomes in it. Consequently, the recommended amendment is more efficient and effective than the notified provisions in achieving the objectives of the PDP and giving effect to the NPS-FM.
  - The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, it would mean additional technical assessments are required to accompany any rezoning proposal to Future Urban. I do not consider this an onerous additional evaluation, and rather, as outlined above, the provision of this information would be consistent with implementing the NPS-FM and provide a more robust and integrated approach to ensuring a Structure Plan responds to constraints set by the PNRP, NPS-FM and NES-FW.

## 3.5 The Zoning of Judgeford Flat as a Future Urban Zone for Industrial Purposes

86. There were many submissions received on the appropriateness of zoning Judgeford Flat as a Future Urban Zone, in support and in opposition. Some submissions sought that particular areas be removed from the Future Urban Zone, while others sought that some additional land be included in the FUZ or that some of the land be up-zoned for industrial, commercial or employment purposes now. Accordingly, I have split these into different topics.

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<sup>2</sup> NE-O4 and NE-O5 as recommended to be amended.

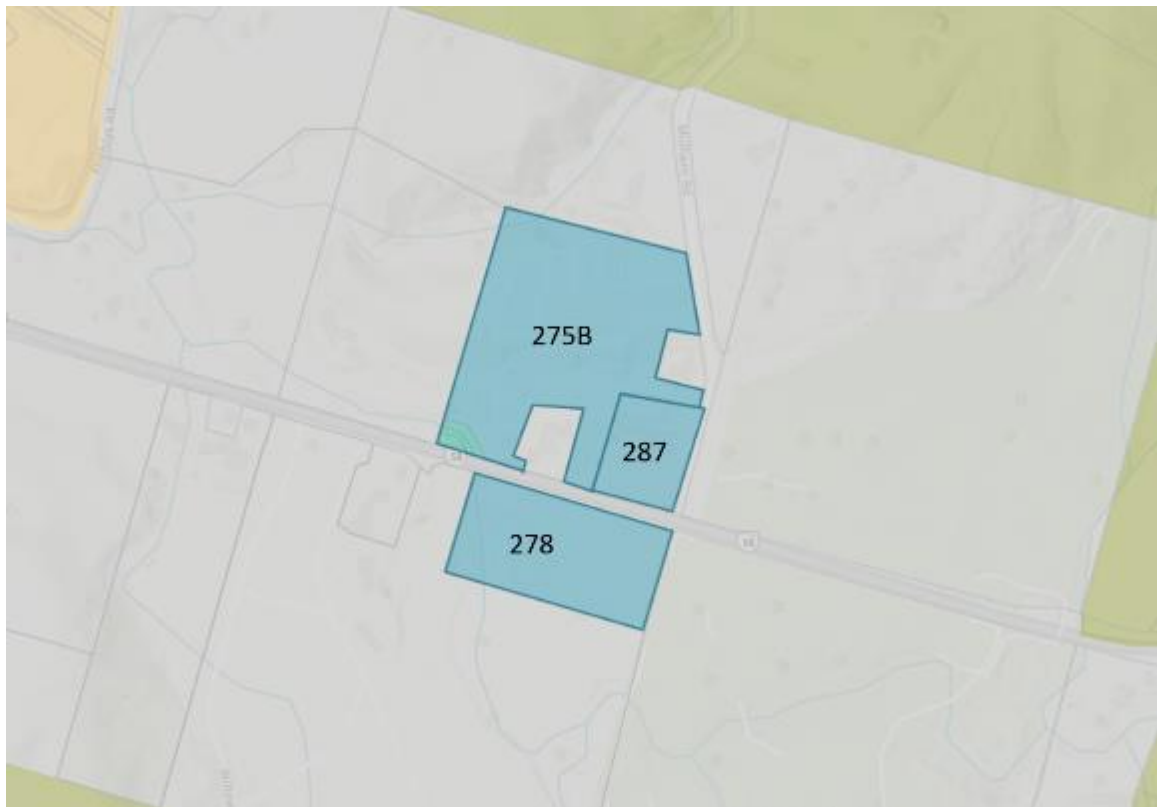
### 3.5.1 Immediate upzoning to Industrial, Commercial or Employment Purposes

#### 3.5.1.1 Matters raised by submitters

87. Submissions seeking that land within the Future Urban Zone in Judgeford Flats be up-zoned for industrial, commercial or employment purposes were received from:
- Vic Draper [261.1 and 261.3] in respect of 278, 275B and 287 Paremata Haywards Road
  - Vic Draper [189.1 and 189.3] in respect of 287 Paremata Haywards Road
  - Melanie and Scott Draper [188.1] in respect of 278 and 275B Paremata Haywards Road
  - Shedlands Limited [187.1] in respect of 275B Paremata Haywards Road.
88. The submission from Vic Draper [261.1] also seeks that the Council consults with the Draper family with any matters seeking changes pertaining to the Draper Family land, including any proposed zone changes.
89. The primary reason provided for this request is that there are existing businesses within the Judgeford Flats and the proposed rules prohibit industrial and commercial land.

#### 3.5.1.2 Assessment

90. The land which the submitters seek to be rezoned is shown below in Figure 1.



**Figure 1: Map of submitter properties seeking upzoning**

91. While I appreciate that there are existing industrial activities occurring on the land identified by these submitters, they have not provided evidence that rezoning these specific sites to an Industrial Zone at this time would be the most appropriate means of either achieving the

purpose of the RMA or the objectives of the PDP. Further, as identified in the map in Figure 1, the sites sought to be rezoned does not include 283 Paremata Haywards Road. The spot zoning sought Industrial Zoned land surrounding a single Future Urban zoned piece of land, which in my view is not good planning practice. I consider any upzoning of the land is most appropriately addressed in an integrated and comprehensive manner.

92. Under s10 of the RMA, any lawfully established activity can continue to operate at the same character, intensity and scale if a rule in a Plan changes. The existing activities will be able to continue to operate with the Future Urban zoning, albeit any proposed increase in character, intensity or scale would require a resource consent.
93. I consider that the proposed rule framework in the FUZ is appropriate as it ensures that the future urban development of the site is not compromised by the intensification of existing activities or the establishment of new activities that may be inappropriate in an urban area.

### 3.5.1.3 Recommendations

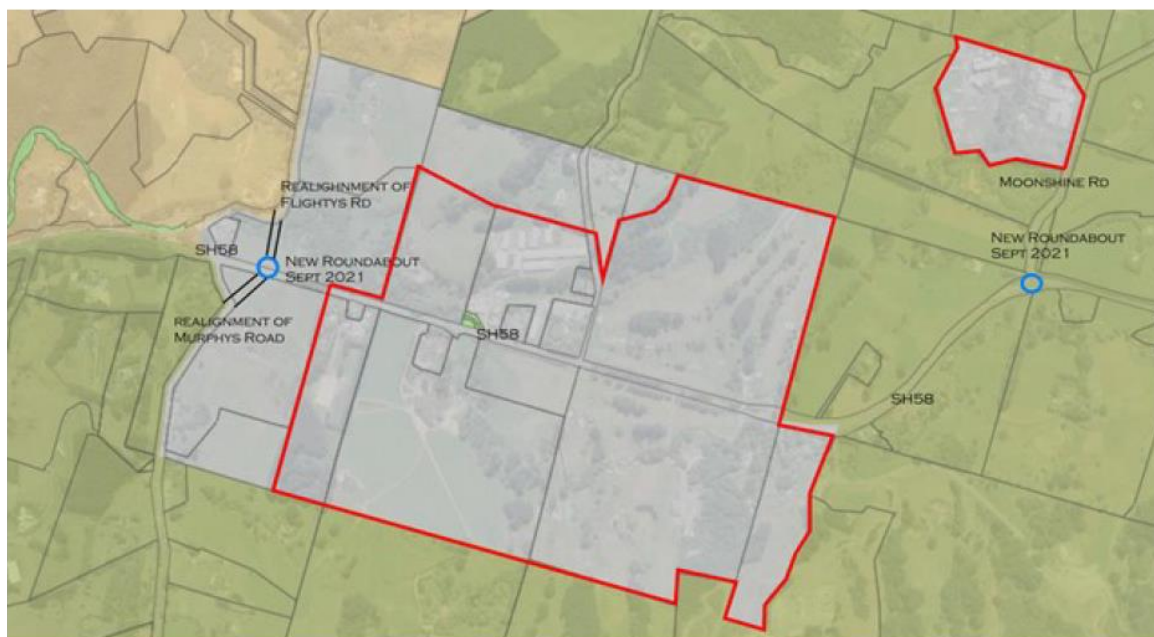
94. I recommend for the reasons given in the assessment that the submissions from Vic Draper [189.1, 189.3, 261.1 and 261.3], Melanie and Scott Draper [188.1] and Shedlands Limited [187.1] be **rejected**.

## 3.5.2 Against the Future Urban Zoning

### 3.5.2.1 Matters raised by submitters

95. There were numerous submissions against the Future Urban Zoning and seeking that the land remain zoned General Rural, received from:
- Victoria and Nick Coad [162.7]
  - Magdalena Conradie [44.1, 44.16]
  - John Hungerford [76.1, 76.17]
  - Sandra Johnston [89.17, 89.2]
  - Graham Twist [93.1]
  - Derek and Kristine Thompson [90.1]
96. The reasons provided by the submitters are that it fails to deliver a suitable area for future urban growth within the NPS-UD objectives and criteria of:
- Traffic safety.
  - Scope for public transport provision and development transportation.
  - Adequate threewaters provision.
  - Geotechnical safety, considering the topography and Moonshine Rupture Zone.
  - Management measures for a known flooding zone..
  - Environmental balance, threats and protection.

97. The submitters also consider there is insufficient cost-benefit analysis that makes a compelling case for the need for this Zone; and no evidence that it would deliver net benefits, or that the costs and risks can be adequately mitigated.
98. Sandra Johnston [89.12, 89.17], Victoria and Nick Coad [162.17], Graham Twist [93.12], Derek and Kristine Thompson [90.15], Magdalena Conradie [44.10, 44.16] and John Hungerford [76.12, 76.17] also sought that if the Future Urban Zone is retained, it should be redrawn, as shown below in Figure 2<sup>3</sup>:



**Figure 2: Map showing requested amendments to FUZ zoning**

99. The reasons for this redrawn Future Urban Zone included:
- The area identified takes little account of its topography, natural waterways and vegetation.
  - 35 and 41 Murphys Road are mainly hills and have waterways through them.
  - This part of Murphys Road is subject to flooding.
  - 2 and 50 Flightys Road and 237 Paremata Haywards Road have a stream through them and are prone to flooding.
  - Mulhern Road has hilly topography not suitable for commercial development.
  - There has been no consideration that Flightys Road and Murphys Road will be realigned and there will be two new roundabouts (Flightys/Murphy and Moonshine) as part of the SH58 safety improvements.
100. Victoria and Nick Coad [162.16], Sandra Johnston [89.16], Magdalena Conradie [44.15] and John Hungerford [76.16] also all sought that the Council should investigate further other areas for

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<sup>3</sup> I note that the land to the north-west also outlined in red is the Special Purpose Zone – BRANZ, and not Future Urban Zone.



future business/commercial growth with better transport links, more infrastructure ready, less costly to implement, and less impact on the environment. PCC should also investigate and support brownfields developments and make full use of established and well-serviced industrial areas of Porirua.

101. The Judgeford Environmental Protection Society [246.1] submitted on FUZ-O1, opposing the rezoning of General Rural land to Future Urban. Their position was that rezoning should only occur if it enables activities that are in keeping with the existing use of land and surrounding activities that support a rural lifestyle. They consider a Future Urban zoning would create additional uncertainty, is unfair and will entrench existing inappropriate activities. In terms of a future industrial zoning, they considered this incompatible with the expectations of living rurally and that the existing hazards and lack of infrastructure make the area inappropriate.
102. Lyle and Tracey Davies [10.1] opposed the Future Urban Zone at Judgeford Flat, seeking that:
  - Any changes to the current plan must not entrench or imbed existing inappropriate activities that are inconsistent with the area.
  - If it is rezoned, it must occur in a way that does not continue or aggravate existing effects.
  - If rezoned, it should only enable appropriate uses such as rural lifestyle where there are additional protections for residents. Such as from broad scale mining activities which should be prohibited.
103. The submitters considered Future Urban zoning to be inappropriate and that industrialisation is incompatible with rural living expectations. They raised that there is a flood hazard.
104. The Judgeford Golf Club [91.1] sought that the Golf Course retains its General Rural Zoning, as the Future Urban Zone could put the long-term existence of the golf course (and club) under threat. The submitter was concerned that the 70 year history would be lost, that local people would be deprived from convenient access to a golf course, that it is the only 18-hole course in Porirua, meaning its loss would deprive the City of a significant sporting and recreational venue and there is no obvious alternative location for a replacement within the City. Glenn Johnston [47.1] sought that Judgeford Flats not be rezoned for the reason that it would sign the golf course's death warrant and Porirua may end up in a situation where there are no golf courses within 20 years time.
105. The Pāuatahanui Residents Association [74.2] requested that the reasons that the positioning of the urban/industrial zone within the Rural Zone put forward by Pāuatahanui residents be considered. Their reason was that while the zoning would support businesses that currently operate in the area, it does not address the concerns residents have regarding industrial development in the area.

#### 3.5.2.2 *Assessment*

106. There were several submissions seeking that the land be retained as General Rural and that its use for industrial purposes was not appropriate or suitable for a number of reasons.
107. In respect to the submissions from Victoria and Nick Coad, Graham Twist, Derek and Kristine Thompson, Sandra Johnston, Magdalena Conradie and John Hungerford, I am unclear with the submission as to the references made to Objective 2.1.1, 2.1.3, 2.1.6 and 2.1.8, as Objective 2 of

the NPS-UD reads *"Planning decisions improve housing affordability by supporting competitive land and development markets"*.

108. However, I assume that they are referencing Objectives 1, 3, 6 and 8 of the NPS-UD and have evaluated their submission on that basis.
109. The background as to the inclusion of Judgeford Flats in the FUZ is set out in the Overarching and Future Urban Zone s32 evaluation reports and their supporting documents, with the progression from the 2012 Pāuatahanui-Judgeford Structure Plan to its inclusion in the PDP as a FUZ set out in Section 4.12.4 of the FUZ s32. Its inclusion as a FUZ is consistent with the entry criteria for a FUZ set out in FUZ-P1(1), which the submitters have not sought to be amended. Judgeford Flat was identified in the Growth Strategy as a long term employment area, which is consistent with the findings from the Council's HBA of a shortage of industrial land in the long term and Policy 2 and supporting Clause 3.3 of the NPS-UD.
110. I note that the Judgeford Flat FUZ is also identified in the Draft Wellington Regional Growth Framework February 20214 (WRGF), which is a 30-year spatial plan for the Wellington-Horowhenua Region, as a potential new business area. The WRGF includes an initiative to strengthen the west-east access between Porirua and the Hutt Valley to enable people to access social and economic growth corridors along SH58. It identifies that investigation into this growth corridor would build on work already done to scope the potential for the Future Urban Development Area, along with improved public transport and multi-modal access and improved resilience<sup>5</sup>.
111. The inclusion of Judgeford Flats in the Growth Strategy as a long term employment area was informed by a series of reports. These are available at <https://porirua.govt.nz/your-council/city-planning-and-reporting/district-plan/proposed-district-plan/overview-proposed-district-plan/> under the Plan-wide supporting information dropdown section. This included consideration of a survey and review of land potentially available and suitable for employment use along the Transmission Gully and SH58 alignments, specifically to Pāuatahanui and Judgeford.
112. The Council's Infrastructure Strategy 2021-2051<sup>6</sup> identifies Judgeford Flats as an area to meet the City's medium to long-term industrial land use needs and to leverage off access to and from Transmission Gully. It also identifies that it would need supporting infrastructure in the future if it was to become operative and that the Council would consult the public on investment required as part of future LTP processes.
113. I concur with the submitters that there are currently constraints on the Judgeford Flats FUZ that would make it unsuitable for urban development at this point in time. The NPS-UD does not require that land that is identified for long term supply be immediately serviced. As Waka Kotahi have identified in their submission, it would need to be subject to a structure plan process to enable any rezoning to occur. This structure plan process would consider all those matters raised by the submitters.

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<sup>4</sup> The report is available in pdf at <https://wrgf.co.nz/reports/>

<sup>5</sup> Page 48

<sup>6</sup> See page 170 <https://porirua.govt.nz/your-council/city-planning-and-reporting/long-term-plan/>

114. As outlined in the Growth Strategy and the two s32 evaluation reports referenced earlier, the Council has undertaken detailed investigations into the adequacy of its existing business land to provide for the forecast demand for industrial land and activities. This has identified that additional land is required beyond that existing within the City. Land that is suitable for industrial uses is not readily available within the City, and this land has been identified as the most appropriate.
115. Property Economics has outlined the following factors that need to be taken into account for rezoning any land for business use:
1. Undisrupted water and electricity supply
  2. Digital capability
  3. Close proximity/good access to transportation hubs such as ports and airports
  4. Proximity to an appropriate labour supply
  5. Location of customers/target markets
  6. Access to major road corridors
  7. Location of suppliers
  8. A company's existing network and infrastructure
  9. Room for potential expansion and growth on the site
  10. Land and property costs
  11. Ability to secure resource consent
  12. Congestion at peak times
  13. Owner's home address
  14. Exposure profile
  15. Quality of business location<sup>7</sup>
116. Anecdotally, an article in June 2021 by Collier's Tim Julian states that the region is experiencing the lowest vacancy rate for industrial land since records began. It was at that time 1.5 per cent, and a healthy rate is about 4 per cent. Mr Julian was aware of just six hectares of industrial-zoned greenfield land left across the Hutt Valley, Wellington, Kapiti and Porirua.<sup>8</sup>
117. I have sought specific advice in respect to the presence of flooding and the Moonshine Fault.
118. In respect to the presence of the Moonshine Fault, in the first instance I note that both Transmission Gully and the GWRC Kaitoke bulk water supply line cross the Moonshine Fault Rupture Zone. It is also identified in APP10 – Table 3 of the PDP as being a Low Hazard Area, whereby any development would be a restricted discretionary activity. The Moonshine Fault has a Recurrence Interval Class IV of between 5,000 and 10,000 years<sup>9</sup>.
119. Mr Riman has provided evidence in respect to the Moonshine Fault, which is included as Appendix F. In summary, his advice on reviewing the relevant literature on the Fault is that its location should not preclude industrial development for Judgeford Flat. He also advises that more detailed matters relating to the types of structures allowed and set backs from the Fault can best be addressed at structure plan and subsequent subdivision and development phases. I adopt his evidence and conclude that there are no fault hazard reasons that would preclude the Future Urban zoning.

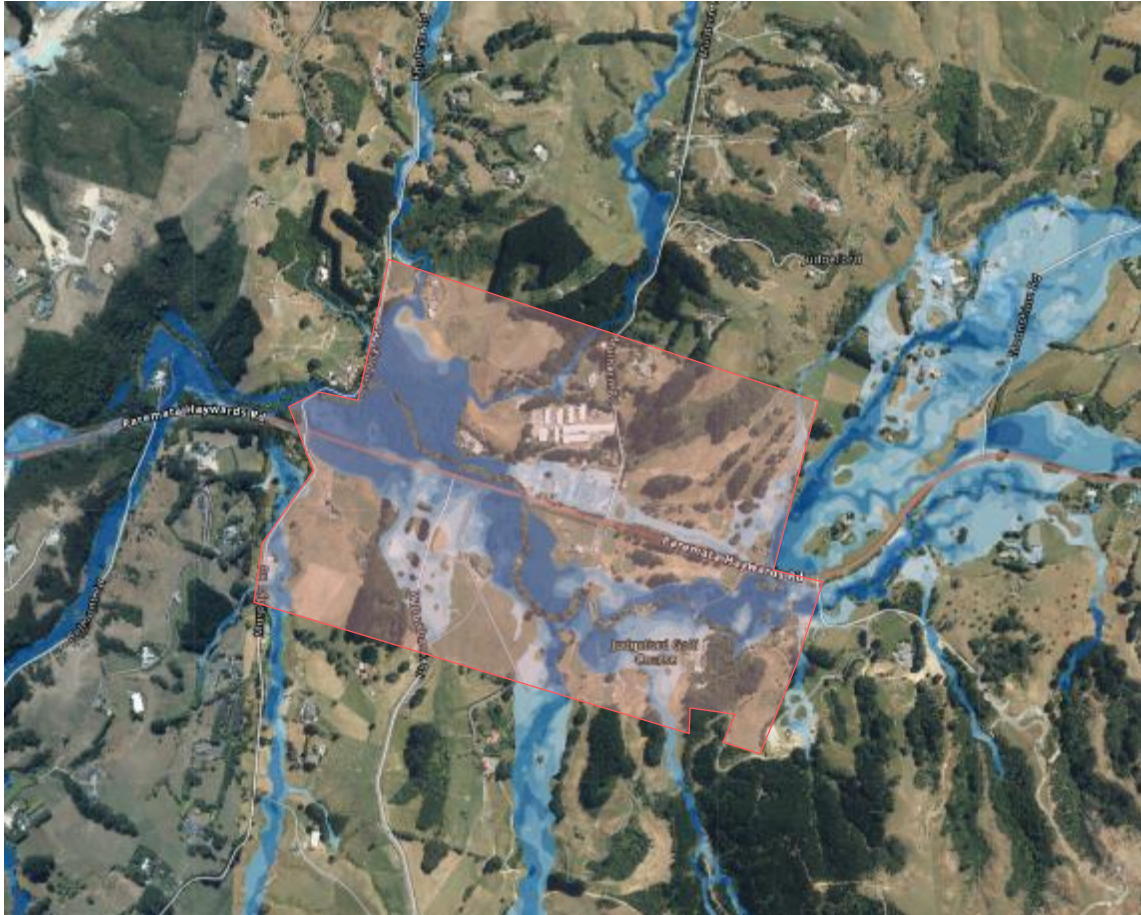
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<sup>7</sup> Housing and Business Development Capacity Assessment Porirua City Council, Property Economics, November 2019

<sup>8</sup> Source Stuff "Wellington region's shortage of industrial land could have consequences for economy" 2 June 2021.

<sup>9</sup> GNS Science 2014. Porirua District Fault Trace Study.

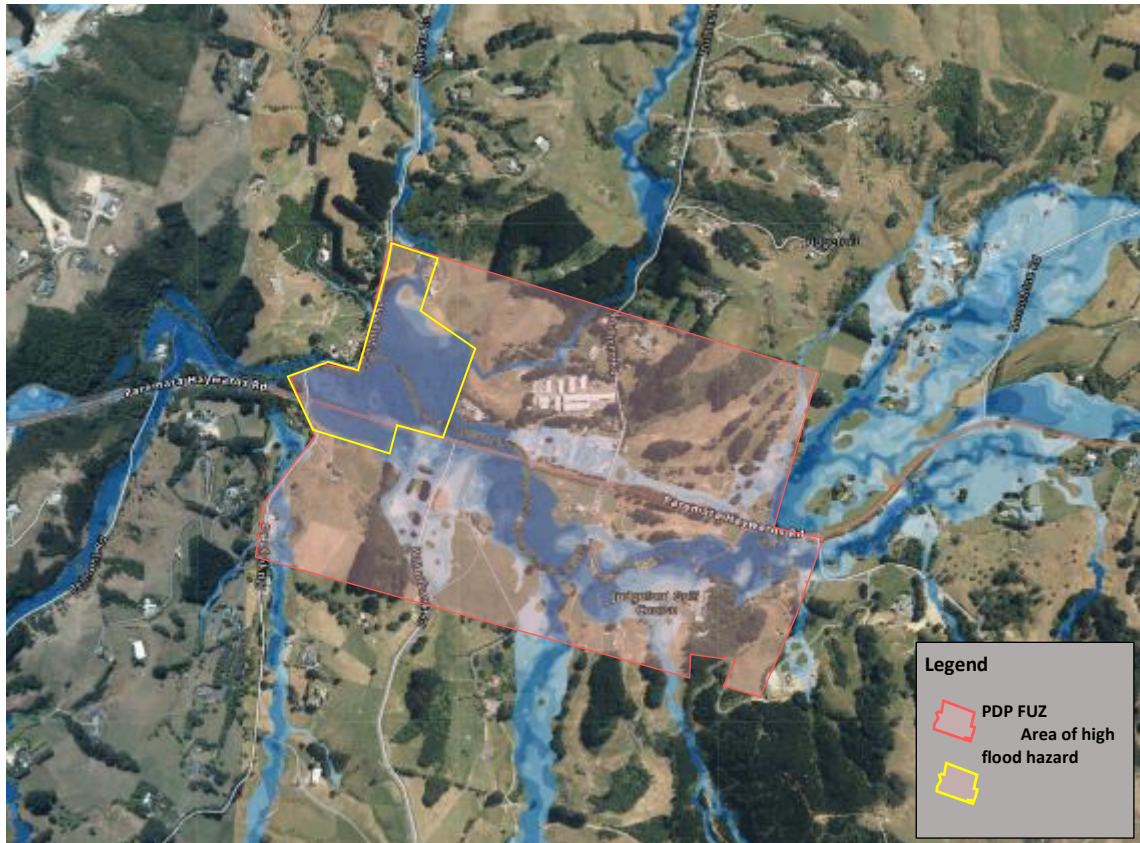
120. Mr Fountain has provided evidence in respect to flooding, which is included as Appendix G. I have replicated Figure 1, Flooding hazard predicted in a 100-year flood event in the Pāuatahanui catchment below, as Figure 3:



**Figure 3: Flooding hazard predicted in a 100-year flood event in the Pāuatahanui catchment**

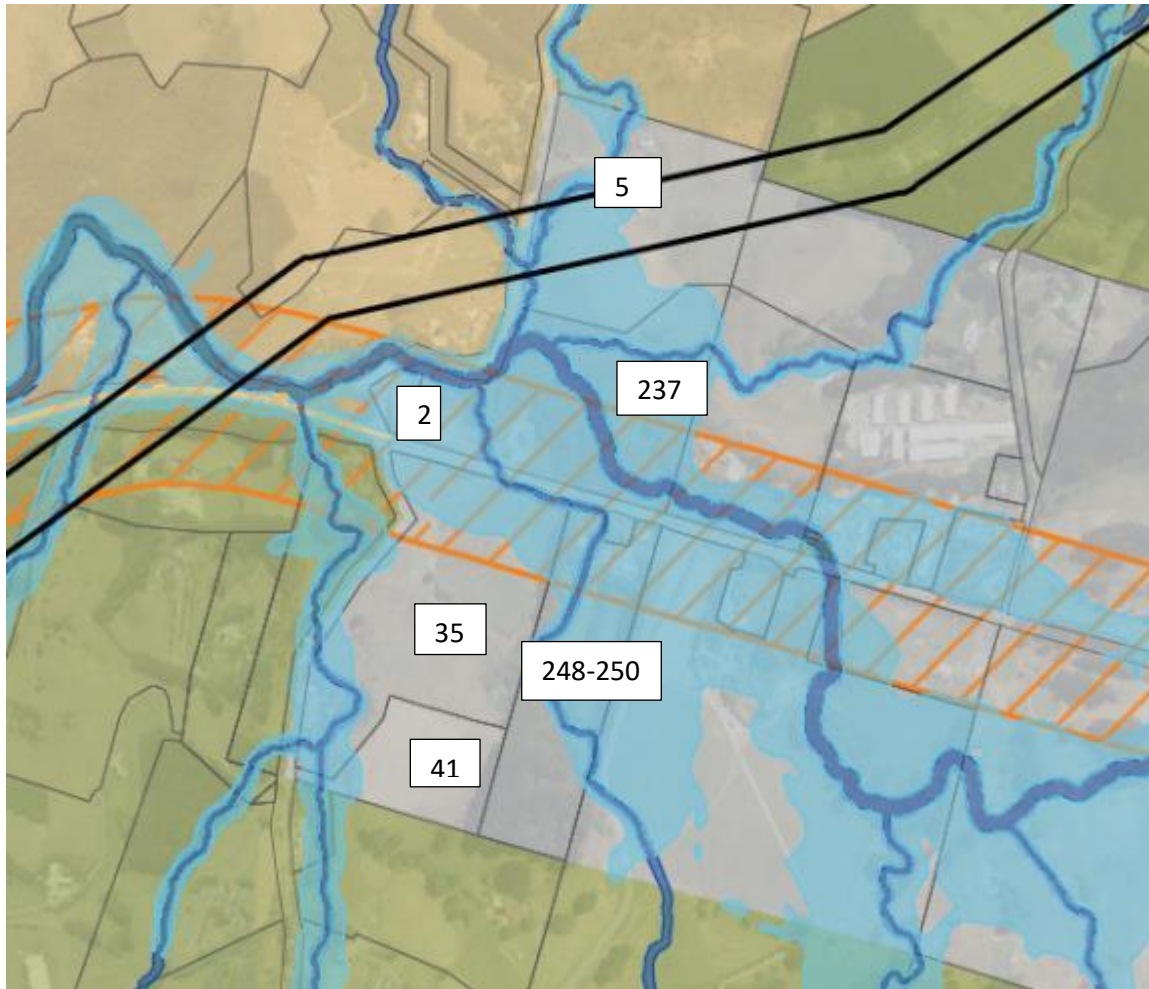
121. In summary, Mr Fountain's advice in respect to the Pāuatahanui stream floodplain located in and around Flightys Road is that:
- locations of deeper flooding on the Pāuatahanui stream floodplain is more difficult to development for urban purposes;
  - Deeper flooding is potentially hazardous to buildings and people and could impede safe access;
  - There are few options to protect the Pāuatahanui stream floodplain adjacent to the main channel from flooding without exacerbating flood risks on adjacent properties or worsening downstream flooding; and
  - Development in the area of deep flooding should not be encouraged and it could be excluded from the FUZ.
122. Mr Fountain has recommended that the area of deep and frequent flooding within 35 and 41 Murphys Road, 2 and 50 Flightys Road and 237 Paremata Haywards Road could be excluded from the FUZ, as shown below highlighted in yellow in Figure 4:





**Figure 4: Map showing recommended amendments to the Judgeford Flat FUZ**

123. His advice in respect to other areas of deep flooding is that while development should not be encouraged, given the geographic spread, it may be more practical to restrict development through the provisions in the Natural Hazards and Threewaters Chapters.
124. I accept Mr Fountain's evidence in respect of the extent of the flooding risk in and around 35 and 41 Murphys Road and 2 and 50 Flightys Road and 237 Paremata Haywards Road.
125. I also accept Mr Fountain's recommendation that the other areas of deep flooding could be best addressed through the Natural Hazards and Threewaters Chapters. These areas are more dispersed, and I consider appropriately addressed through a Structure Plan process. The Structure Plan process would provide an opportunity for a more comprehensive approach to flood management and mitigation.
126. I have carefully considered Mr Fountain's advice that the FUZ could be removed from 35 and 41 Murphys Road, 2 and 50 Flightys Road and 237 Paremata Haywards Road and the implications of this. The following map in Figure 5 shows the location of these properties and the proposed zoning and overlays in the PDP:



**Figure 5: Map showing the locations of 35 and 41 Murphys Road, 2 and 50 Flightys Road and 237 Paremata Haywards Road**

127. The light blue is the ponding area, the black lines the National Grid Corridor and the orange lines the Noise Corridor.
128. 2 Flightys Road is approximately 2,860m<sup>2</sup> in area and is owned by Porirua City Council. It is fully located within the Noise Corridor and subject to deep flooding. 50 Flightys Road is 5.2035ha in area. The National Grid Corridor traverses the site and the deep flooding extends across the majority of the site. 237 Paremata Haywards Road is 5.4165ha in area. It is partially within the Noise Corridor and it is all subject to deep flooding. Taking into account these restrictions and Mr Fountain's evidence, I concur that a Future Urban Zone is not appropriate, and a more appropriate zoning would be General Rural or Rural Lifestyle.
129. 2 Flightys Road adjoins the proposed Rural Lifestyle Zone. Given this, the size of the property and the proposed restrictions on lot sizes in the Rural Lifestyle Zone, I consider that the most appropriate zoning is Rural Lifestyle. I note that there is little further development potential for this site and Waka Kotahi's intended upgrading of State Highway 58 may lead to significant future change for this site.
130. 50 Flightys Road adjoins the proposed Rural Lifestyle Zone to the north, is opposite the proposed Rural Lifestyle Zone to the west and a small portion adjoins the General Rural Zone to the north-east. At over 5ha, there is potential for further subdivision of the site. However, the location of

the National Grid Corridor and the deep flooding would significantly constrain further development of the site. Having considered the s32 evaluation report for the Rural Zones, including the Land Matters Rural Residential Zoning Options report 2020<sup>10</sup>, I recommend that the most appropriate zoning for the site is Rural Lifestyle. The rationale for this is set out in the table on page 49 of the Land Matters report, which I agree with. I realise that there are potentially reverse sensitivity issues locating a Rural Lifestyle Zone adjacent to what could be an Industrial Zone in the future. In this instance, given the constraints on the site, I consider that this risk is minimised and that it is likely that the future Structure Plan process for rezoning will address any potential reverse sensitivity issues.

131. 237 Paremata Haywards Road adjoins the proposed Future Urban Zone, apart from where it is located opposite the Rural Lifestyle Zone on Flightys Road. At over 5ha, there is potential for further subdivision of the site. However, the deep flooding would significantly constrain further development of the site. It is also likely to be impacted in the future by the proposed upgrading of State Highway 58. For the same reason as for 50 Flightys Road, I recommend that this site be rezoned Rural Lifestyle.
132. 35 Murphys Road is 6.3635ha in area. Only the front part of the property is subject to the Noise Corridor and deep flooding. While there is ponding towards the rear, this is shallower. The majority of the site is free from any constraints. While there is ponding towards the rear, this is shallower. 41 Murphys Road<sup>11</sup> is 2ha in area. Only a small part of the site is subject to flooding, and that flooding is not deep as shown in Mr Fountain's map. In respect of both these properties, given the extent of potentially developable area on these sites, I recommend that they remain Future Urban Zone, with the appropriate zoning for the area of deep flooding risk on 35 Flightys Road being able to be considered in an integrated and comprehensive manner through a Structure Plan and plan change process.
133. I also note that the properties at 248/250 Paremata Haywards Road show deep flooding on them. Again, this is at the front of the properties and there remains a significant amount of land that is potentially developable.
134. I have considered the implications of removing 2 and 50 Flightys Road and 237 Paremata Haywards Road from the FUZ on the requirements under s31 of the RMA and the NPS-UD for the provision of business land. Given the restrictions that these sites face, I consider that even if they remained zoned Future Urban that they would not actually be feasible for development. So, while there is less land available for development, it is not feasible land for development, and I do not consider it would impact on the actual yield of land for future development.
135. In respect to the Judgeford Gold Course, I accept that should the land be rezoned for urban purposes that it is likely that the Judgeford Golf Club would likely change land use. In my view, the Future Urban Zone would not necessarily result in a change of land use, as it could continue to operate until that time. While I appreciate the sentiments of the submitter about its history and the lack of any other 18 hole golf courses in Porirua, it is also appropriate to consider the most efficient use of land and the Council is obligated to give effect to the NPS-UD and undertake its functions under s31 of the RMA. I have already outlined the evidence base in respect to the

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<sup>10</sup> I note that these two reports had excluded consideration of this site as Rural Lifestyle based on its proposed Future Urban zoning.

<sup>11</sup> This site shows up as 53 Murphys Road on Council's planning maps.



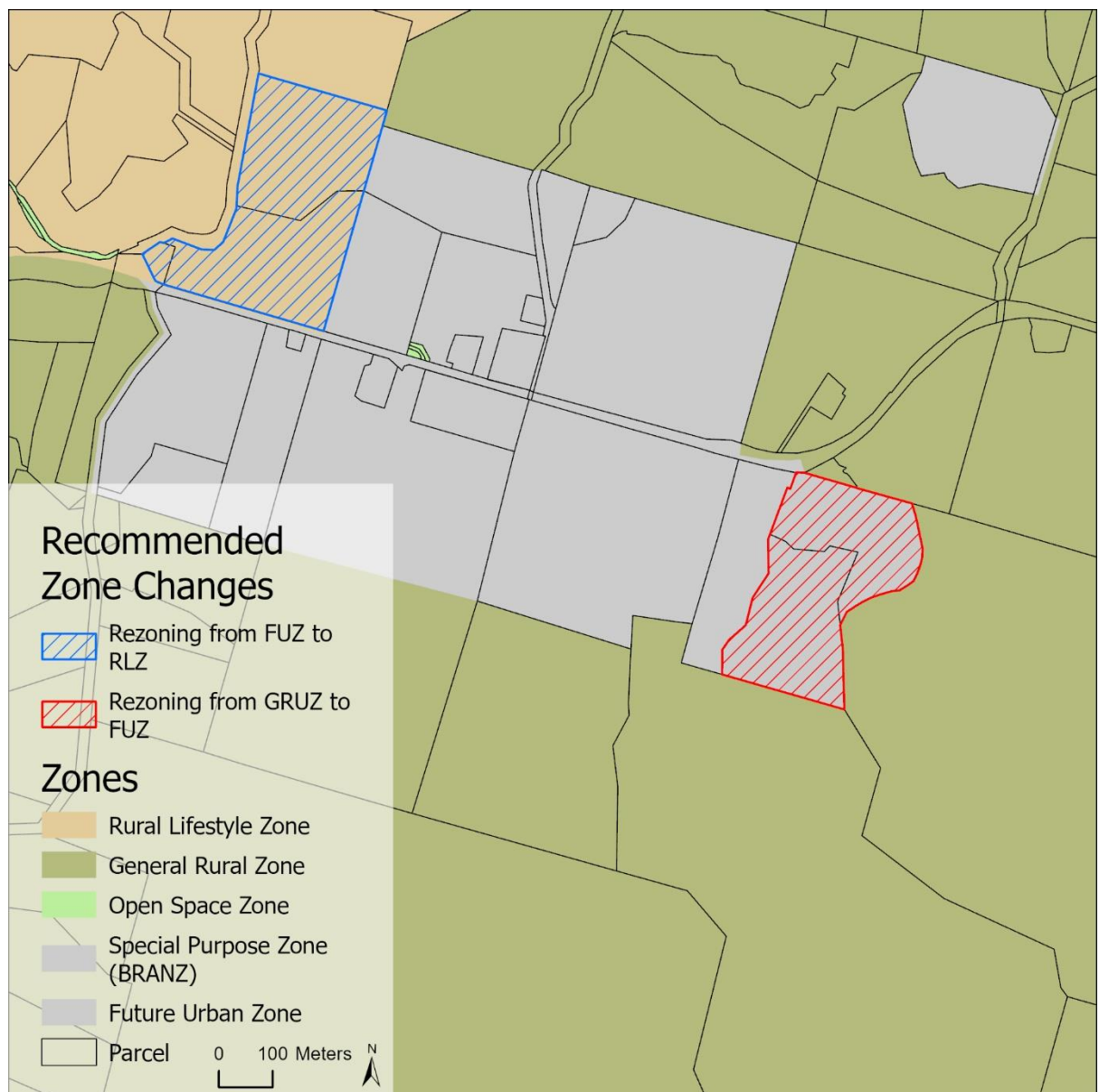
demand for industrial land and the lack of any other suitable land for industrial purposes within Porirua. Further, I also note that while this is a sporting and recreational venue, it is not a public one available for wider community wellbeing.

136. In respect to the request from submitters to look at alternatives for industrial land; this is addressed in the Future Urban Zone section 32 evaluation report, as well as the Part A Overview section 32 evaluation report. The matters raised by the submitters have been canvassed as part of the evaluations and the more detailed reports that informed them. The submitters have not provided specific evidence that would warrant a further evaluation.

### 3.5.2.3 Recommendations

137. I recommend for the reasons given in the assessment, that the Hearings Panel:

- Amend the boundary of the Future Urban Zone; and
- Rezone 237 Paremata Haywards Road and 2 and 50 Flightys Road to Rural Lifestyle (shown below)





138. I recommend that the submissions from Sandra Johnston [89.2, 89.12, 89.17], Victoria and Nick Coad [162.7, 162.17], Graham Twist [93.1, 93.12], Derek and Kristine Thompson [90.1, 90.15], Magdalena Conradie [44.1, 44.10, 44.16] and John Hungerford [76.1, 76.12, 76.17], the Pāuatahanui Residents Association [74.2] and Lyle and Tracey Davies [10.1] be **accepted in part**;
139. I recommend that the submissions from Victoria and Nick Coad [162.16], Magdalena Conradie [44.15], John Hungerford [76.16], Sandra Johnston [89.16], The Judgeford Golf Club [91.1], Glenn Johnston [47.1] and Judgeford Environmental Protection Society [246.1] be **rejected**;
140. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.5.2.4 Section 32AA evaluation

141. In my opinion, the amendment to Appendix 1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The additions provide necessary clarity of the information requirements that will need to be considered through a structure plan process. They would ensure that the policy better implements Strategic Objectives NE-O3 and NE-O4<sup>12</sup> and gives effect to NPS-FM insofar as territorial authorities have a role in achieving the outcomes in it. Consequently, the recommended amendment is more efficient and effective than the notified provisions in achieving the objectives of the PDP and giving effect to the NPS-FM.
- The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, it would mean additional technical assessments are required to accompany any rezoning proposal to Future Urban. I do not consider this an onerous additional evaluation, and rather, as outlined above, the provision of this information would be consistent with implementing the NPS-FM and provide a more robust and integrated approach to ensuring a Structure Plan responds to constraints set by the PNRP, NPS-FM and NES-FW.

### 3.5.3 Rezone to Rural Lifestyle

#### 3.5.3.1 Matters raised by submitters

142. Nadine Steffens [14.2], Stephen Smith [1.2] and Jennifer Blake [17.2] sought that the Future Urban Zone be removed, and that this land and the Murphys/Flightys and Moonshine and related land holdings currently located in a rural zone, should be redesignated Rural Lifestyle Zone with grandparenting to any primary sector industry currently located within this area. The reasons given included:

- The current plan for SH58 does not provide for a new industrial area;
- It would cost a lot of ratepayer money to fund the need to drain and flood proof the land;
- The Council funding deficits and lack of occupancy in other industrial areas should mean that this proposal is out of sync with the current economic climate; and

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<sup>12</sup> NE-O4 and NE-O5 as recommended to be amended.

- Rural lifestyle would be more appropriate, in accordance with the 2013 Council report.

### 3.5.3.2 Assessment

143. In respect to the submissions from Nadine Steffens [14.2], Stephen Smith [1.2] and Jennifer Blake [17.2], it is unclear as to the extent of rezoning sought and exactly what 2013 Council report is being referenced. The submitters may wish to clarify this at the hearing. I note that Ms Steffens is at 303 Murphys Road, Mr Smith is at 294 Murphys Road and Ms Blake is at 227 Murphys Road. I note that none of these properties are within the proposed FUZ.
144. If the submitters are referring to the 2012 Pāuatahanui Judgeford Structure Plan, then I note that the Judgeford Hamlet Policy Area does include reference to economic development activity in Judgeford, albeit more focused around Moonshine Road and BRANZ. However, the Future Urban Zone section 32 evaluation report sets out more detail of the appropriateness of the zoning proposed and the more recent evidence base that supports the zoning, including the demand for new business land for industrial purposes. Further, in my view, subject to my recommendations above responding to flooding, a Rural Lifestyle Zoning would be less compatible with the more industrial activities that are already occurring within the area and could lead to reverse sensitivity effects.

### 3.5.3.3 Recommendations

145. I recommend for the reasons given in the assessment that the submissions from Nadine Steffens [14.2], Stephen Smith [1.2] and Jennifer Blake [17.2] be **rejected**.

## 3.5.4 Amendments to Future Urban Zone Boundary

146. Te Awarua-o-Porirua Harbour & Catchments Community Trust and Guardians of Pāuatahanui Inlet [77.18] sought that the zone boundary be moved slightly up one of the valleys (e.g. Mulhern Road area to the vicinity of the BRANZ area) and not in the stream valley. In particular, their view was that it needs to be higher up (at least two metres) and away from the bed and riparian area of the stream. This is for the reason that the area is prone to flooding, some of which is severe and has led to inundation in parts of Pāuatahanui and sediment deposits into the harbour. There are also changed and unproven dynamics since the construction of Lanes Flat.
147. Jacqui Lally [43.1] sought that 346B Paremata Haywards Road should remain as General Rural, so the owners could continue to enjoy the reason they had bought the property. As proposed in the PDP, the property would border both Future Urban and General Rural zoned land.
148. Judgeford Heights Ltd [200.1] sought that their property at 346A, 346C and 352 Paremata Haywards Road be rezoned from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone. The reasons provided by the submitter in respect to the Future Urban Zone is that:
- The site borders the FUZ which can be extended further into their property easily and meets Council objectives for Industrial expansion;
  - It has legal and physical access to Paremata Haywards Road, allowing efficient road access;
  - Power is available;

- More intensive use of the property is beneficial for a local workforce for the intended industrial development;
- There is already a slow change in character occurring in the area;
- Expansion of the FUZ into this area is on offer voluntarily and Council should take advantage of this;
- The topography is very similar to that of 346B and also benefits from the proximity to the roading network. There is flat land. Where the land slopes, it allows for some modification for light industrial uses with good road access; and
- The rezoning meets the Plan objectives and policies for the FUZ Future Urban Zone (the submitter provides an analysis against each proposed objective and policy).

149. The submission is opposed by Waka Kotahi [FS36.20] and GWRC [FS40.120]. The reason for the Waka Kotahi further submission is that:

*Any rezoning of land which enables more development than currently provided for must ensure that adverse effects (for example, on the transport network) including cumulative effects, are identified and addressed. The effects upon surrounding transport infrastructure of this rezoning have not been addressed*

150. The reason for the GWRC further submission is that:

*The District Plan must give effect to the National Policy Statement for Freshwater Management 2020 (NPS-FM). Additional areas of greenfield development will add to the contaminant load entering the environment. The NPS-FM requires that urban development maintains or improves water quality.*

#### 3.5.4.1 Assessment

151. The map below in Figure 6 shows the location of 346B Paremata Haywards Road, in respect of Jacqui Lally's submission, 346A, 346C and 352 Paremata Haywards Road, in respect to Judgeford Heights Ltd submission and the area "up one of the valleys".



**Figure 6: Map showing the location of 346B, 346C and 352 Paremata Haywards Road, and “up the valleys”**

152. The two maps below (Figure 7 and Figure 8) show the flooding map and PDP map that relate to the sites.

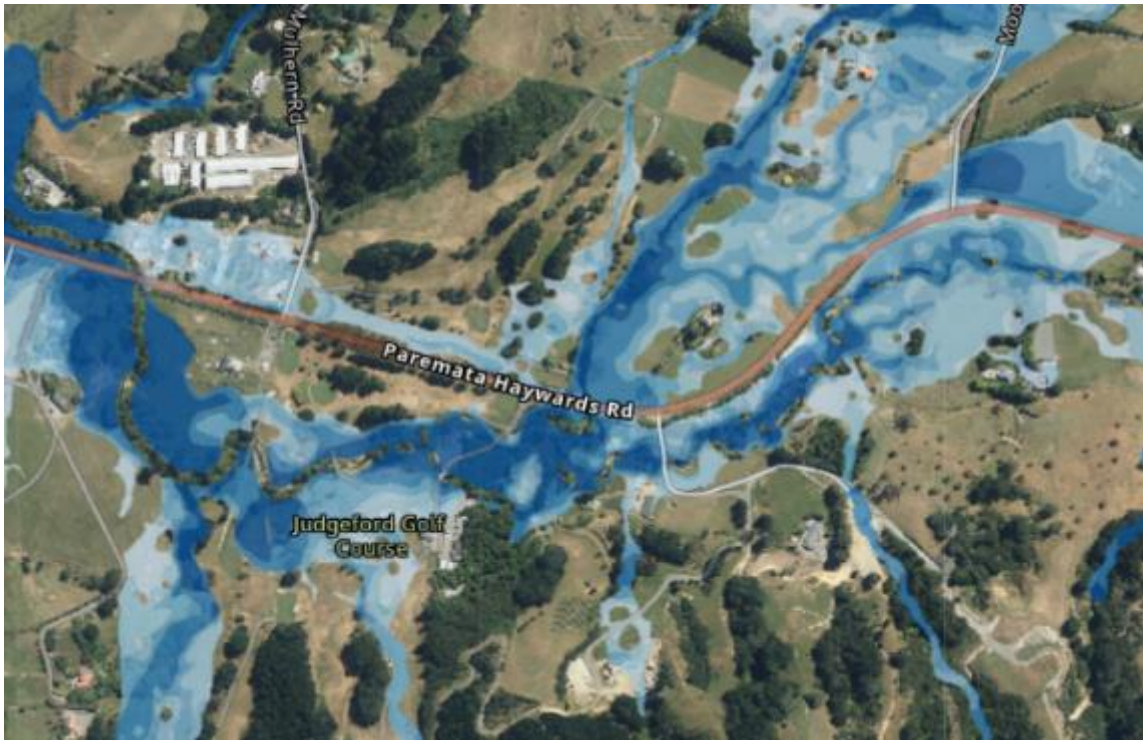


Figure 7: Map showing flooding in the location of the sites

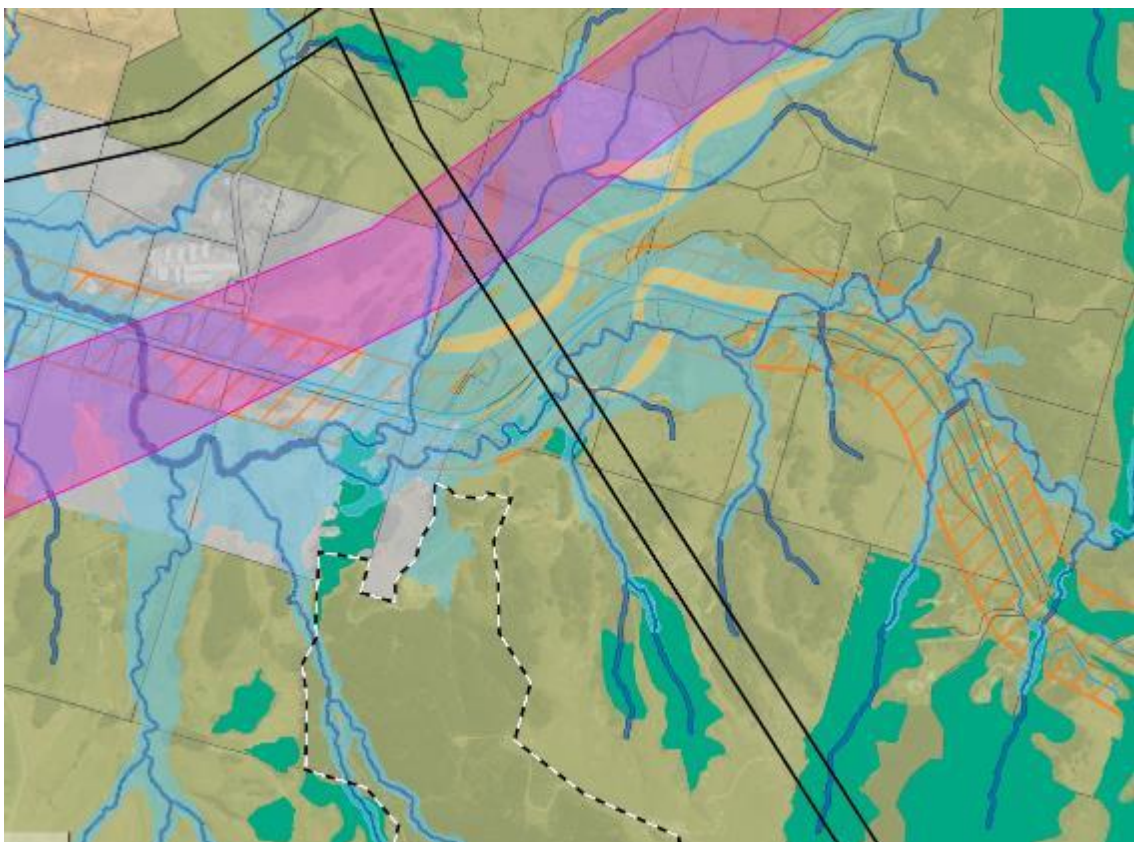
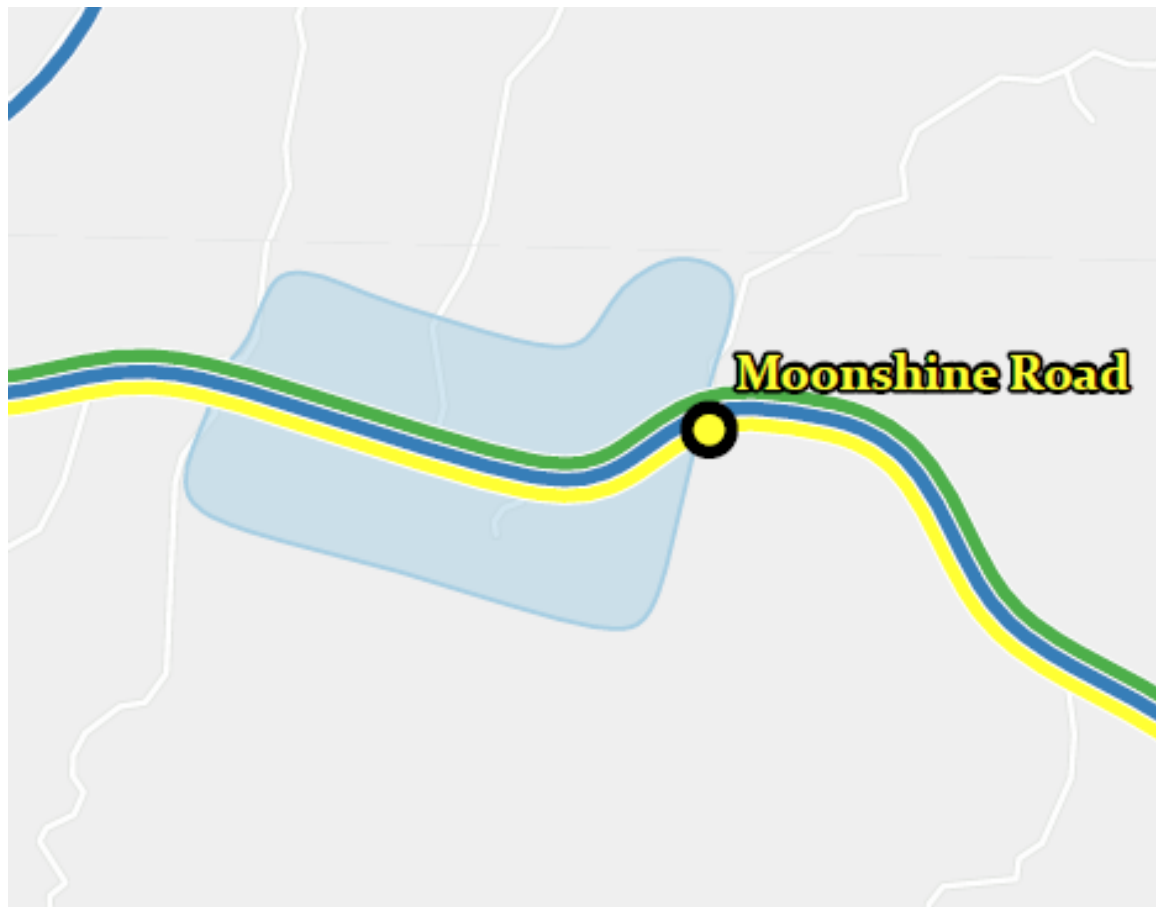


Figure 8: PDP planning map for the sites



153. The following map in Figure 9 shows the extent of future employment area – long term as identified in the Growth Strategy<sup>13</sup>. I note that this includes the Special Purpose Zone - BRANZ and extends up to Moonshine Road to the east.



**Figure 9: Map taken from the Growth Strategy showing the identified future employment area**

*346B Paremata Haywards Road*

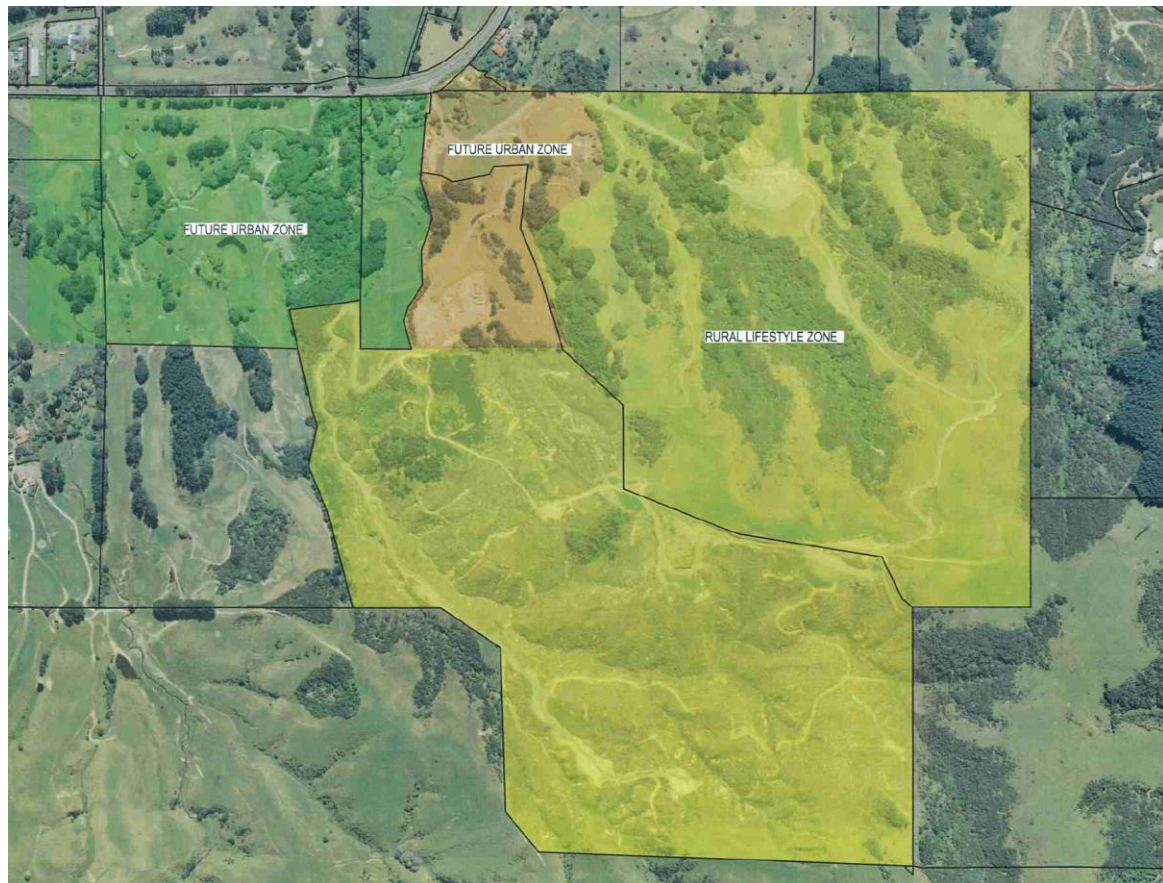
154. In respect of the submission from Jacqui Lally, the property is located at the eastern end of the proposed Future Urban Zone and is 3.6925ha in area.
155. I note that the submitter also submitted on the Notable Trees Chapter [43.2], seeking that a large American tulip tree located at the front of the property be added to Schedule 5. Ms Rachlin, the reporting officer, has recommended that the submission be accepted, and there are no submissions or further submissions to the contrary.
156. Mr McDonnell and I visited the site on 19 January 2022. The site has been attractively landscaped over the years and epitomises a rural lifestyle property. The owners told us of the works they have undertaken to work “with” flooding of the two streams that traverse the property. The submitter was able to set out more explanation as to why they sought that land remain as general rural, which they may wish to outline to the Panel at the hearing. Mr McDonnell and I

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<sup>13</sup> Page 15 of the Porirua Growth Strategy 2048

were able to set out the rationale for the proposed FUZ zoning, including what would be an indicative timeframe for rezoning and subsequent development to occur. We were also able to explain that a FUZ zoning does not mean immediate change, rather that it is a “holding” zone. We were able to see the hilly land that the submitter referred to, which rises more steeply at the rear of the site.

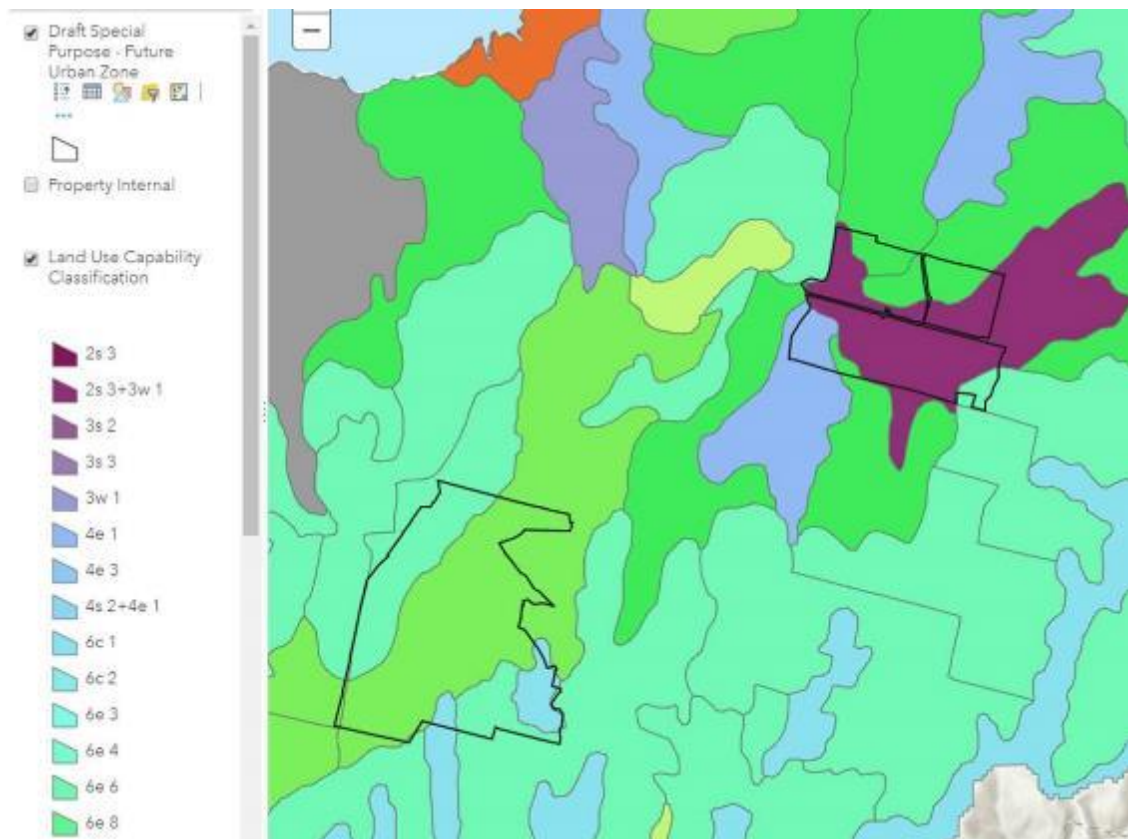
157. I have carefully considered the submitter's requested relief. While I appreciate and understand the submitter's desire to retain General Rural zoning, given all the time and effort they have put into this property, I consider that the proposed FUZ zoning is the most appropriate based on the rationale set out in the section 32 evaluation report and I do not recommend any changes.
158. In respect of Te Awarua-o-Porirua Harbour & Catchments Community Trust and Guardians of Pāuatahanui Inlet's submission, I consider that it is unclear exactly what land is being referred to. This lack of certainty has meant I have not been able to consider the appropriateness of any rezoning. I also consider that the uncertainty of what land may be suggested to be rezoned raises issues of natural justice and fair process, in that people who may be affected or interested would likely be unaware that their land may be impacted by this submission. While there might be merit in rezoning some of this land, without this certainty, I recommend that this submission be rejected. The submitter may wish to address this at the hearing. Whether or not it is appropriate for additional land to be included in a future Industrial or similar zone could also be considered through a future structure plan and plan change process.
159. In respect of 346A, 346C and 352 Paremata Haywards Road, the properties are located to the east of the proposed Future Urban Zone. They are 54.3515, 54.1482 and 0.2023ha respectively. The submitter does not seek that all of the sites be rezoned Future Urban, and only seeks that it is part of the site that immediately adjoins the proposed Future Urban Zone that is rezoned, as shown in the map in Figure 10 below. Mr McDonnell has addressed that part of the submission that seeks rezoning to Rural Lifestyle in his s42A report on the Rural Zones. I do not address it.



**Figure 10: Extent of rezoning for FUZ requested**

160. I note that a portion of this site is identified in the Growth Strategy as a future employment area. Accordingly, its inclusion would be consistent with FUZ-P1-1. There are no identified Outstanding Natural Features and Landscapes, Significant Natural Areas or Special Amenity Landscapes that impact on the part of the property where rezoning is sought, so FUZ-P1-1.a is met. In respect of FUZ-P1-1.b, the natural hazard risk profile is similar to the adjacent site included within the FUZ – Future Urban Zone. I have also considered the suitability of the land for other than rural production. The Land Use Capability Classification for the site and surrounding area is 2, according to the Greater Wellington Regional Council maps, as shown below in Figure 11. As is evident from the map, it is only a small portion of the area that would be rezoned that has this Class 2 profile. Again, it is not dissimilar to the adjacent sites contained in the FUZ – Future Urban Zone.



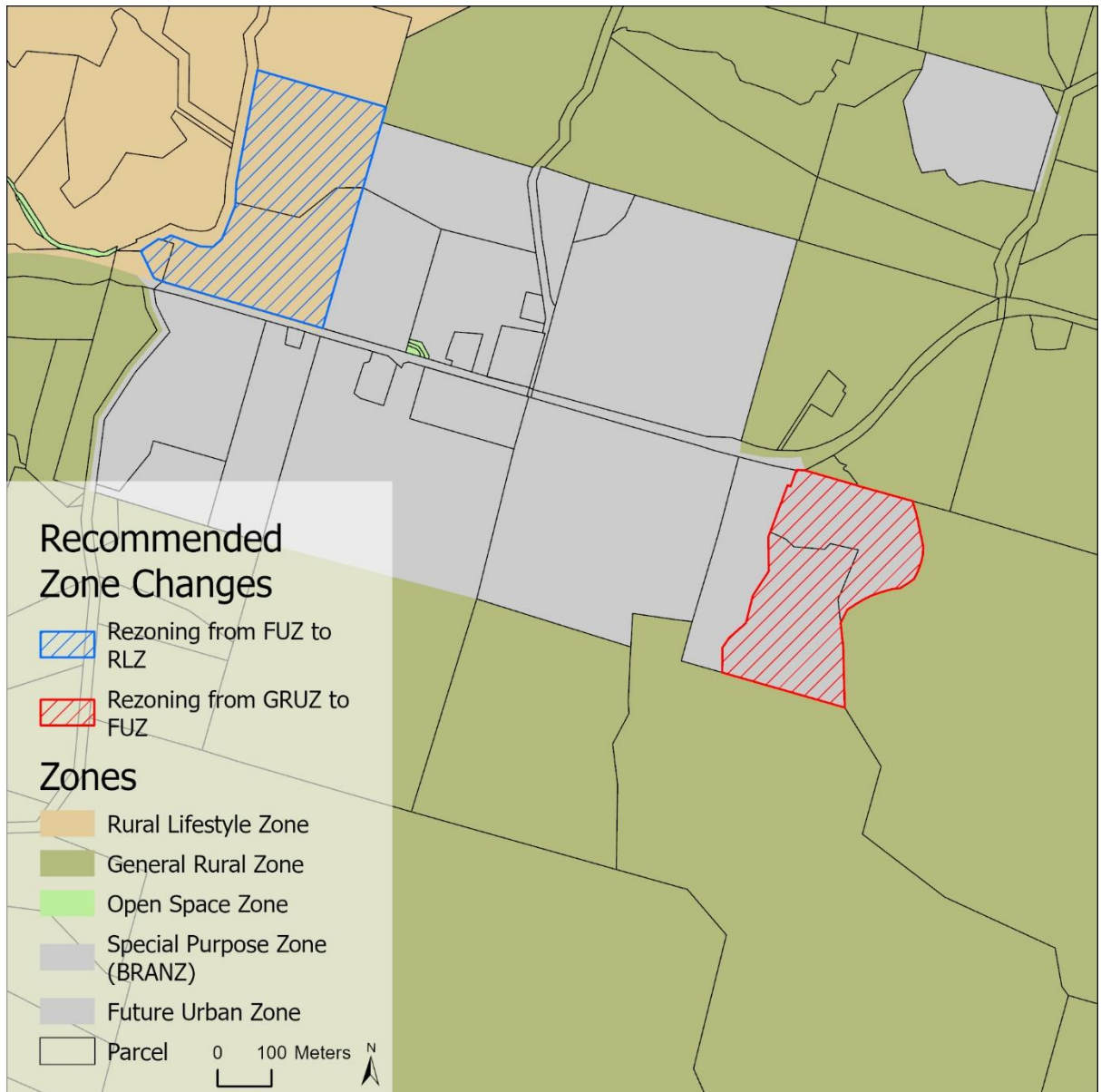


**Figure 11: Land Use Capability Classification for Judgeford Flat**

161. In respect of the further submission from Waka Kotahi and GWRC, I note that this site was identified in the Growth Strategy which both Waka Kotahi and the GWRC generally supported. In addition, it is at the structure plan and plan change stage which the issues raised by both further submitters are best addressed. I also note that the inclusion of this land would not result in a greater area of land being zoned Future Urban, should the Panel agree with my earlier recommendation to remove some land from the FUZ – Future Urban Zone.
162. I have considered the boundary for the FUZ – Future Urban Zone sought by the submitter and assessed its appropriateness in respect to the topography and land features on the site. I have had to do so on the basis of a desktop exercise and by viewing the site from the road, as I was unable to access the site before the hearing due to Covid restrictions. In my opinion, the boundary for the FUZ – Future Urban Zone should be as set out as in my recommendations below, taking into account the area requested by the submitter and the topography of the site which begins to rise more steeply beyond the area requested to be rezoned. Overall, I recommend that this submission be accepted.

#### 3.5.4.2 Recommendations

163. I recommend for the reasons given in the assessment, that the Hearings Panel:
- Amend the boundary of the Future Urban Zone as shown below:



164. I recommend that the submissions from Te Awarua-o-Porirua Harbour & Catchments Community Trust and Guardians of Pāuatahanui Inlet [77.18] and Jacqui Lally [43.1] be **rejected**;

165. I recommend that the submissions from Judgeford Heights Ltd [200.1] be **accepted**; and

166. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

#### 3.5.4.3 Section 32AA evaluation

167. In my opinion, the amendment to the Future Urban Zone is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- The inclusion of the land is consistent with FUZ-P1 and will act to contribute to the future provision of business land to meet the Council's obligations under s31 of the RMA and the

NPS-UD. Consequently, the recommended amendment is more efficient and effective than the notified provisions in achieving the objectives of the PDP.

- While the inclusion of this land in the Future Urban Zone will at some time result in changes to environmental, economic, social, and cultural effects from the site, these can be appropriately addressed through a future rezoning and structure plan process.

### **3.5.5 Judgeford Flat Provisions**

#### **3.5.5.1 Matters raised by submitters**

168. Victoria and Nick Coad [162.7, 162.8, 162.14, 162.15, 162.10, 162.11, 162.9, 162.6], Graham Twist [93.14, 93.15, 93.7, 93.8, 93.10, 93.9, 93.6, 93.11], Derek and Kristine Thompson [90.11, 90.13, 90.14, 90.7, 90.8, 90.10, 90.9, 90.6], Sandra Johnston [89.15, 89.7, 89.8, 89.10, 89.11, 89.9, 89.14, 89.6], Magdalena Conradie [44.9, 44.13, 44.12, 44.5, 44.6, 44.8, 44.7, 44.4] John Hungerford [76.15, 76.14, 76.7, 76.8, 76.10, 76.11, 76.9, 76.6] all sought changes to the provisions that would apply to the Judgeford Flat Future Urban Zone, should it be rezoned. These included, at a high level:

- Consent triggers for design of large buildings
- Height limits and zone setbacks, and recession planes if necessary
- Setbacks from roads, rural zone boundaries and waterways
- Endemic landscaping and planting requirements
- Minimum landscaping depths along road and rural boundaries
- Screening of storage vehicles and carparking areas
- A high trip generator rule
- The need for water quality infrastructure and operating requirements
- Restricting permitted activities to low density light industrial and recreation facilities
- Deeming existing businesses and activities as permitted

169. These submissions also seek that the proposed restrictions that make non-rural type activities non-complying should be retained until a structure plan is developed and consulted on. Victoria and Nick Coad [162.13], Sandra Johnston [89.13], Magdalena Conradie [44.12], Derek and Kristine Thompson [90.12] John Hungerford [76.13] and Graham Twist [93.13] all supported the requirements for a structure plan if the Future Urban Zone was retained, and that this should go through a public process. Any structure plan should include the matters raised by them (see above) to protect the character of the area.

170. Vic Draper [261.4] sought that FUZ-R10, FUZ-R10 and FUZ-R22 (home business, commercial activity and industrial activity rules) be amended as they do not match the intended purpose of Judgeford Flats being primarily for industrial purposes.

171. Vic Draper [189.1] also sought that the FUZ provisions incorporate an appropriate policy and regulatory framework, including, but not limited to provisions of appropriate permitted activities for the current and intended use of the land. The submitter was concerned that there

is no recognition of the existing businesses within Judgeford Flat and the rules prohibit industrial and commercial activities.

### 3.5.5.2 Assessment

172. In respect to the changes sought by Victoria and Nick Coad, Graham Twist, Derek and Kristine Thompson, Sandra Johnston, Magdalena Conradie, John Hungerford, having read the submissions, I consider that the relief sought relates to any subsequent rezoning of the land for urban purposes and the rule framework that should be put in place under a new zoning. In my view, the matters the submitters have raised will be appropriately addressed through a future plan change process and the application of Appendix 11 requiring a structure plan to be prepared. In some instances, rules such as those relating to non-rural activities and high trip generating activities apply already, and as such, no amendments are required. Distinguishing heavy vehicles in the high trip generator activity rule would require an amendment, which would be best addressed through any future plan change process. I agree with the submitters that maintaining the proposed rule framework for the Future Urban Zone is appropriate until such time as a structure plan is developed and consulted on.

173. I do not agree with the changes sought by Vic Draper. The purpose of the FUZ provisions is to maintain a status quo until such time as a plan change is proposed to enable urban development. Amending these provisions as sought by the submitter could result in changes that may preclude a comprehensive approach to rezoning occurring. Existing lawfully established businesses can continue to operate under s10 of the RMA, as long as they maintain the same or similar character, intensity, and scale.

### 3.5.5.3 Recommendations

174. I recommend for the reasons given in the assessment, that the submissions from Victoria and Nick Coad [162.11, 162.13], Sandra Johnston [89.11, 89.13], Magdalena Conradie [44.9, 44.12], Derek and Kristine Thompson [90.11, 90.12] John Hungerford [76.11, 76.13] and Graham Twist [93.11, 93.13] be **accepted**.

175. I recommend for the reasons given in the assessment, that the submissions from Victoria and Nick Coad [162.14], Sandra Johnston [89.14], Magdalena Conradie [44.12], Derek and Kristine Thompson [90.13] John Hungerford [76.14] and Graham Twist [93.14] be **accepted in part**.

176. I recommend for the reasons given in the assessment, that the submissions from Victoria and Nick Coad [162.7, 162.8, 162.15, 162.10, 162.9, 162.6], Graham Twist [93.15, 93.7, 93.8, 93.10, 93.9, 93.6], Derek and Kristine Thompson [90.14, 90.7, 90.8, 90.10, 90.9, 90.6], Sandra Johnston [89.15, 89.7, 89.8, 89.10, 89.9, 89.6], Magdalena Conradie [44.13, 44.5, 44.6, 44.8, 44.7, 44.4] John Hungerford [76.15, 76.7, 76.8, 76.10, 76.9, 76.6] and Vic Draper [189.1, 261.4] be **rejected**.

## 3.6 Appropriateness of Judgeford Hills as a Future Urban Zone

### 3.6.1 Matters raised by submitters

177. Waka Kotahi seek that amendments be made to the Future Urban Zone to remove reference to Judgeford Hills [82.300], including that it be:

- Deleted from HO-O3 [82.292]

- Deleted from FUZ-O1 [82.272]
- Deleted from FUZ-P2 [82.271]
- Deleted from FUZ-P3 [82.276]

178. The reason for the submitter's position is that it is likely to result in a car dependent urban form in a location that is not well-connected or accessible to other facilities and consequently not likely to result in 'a compact and liveable city' or 'a connected and active city' - two principles of the Porirua Growth Strategy.
179. 1010 Homes Limited conversely seek that the proposed Future Urban zoning be retained on the Judgeford Hills land, for the reason that there has been a lot of time, effort, and money on investigating potential urban development of this land. The submitter also raises that a consultant team of engineers, planners, urban designers, and ecologists have developed concept design solutions that are supported by Council. The Judgeford Hills zone offers notable positive urban design outcomes including the supply of several hundred new houses for the area. A vision and development concept submitted to Council incorporates significant stream and gully restoration, significant open space/undeveloped areas due to the steep topography on parts of the site, a potential new road access to Belmont Park and overall improved catchment management outcomes. The proposed FUZ for the Judgeford Hills area is supported by feasible infrastructure solutions and will provide good community outcomes.

### 3.6.2 Assessment

180. FUZ-P1 sets out the criteria for identifying areas for future urban development as the Future Urban Zone. There are two ways land can be zoned as Future Urban Zone. The first is that it is consistent with the Growth Strategy and meets relevant criteria in respect to any Overlays on the land. The second is where the land is of a size, scale and location that could accommodate future development.
181. Judgeford Hills sits in the first category. That is, it is identified in the Growth Strategy as a new residential area in the medium term. There is no obligation under FUZ-P1-1 for the Judgeford Hills FUZ to be accessible from existing and planned infrastructure and create a compact urban form because of its inclusion in the Growth Strategy as a growth area. I note that the submitter did not seek to amend the identification criteria under FUZ-P1-1.
182. I also note that Waka Kotahi submitted on the Growth Strategy, stating the following regarding Judgeford Hills:

*"We note that the proposed timeframe for the Judgeford Hills new residential development is 2022 to 2028. Without a viable public transport connection in the short-term, travel from this new development is likely to rely primarily on private vehicle use. We consider that the location of this develop [sic] conflicts with the principle of a compact and liveable city".*

183. In terms of the other criteria, the Judgeford Hills FUZ:
- Has no significant natural areas or outstanding natural features and landscapes identified on it
  - Is partly covered by the Belmont Hills Special Amenity Landscape
  - Is subject to the following natural hazards:

- Flood hazard – stream corridor
- Flood hazard – ponding
- Moonshine fault rupture zone

184. I consider that these overlays do not rule out Judgeford Hills as a Future Urban Zone. The extent of the flood hazard – ponding is very limited. The stream corridors are limited to the streams that run through the land, leaving a lot of land able to be developed. The SAL is located in the south-eastern portion of the site, leaving the majority able to be developed. The SAL provisions allow for development to occur, albeit at a reduced level, and this would be able to be appropriately addressed through a future structure plan.
185. As I have addressed earlier in respect of Judgeford Flat, the Moonshine Fault Rupture Zone is identified as a low hazard area, where any hazard or potentially hazard sensitive activity would be a restricted discretionary activity. Mr Riman has provided advice on the presence of the Fault<sup>14</sup> and has advised that its location would not preclude residential development from occurring. He also advises that more detailed matters relating to the types of structures allowed and set backs can best be addressed at structure plan and subsequent subdivision and development phases. I adopt his evidence and conclude that there are no fault hazard reasons that would preclude the Future Urban zoning for Judgeford Hills.
186. I also note the history of this site, which is detailed in the Future Urban Zone s32 evaluation report. It is zoned Judgeford Hills in the Operative District Plan and was introduced through a private plan change, made operative 5 December 2008 prior to the designation of Transmission Gully. It has an accompanying structure plan. The development of the site under the Judgeford Hills Zone relies on access from Bradey Road and provides for five clusters of dwellings, each with a maximum overall limit of 43 dwellings.
187. In my opinion, the submitter's concerns will largely be addressed through the requirements for any rezoning for urban development, as set under FUZ-P2. In particular, development will only be able to occur when a comprehensive structure plan has been developed in accordance with Appendix 11 and it has been rezoned as a Development Area. Appendix 11 as proposed sets out a number of matters to be addressed through a structure plan, including:

#### *Transport Networks*

1. *Integration of land use and development with the local and strategic transport networks.*
2. *Layout of the transport network and facilities in a manner that is safe, attractive, efficient, and resilient to hazards, well connected to local facilities and integrated with land uses, the surrounding area and the wider transport network.*
  3. *Support for transport and accessibility that is multi-modal and interconnected with an appropriate number and location of access points.*
  4. *Provision of public and active transport linkages.*

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<sup>14</sup> See Appendix F

5. *Transport effects on land uses and the management of these effects.*

#### *Infrastructure*

1. *The location and protection of existing and planned infrastructure, including infrastructure corridors.*
2. *The location, scale and capacity of existing and new infrastructure to serve the structure plan area.*
3. *The location, scale and function of stormwater management facilities based on the principles of an integrated stormwater management approach, including the use of green infrastructure and the primary use of on-site flow and quality controls (to manage stormwater runoff from proposed sites and roads).*
4. *The location, scale, function and provision of community facilities, including educational, health, welfare and cultural facilities and open space to cater for the needs of communities in the structure plan area and neighbouring areas*

188. Waka Kotahi would be a key stakeholder in the development of any structure plan and through a plan change process. Finally, I note that it is not surprising there is no public transport available as the land has not yet been developed. Public transport connectivity would be considered as part of a structure plan process.

### **3.6.3 Recommendations**

189. I recommend for the reasons given in the assessment, that the submission from 1010 Homes Ltd [125.1] be **accepted**.
190. I recommend for the reasons given in the assessment, that the submissions from Waka Kotahi [82.300, 82.292, 82.272, 82.271 and 82.276] be **rejected**.
191. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.7 Providing for urban development as a discretionary activity in the Future Urban Zone**

### **3.7.1 Matters raised by submitters**

192. There were a number of submissions received from John Carrad [231.29, 231.30, 231.6, 231.23, 231.24, 231.25, 231.26, 231.27, 232.28], Jason Alder [232.11, 232.12, 232.13, 232.14, 232.15, 232.16], The Neil Group Limited and Gray Family [241.6, 241.21, 241.22, 241.23, 241.24, 241.25, 241.26, 241.27], Pukerua Property Group Limited [242.4, 242.12, 242.13, 242.14, 242.15, 242.16, 242.17, 242.18] which sought between them:

- That the FUZ provisions be amended or removed to provide for a more flexible approach to development including the possibility of consenting new residential areas (discretionary activity) and a more flexible approach under FUZ-P1
- Amendments to the objectives, policies and rules to provide a resource consenting path for urban development in the FUZ

- Amending FUZ-O1 to read “The Future Urban Zone allows...1. The...Northern Growth Area to accommodate ~~integrated~~, services and primarily residential urban development...”

- Amending FUZ-O2 to read:

*The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned or consented for urban purposes.*

- Amending FUZ-P1 to read:

*Identify areas for future urban development as the Future Urban Zone where these:*

1. *Are of a size, scale and location which could accommodate comprehensive and integrated future development that:*

- a. *Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site;*
- b. *Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.*

- Amending FUZ-P2 to read:

*~~Only~~ provide for urban development within a Future Urban Zone when:*

1. *A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance ~~and adopted by Porirua City Council;~~ and*
2. *The area has been rezoned or consented as a Development Area which enables urban development.*

- Introducing a new rule R16A that would allow for subdivision and development of particular precincts as a discretionary activity. An application would be precluded from public notification and be exempt from the Natural Hazards chapter, with any hazards being considered under s106 of the RMA.
- Amending Appendix 11, so that the words “Where applicable, relevant and appropriate” be added at the beginning of “A structure plan is to identify, investigate and address the matters set out below” are at the start of Appendix 11.

193. The reasons provided for the amendments to the FUZ provisions are:

- The suite of provisions relating to the FUZ are essentially monopolising future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side.



- Generally opposes the restrictive nature of the planning provisions in the FUZ including the objectives, policies and rules.
- A key principle in policy FUZ-P1 is to ensure residential areas are serviced by existing or planned infrastructure. The Proposed District Plan does not provide for flexibility and private investment into servicing. The policy direction to require land owners to go through a second plan change process to enable urban expansion is inefficient and will 'sterilise' investment for growth and giving effect to the Growth Strategy.

194. There were a number of further submissions received. Waka Kotahi [FS36.22, FS36.23, FS36.24, FS36.25] opposed the submitters' approach:

*Waka Kotahi generally supports the intent of the Future Urban Zone in that it enables urban development in appropriate locations in accordance with the structure plan process.*

*The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multi-modal options (including travel planning), accessibility and connections to the Transport Network are aptly identified. Waka Kotahi require these matters to be assessed prior to any urban development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan.*

195. GWRC [FS40.147, FS40.148, FS40.70, FS40.149] opposed several of the submissions for the reason that:

*The District Plan must give effect to the National Policy Statement for Freshwater Management 2020. Additional areas of greenfield development will add to the contaminant load entering the environment. The NPS-FM requires that urban development maintains or improves water quality. It is appropriate that a full assessment is made on all Future Urban Zones before they are rezoned to ensure the NPS-FM is given effect to. The Future Urban Zone is supported.*

196. In respect of the requested change to Appendix 11, GWRC opposed this on the basis that the changes would introduce ambiguity about what is required for a structure plan.

197. Silverwood [FS34.12, FS34.10, FS34.11, FS34.17, FS34.18, FS34.24] supported the submissions, for the reasons that:

*SCL agrees that the FUZ provisions should be more flexible and include the possibility of consenting new residential development, as opposed to requiring a structure plan and plan change process. Sufficient information has been provided with the SCL application, confirming that the Silverwood site is suitable for residential development.*

*Support for the reasons outlined by the submitter. Moreover, through the PDP process sufficient information has been provided that confirms that the Silverwood and Landcorp sites are suitable for residential development.*

*Therefore, any future development of this site should be able to be advanced via a consent process as opposed to a plan change.*

### **3.7.2 Assessment**

198. There are different elements to these submissions; allowing a consent pathway for urban development on Future Urban Zoned land; providing flexibility for rezoning if the land is not identified for infrastructure provision; and exempting the development of land through a consenting pathway from the provisions in the Natural Hazards Chapter. I address each in turn.
199. Firstly, I do not support the requested changes that would allow a Development Area to be established through a consenting pathway. I am unclear how such a pathway would be either appropriate or achievable through a consent process, particularly given case law which makes it clear that a structure plan and the attribution of subsequent activity statuses for development cannot occur through a consent process (see Queenstown Airport Corporation Limited v Queenstown Lakes District Council [2014] NZEnvC93 as one example). I do not understand how the submitters see this being a feasible and practical option and how a consent for “urban development” would be practically achievable and able to address all aspects of land development.
200. I am also unclear about how land zoned as Future Urban could be rezoned to a Development Area through a resource consent process. The National Planning Standards 2019 are clear that a Development Area must be set out in a District Plan in its own Chapter. A resource consent process cannot result in changes to a district plan; only a plan change can achieve this.
201. Further, the submission is not accompanied by an evaluation of how the changes requested would be the most appropriate means of achieving the Plan’s objectives and Part 2 of the RMA and how it would give effect to Objective 22 and Policy 55 of the RPS. The submissions are also accompanied by structure plans of different levels of detail and information, which I address later in this report. I am unclear how these could be implemented through a discretionary activity consent pathway.
202. The submitters also seek the deletion of the term ‘integrated’ from FUZ-O1. Providing for integrated development is consistent with the NPS-UD and the RPS, as set out in the Future Urban Zone section 32 evaluation report. Certainly, neither higher level planning document supports ad hoc urban development as is sought by the submitters through a resource consent process.
203. In my opinion, the NPS-UD also does not support greenfield development on rural land by way of a resource consent process. While policy 8 of the NPS-UD requires councils to be responsive, this is only with respect to plan changes that would significantly add to development capacity and contribute to well-functioning urban environments.
204. Further, I also agree with the reasons provided by GWRC and Waka Kotahi in their further submissions. For the same reasons as outlined above, I do not agree with the Silverwood further submission.
205. To that end, I do not recommend the changes sought by the submitters to FUZ-O2, FUZ-P2 or a new rule. The submitters may wish to address all of these matters at the hearing, including through the provision of a legal opinion.

206. I agree that the wording to FUZ-P1 could be better amended to provide an opportunity for new areas to be identified and subsequently zoned Future Urban, without the prerequisite that it is already serviced or identified in the Council's LTP. However, I consider the wording proposed needs to be amended to provide greater clarity that there would need to be a formal agreement between the landowner and the Council for the servicing and funding of any growth area (such as through a developer agreement under the Local Government Act). In my opinion, this would better reflect the Council's obligations under Policy 8 of the NPS-UD and allow greater flexibility. This would not remove the need for any proposal to subsequently develop the land to be subject to a structure plan and plan change process.
207. The submitters also seek additional wording in respect of connections to the transportation network. I am unclear as to the purpose of the additional wording sought and the submitters have not provided rationale. I do not consider the additional wording is necessary or that it serves any particular purpose. The submitters may wish to address this at the hearing.
208. The other matter is the request that their new proposed rule would be precluded from public notification and would not be subject to the Natural Hazards Chapter. Again, the submitters have not provided any clear rationale as to why either of these is appropriate and would achieve the Plan's objectives or Part 2 of the Act. A large-scale urban development as sought by the submitters in other parts of their submissions could have potentially more than minor adverse effects on the environment. While I address these submitted structure plans separately, I note that each area involves either section 6 or section 7 matters and the submissions do not provide sufficient evidence that demonstrate that any adverse effects on the environment would be more than minor. I do not consider it appropriate that such a rule could preclude public notification.
209. In respect to the natural hazards element, I consider the submitters' approach does not give effect to Policy 29 of the RPS, which requires plans to include policies and rules to avoid inappropriate subdivision and development in areas at high risks from natural hazards. The natural hazards section 32 evaluation and s42A reports address how the Natural Hazard Chapter provisions have been developed. The submitter has not outlined why it is appropriate that only the Future Urban Zone and any future urban development thereof should be exempt from the provisions of the Natural Hazards Chapter, which would be inconsistent with all other zones in the PDP. The submitter may wish to address this at the hearing.
210. In respect to the requested change to Appendix 11, I agree with GWRC's further submission that the amendment sought would make the requirements of a structure plan uncertain. The amended wording would also not be consistent with my recommendation to not allow for a resource consenting pathway and maintain the requirement for a structure plan and plan change process.

### 3.7.3 Recommendations

211. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** FUZ-P1 as set out below and in Appendix A; and
  2. Are of a size, scale and location which could accommodate comprehensive and integrated future development that:
    - a. Is serviced by infrastructure, ~~or~~ planned to be serviced by infrastructure in the Council's Long Term Plan or has been agreed to

be serviced and funded through a formal agreement between the landowner and the Council;

212. I recommend that the submission from John Carrad [231.26], Jason Alder [232.13], The Neil Group Limited and Gray Family [241.24], Pukerua Property Group Limited [242.15] as they relate to FUZ-P1 be **accepted in part**.
213. Otherwise, I recommend for the reasons given in the assessment, that the submissions from John Carrad [231.30, 231.6, 231.23, 231.24, 231.25, 231.26, 231.27, 231.28, 231.29], Jason Alder [232.11, 232.12, 232.13, 232.14, 232.15, 262.16], The Neil Group Limited and Gray Family [241.6, 241.21, 241.22, 241.23, 241.24, 241.25, 241.26, 241.27], Pukerua Property Group Limited [242.4, 242.12, 242.13, 242.14, 242.15, 242.16, 242.17, 242.18] be **rejected**.
214. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### **3.7.4 Section 32AA evaluation**

215. In my opinion, the amendment to FUZ-P1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:
- The amendment would allow rezoning for urban purposes to occur in advance of infrastructure funding being allocated within the Long Term Plan, while ensuring that this only occurs with agreement by the Council. In my opinion, this is consistent with the NPS-UD, and in particular Policy 8, section 31 of the RMA and Part 2.
  - The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from allowing rezoning to occur in advance of an amendment to the Long Term Plan.

## **3.8 Strategic Objectives UFD-O4, HO-O3 and CEI-O8**

216. Predominantly submissions were in support of UFD-O4, HO-O3 and CEI-O8. There were only two submission points received on CEI-O8, one in support and one which opposed the rezoning of General Rural land in Judgeford to Future Urban. I have addressed this point already.

### **3.8.1 UFD-O4**

#### *3.8.1.1 Matters raised by submitters*

217. The only point of contention on UFD-O4 was the submission from WE [85.11] which sought that it be amended by deleting the word "able". This was for the reason that growth areas can and should be provisioned with the appropriate infrastructure prior to physical development.

#### *3.8.1.2 Assessment*

218. I disagree with this submission. In my opinion, this wording ties in with the objectives and policies in the Future Urban Zone. Further, the NPS-UD does not require that areas identified for future growth are serviced, but rather that they are able to be and planned to be serviced in the future. The plan change and structure plan process that are set out in the Future Urban Zone provisions will ensure that infrastructure is provided prior to urban development occurring.

### 3.8.1.3 Recommendations

219. I recommend for the reasons given in the assessment, that the submission from WE [85.11] be **rejected**.

## 3.8.2 HO-O3

### 3.8.2.1 Matters raised by submitters

220. Kāinga Ora [81.212] generally supported this objective but sought that its title be renamed to "Future Urban Zone" on the basis they consider that the current heading is misleading in implying that only the release of greenfield land will increase housing supply. The submitter states that they accept in some cases the development of greenfield land is appropriate, but it is important to recognise the role of brownfield redevelopment and intensification in increasing supply.

221. Housing Action Porirua [67.2] seeks that O-O3 be deleted entirely. There are a number of facets to their opposition, summarised as:

- Opposes the expansion of the urban area onto greenfield sites until the potential for increasing housing on brownfield sites has been reasonably exhausted.
- Supports increased housing density, especially in and around the city centre where there are public transport hubs and trips can be made by walking or cycling.
- The expansion of the urban area into rural zones stamps a heavy carbon footprint, including by the generation of car traffic. Expansion onto greenfield sites has adverse effects on wildlife habitats and landscapes.
- Opposes the process of gentrification of working-class suburbs where market forces disperse existing residents to outer margins of urban areas, away from their networks of family and social relations.

222. Forest and Bird [225.89] seek that the objective be clarified that any housing opportunities will be within the environmental limits of the areas identified. Silverwood [FS34.5] opposed this on the basis that there is sufficient scope within the structure plan guidance included in Appendix 11 to require this information at the future plan change stage. Further, any plan change will require an assessment against the relevant provisions of the NPS-FM and any future development will be subject to the requirements of the PNRP.

### 3.8.2.2 Assessment

223. I agree with Kāinga Ora that the wording for the objective is misleading as future housing supply will also be met by brownfield development and intensification. However, rather than renaming it Future Urban Zone as sought by the submitter, I recommend that it be reworded to "Future urban housing supply". Brownfield redevelopment and intensification is otherwise addressed by HO-O2, which is the subject of a future hearing stream.

224. In respect of Housing Action Porirua's submission, I have addressed the timing of rezoning of Future Urban Zoned land for urban development earlier in this report. The issue of higher density will be addressed through future hearings. In respect of the last two points, the plan change and structure plan process will ensure that the impacts of urban development on the overlays are addressed and well-functioning urban environments are created. Council's evidence base clearly

demonstrates that greenfield development is required to meet the Council's obligations under s31 of the RMA and the NPS-UD.

225. I agree with and adopt Silverwood's response to Forest and Bird's submission. In addition, I note that FUZ-P1 is clear that areas will only be identified for future urban development where they appropriately address effects on overlays (as set out in FUZ-P1 and as recommended to be amended).

### 3.8.2.3 Recommendations

226. I recommend for the reasons given in the assessment, that the Hearings Panel:

- **Amend** the title of HO-O3 as set out below and in Appendix A

**HO-O3**            **Future urban housing supply**

227. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.212] be **accepted in part**.

228. I recommend for the reasons given in the assessment, that the submissions from Housing Action Porirua [67.2] and Forest and Bird [225.89] be **rejected**.

229. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.8.3 Section 32AA evaluation

230. In my opinion, the amendment to HO-O3 is more appropriate in achieving the objectives of the PDP and the NPS-UD than the notified provisions. In particular, I consider that:

- The amendment provides clarity as to its intent, which is to address the provision of additional greenfield land to meet the Council's obligations under s31 of the RMA and the NPS-UD.
- The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

## 3.9 Chapter Introduction

### 3.9.1 Matters raised by submitters

231. Kāinga Ora [81.816] seeks that the reference to Plimmerton Farms be deleted, as it is not relevant, given it is excluded from the PDP.

### 3.9.2 Assessment

232. I disagree with Kāinga Ora as this text provides plan users with useful information and makes it clear that Plimmerton Farms is not part of either the FUZ or the PDP itself.

### 3.9.3 Recommendations

233. I recommend that the submissions from Kāinga Ora [81.481] be **rejected**.

## 3.10 Objectives

### 3.10.1 FUZ-O1

#### 3.10.1.1 Matters raised by submitters

234. Fulton Hogan [262.31] supports the proposed use of Judgeford Flats for industrial purposes and seek that the chapeau of the objective be amended by deleting "rural use" and replacing it with "primary production"

235. Kāinga Ora [81.817] seek that clause 3 be amended to read "Any other areas that ~~have been~~ are subsequently included in the Future Urban Zone, and the ability for these areas are ~~able to~~ accommodate integrated and serviced urban development", so as to provide greater clarity.

#### 3.10.1.2 Assessment

236. I agree with Fulton Hogan that it is preferable to use definitions in the Plan, given rural use is not defined. I recommend that the chapeau be amended to refer to primary production and rural activities, given that activities are wider than just primary production.

237. I disagree with Kāinga Ora, on the basis that I consider the clause is clear as it is.

#### 3.10.1.3 Recommendations

238. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** FUZ-O1 as set out below and in Appendix A;

*The Future Urban Zone allows for the continued operation of existing activities and the establishment of new primary production, rural use activities and development that does not compromise the potential of:*

239. I recommend that the submissions from Fulton Hogan [262.31] be **accepted in part**.

240. I recommend that the submissions from Kāinga Ora [81.817] be **rejected**.

### 3.10.2 Section 32AA evaluation

241. In my opinion, the amendments to FUZ-O1 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- It will provide better clarity of the outcome sought through the objective in respect to the use and development of existing land prior to any future rezoning.
- The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

### 3.10.3 FUZ-O3

#### 3.10.3.1 Matters raised by submitters

242. The Aggregate and Quarry Association [104.4] seeks that clause 6 be amended to read “Reverse sensitivity effects on proposed and existing rural primary production activities or infrastructure”, to provide clarity.
243. Transpower [60.117] seek that clause 4 be amended to read “Reverse sensitivity effects on proposed and existing rural primary production activities or infrastructure”
244. Kāinga Ora [81.819] seek that the objective be reworded to provide clarity, as follows:

FUZ-O3 Maintaining the development potential of the Future Urban Zone

Use and development in the Future Urban Zone does not result in any of the following:

1. Result in Structures and buildings of a scale and form that will restrict or prevent future urban development;
2. Compromise The efficient and effective operation of the local and wider transport network ~~being compromised~~;
3. Result in ~~T~~he need for significant upgrades, provisions or extensions to the wastewater, water supply or stormwater networks, or any other infrastructure in advance of future urban development;
4. Compromise The efficient provision of infrastructure ~~being compromised~~;
5. Result in Rreverse sensitivity effects when urban development occurs;
6. Result in Rreverse sensitivity effects on existing rural activities or infrastructure; or
7. Compromise The form or nature of future urban development ~~being compromised~~.

#### 3.10.3.2 Assessment

245. I agree with the Aggregate and Quarry Association that reference should be made to primary production activities as well as rural activities, as these are two separate activities as defined in the PDP. I do not agree with using “proposed” as this is unclear and uncertain.
246. I agree with Transpower however, with minor rewording to avoid duplication between operation, development and provision.
247. I have carefully considered the rewording sought by Kāinga Ora. I do not consider that the suggested rewording provides any greater clarity than the objective as drafted and I therefore do not see the purpose of the amendment sought.

#### 3.10.3.3 Recommendations

248. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** clauses 4 and 6 of FUZ-O2 as set out below and in Appendix A;



*The efficient operation, maintenance, upgrade or development ~~or provision~~ of infrastructure being compromised;*

*Reverse sensitivity effects on existing rural activities, primary production activities or infrastructure; or*

249. I recommend that the submissions from Aggregate and Quarry Association [104.4] and Transpower [60.117] be **accepted in part**.

250. I recommend that the submission from Kāinga Ora [81.819] be **rejected**.

### **3.10.4 Section 32AA evaluation**

251. In my opinion, the amendments to FUZ-O3 are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that the recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

## **3.11 Policies**

### **3.11.1 FUZ-P1**

#### *3.11.1.1 Matters raised by submitters*

252. Kāinga Ora [81.820] seeks the first word of the policy "Identify" be replaced with "rezone" so that the intent of the policy is clearer. It also seeks deletion of the word "overlay" in respect to natural hazard areas.

#### *3.11.1.2 Assessment*

253. I disagree with Kāinga Ora. This policy sets up how FUZ areas are identified in the District Plan. Clause 1 addresses those sites that have been proposed to be zoned FUZ sites in the PDP. Clause 2 addresses how future sites might be identified as being suitable for a FUZ zoning in the future.

254. The matter of Natural Hazard Overlays is addressed in the Natural Hazard s42A report. I agree with Mr McDonnell's reasons and recommendation in paragraphs 150 and 155. I also consider that the use of the term Overlay is consistent with the National Planning Standards, as the Natural Hazard Overlay spatially identifies distinctive risks which require management in a different manner from underlying zone provisions.

#### *3.11.1.3 Recommendations*

255. I recommend for the reasons given in the assessment that the submission from Kāinga Ora [81.820] be **rejected**.

### **3.11.2 FUZ-P2**

#### *3.11.2.1 Matters raised by submitters*

256. Forest and Bird [225.214] seeks that FUZ-P2 be reworded by changing "only provide for" to "only consider providing for". They also seek amendments that would ensure that adverse effects on areas meeting the significance criteria in Policy 23 of the RPS be avoided. There are also other

aspects of their submission which have been addressed through Hearing Stream 2. They support the retention of the structure plan process to further identify environmental constraints within the FUZ and on adjacent areas and receiving environments within or beyond the FUZ.

257. The submitter's concern is that:

- While a structure plan is to be developed there is no certainty that this process (Appendix 11) will result in the protection of indigenous biodiversity that meets the criteria for significance in Policy 23 of the RPS.
- The policy is uncertain with respect to the direction for the area to be rezoned as a Development Area. If this rezoning has been undertaken then the FUZ policy would no longer apply. However it is not clear which rezone would apply to a Development Area. The General Approach section sets out that there are no current development areas in the Plan. The reference to rezoning may be in error given that the definition of a development area does not refer to a zone requirement. A direction to "provide for" urban development on this basis is uncertain.

258. 1010 Homes Ltd [125.2] seek that clause 2 be amended to avoid the risk of an unnecessary potential delay in the future. They consider that the current wording of FUZ-P2 Clause 2 could result in a restriction on seeking the Judgeford Hills zone changing to urban being delayed for more than 5 years if it required a private Plan Change process, because of the restrictions in clause 21(3A) of Schedule 1. This is inconsistent with the expected development solutions for transport once the Transmission Gully highway is operating, assuming the other infrastructure and Structure Planning process were solved. It is also inconsistent with the current need and demand for more urban supply in the area.

259. Waka Kotahi [FS36.12]<sup>15</sup> oppose the removal of clause 2, on the basis that they support the Council process of rezoning as a Development Area. Further, they state:

*This ensures plans for access onto the state highway network are well managed, as well as identifying multi-modal options (including travel planning), accessibility and connections to the Transport Network. These matters would need to be assessed prior to any urban development being proposed to ensure that the Future Urban Zoning is appropriate for the site. Noting Waka Kotahi have opposed the FUZ zoning of this location in its submission.*

260. Kāinga Ora [81.821] seek that the chapeau be amended to read "Only provide for urban development within the Future Urban Zone when:" They do not provide a rationale for the requested amendment.

### 3.11.2.2 Assessment

261. In respect to Forest and Bird's submission, the process that the Council went through in identifying areas of indigenous biodiversity in the PDP is addressed in the Natural Environment and Ecosystems and Indigenous Biodiversity s42A reports. I consider that the process required

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<sup>15</sup> I note that Waka Kotahi [82.271] has submitted in support of FUZ-P2, as it ensures a comprehensive structure plan is developed prior to any rezoning for urban development.

under FUZ-P2 and through Appendix 11 is sufficiently robust to ensure a more detailed and site specific analysis to identify any additional areas subject to Policy 23 of the RPS would be undertaken as part of any structure plan and plan change process.

262. In my view, it is not necessary to include the word “consider” in the chapeau. It is evident that any rezoning would require consideration of the matters set out in clauses 1 and 2. I do not fully understand and I do not share the submitter’s concern about the rezoning of the site to a Development Area and request that they address this at the hearing.
263. In respect of 1010 Home’s submission, I do not share their concerns about a delay. There are two ways rezoning could occur; through a Council-initiated plan change or variation or through a private plan change. Council-initiated plan changes or variations can occur at any time, with which one applying depending on the status of the Plan being changed.
264. Part 2 of Schedule 1 sets out specific requirements in respect to private plan changes. I am unclear why the submitter has referred to Clause 21 as this does not set out any specific matters that may restrict consideration of a private plan change request. However, Clause 25(4) of Schedule 1 sets out the grounds where a council may reject a request for a private plan change. These are not automatic exclusions, but rather matters to be considered in making a decision. Clause 25(4)(e) states “in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years”. There would be nothing preventing someone requesting a private plan change immediately after the PDP was made operative. The date of when the PDP becomes operative is, however, uncertain at this point in time and I accept that there will be a delay before a private plan change request could be sought.
265. Council’s HBA 2019 has demonstrated that Porirua has sufficient capacity to meet housing demand in the short and medium term, but there is a shortfall in the long term. Maintaining Judgeford Hills as a FUZ at this point does not compromise Council meeting its development capacity obligations under the NPSUD. I also note that the Council has identified Judgeford Hills in its Infrastructure Strategy 2021-2051, referenced earlier.
266. I do not support Kāinga Ora’s submission. The use of “only provide for” in terms of urban development implements FUZ-O1, FUZ-O2 and FUZ-O3 and supports the rule framework that constrains development occurring in a manner and to an extent that would compromise future urban rezoning and development.

### *3.11.2.3 Recommendations*

267. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.214], 1010 Homes Ltd [125.2] and Kāinga Ora [81.821] be **rejected**.
268. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### **3.11.3 FUZ-P5**

#### *3.11.3.1 Matters raised by submitters*

269. Waka Kotahi [82.277] seek that a new clause 8 be added that reads “The safety and efficiency of the transport network is not compromised”.

### 3.11.3.2 Assessment

270. I do not agree that this clause is required. This policy is focussed on managing activities that may compromise the future urban development potential of land, and therefore the inclusion of impact on the transport network is unnecessary. Any development would still be subject to the policies and rules in the GRUZ – General Rural Zone and TRAN - Transport chapters which address the submitter's concern.

### 3.11.3.3 Recommendations

271. I recommend for the reasons given in the assessment, that the submission from Waka Kotahi [82.277] be **rejected**.

## 3.11.4 FUZ-P6

### 3.11.4.1 Matters raised by submitters

272. The Aggregate and Quarry Association [104.5] seek that the policy is strengthened so it recognises key infrastructure and future development. The submitter states that activities that support infrastructure development should not be compromised in a rural zone by future urban development. It is important that reverse sensitivity issues are avoided in future.

273. Kāinga Ora [81.824] seek that the word 'avoid' be replaced by 'discouraged', for the reasons given in its overall submission.

### 3.11.4.2 Assessment

274. In respect of the Aggregate and Quarry Association submission, I do not consider any amendments are required to the policy itself as the submitter's concerns are already adequately addressed. This is because FUZ-P4 already addresses use and development in the Future Urban Zone and cross-references to GRUZ-P5 to P7, which address quarrying and reverse sensitivity. Any rezoning to allow for urban development would be subject to a structure plan which would require consideration of the impact on any existing infrastructure activities and provide for consultation.

275. In respect to Kāinga Ora's request, I agree with Mr McDonnell's opinion, as articulated in section 9.11.2 of the Part A - Overarching s42A report. In this instance, the term avoid was selected to be commensurate with the non-complying activity status for activities that may compromise the future urban development of the FUZ – Future Urban Zone.

### 3.11.4.3 Recommendations

276. I recommend for the reasons given in the assessment, that the submissions from Aggregate and Quarry Association [104.5] and Kāinga Ora [81.824] be **rejected**.

## 3.12 Rules

### 3.12.1 New Rule

#### 3.12.1.1 Matters raised by submitters

277. The House Movers section of the New Zealand Heavy Haulage Association Inc [167.11] seek that a new permitted and restricted discretionary activity rule be added, as follows:

*Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings.*

*Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":*

*a. Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;*

*b. Any relocated dwelling must have been previously designed, built and used as a dwelling;*

*c. A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;*

*d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;*

*e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.*

*A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:*

*Restricted Discretionary Activity*

*(on a non-notified, non-service basis)*

*Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:*

*i) Proposed landscaping;*

*ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.*

*Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].*

278. The submitter cites *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* (Environment Court, C45/2004), where the Environment Court held that there was no real difference in effect and amenity value terms between the in situ construction of a new

dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards. The Future Urban Zone provides for "Building activity including additions and alterations, excluding fences and standalone wall" as a permitted activity where compliance standards are met (FUZ-R1) and provides for "Construction activity" as a permitted activity (FUZ-R5). While the term "building" is defined in the Proposed Plan, the term "Building Activity" is no longer defined.

279. Kāinga Ora [FS65.417] oppose this, on the basis that relocation of buildings is already captured under construction activity.

### 3.12.1.2 Assessment

280. I do not consider that it is necessary to introduce new rules for house relocation into the PDP. I agree with Mr McDonnell's opinion stated in section 9.11.2 of the Part A Overarching s42A report and Mr Rachlin's opinion stated in section 3.3.1.3 of the Part B Definitions and Nesting Tables s42A report that the relocation of buildings is expressly dealt with through the definition of construction activities and new provisions are not needed. Relocatable buildings fall within the definition of buildings and are therefore addressed under FUZ-R1. However, I can understand the confusion in respect to the FUZ-R1 rule name, which is "Building activity". The submitter is correct that there is no definition of building activity in the PDP. The rule name in other zone chapters is "buildings and structures". I recommend as a consequential amendment to address the submitter's concern that FUZ-R1 be renamed to "Buildings and structures, including additions and alterations, excluding fences and standalone walls".

### 3.12.1.3 Recommendations

281. I recommend for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** FUZ-R1 as set out below and in Appendix A;

FUZ-R1     Buildings and structures activity, including additions and alterations,  
excluding fences and standalone walls

282. I recommend that the submission from House Movers section of the New Zealand Heavy Haulage Association Inc [167.11] be **accepted in part**.

283. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

### 3.12.2 Section 32AA evaluation

284. In my opinion, the amendment to FUZ-R1 is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will ensure that it is clear that relocatable buildings fall within the definition of buildings and avoid undue confusion.
- The recommended amendment will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be economic benefits for both the Council and Plan users from improved plan interpretation and more efficient plan administration.

### 3.12.3 FUZ-R12

#### 3.12.3.1 Matters raised by submitters

285. The Ministry of Education [134.35] seeks that this rule be amended so that non-compliance with any of the rule conditions defaults to a discretionary rather than non-complying activity status. The reason is that the non-complying activity status upon non-compliance with the permitted standards (which no Ministry managed site would comply with). The Future Urban Zone is earmarked for significant residential development which is likely to require a response from the Ministry to provide for Educational Facilities.

#### 3.12.3.2 Assessment

286. The Ministry of Education made the same submission point in respect to the General Rural and Rural Lifestyle Zones. Mr McDonnell has addressed these points in section 3.4 of his s42A report for the Rural Zones. I agree with and adopt his evaluation. Further, I note that the Ministry's relief is better addressed through the subsequent Structure Plan and plan change process where an integrated and comprehensive approach to urban development can occur.

#### 3.12.3.3 Recommendations

287. I recommend for the reasons given in the assessment that the submission from the Ministry of Education [134.35] be **rejected**.

## 3.13 Appendix 11

### 3.13.1 Matters raised by submitters

288. GWRC [137.88] seek that FUZ-P2 and APP-11 be amended to take into account the National Environmental Standards for Freshwater, contaminant limits, conditions on discharge consents held by Wellington Water, and water sensitive urban design. The reason provided is that Urban Development should only occur in a Future Urban Zone if it can do so within any contaminant limits set by Greater Wellington as required by the NPS-FM, and if future discharges from the development can comply with conditions on relevant discharge consents held by Wellington Water. Any Future Urban Zones will also need to meet the requirements of the National Environmental Standards for Freshwater, particularly wetland protection and reclamation provisions. Structure Plans should consider these matters, as well as being based on the principles of Water Sensitive Urban Design.

289. Silverwood [FS34.28] oppose this, for the reasons set out under FUZ-P2 above.

290. Waka Kotahi [92.290] seek that the word "industrial" be inserted between residential and business land under clause 1 to "Urban growth". They state that they support the guidance provided under Appendix 11 and specifically support the matters under Transport Network and Infrastructure. The insertion of industrial is sought, as the intended use of Judgeford Flat is industrial, and as such, there should also be an investigation of future industrial supply and demand.

291. John Carrad [231.29], Jason Alder [232.16], The Neil Group Limited and Gray Family [241.27] and Pukerua Property Group Limited [242.18] seek that the words "Where

applicable, relevant and appropriate” be added at the beginning of “A structure plan is to identify, investigate and address the matters set out below” at the start of Appendix 11.

292. The reason provided is that the suite of provisions relating to the FUZ are essentially monopolising future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side.
293. GWRC [FS40.154] oppose this on the basis that the changes would introduce ambiguity about what is required for a structure plan.

### **3.13.2 Assessment**

294. In terms of Waka Kotahi's submission, I do not agree that industrial needs to be inserted. The definition of business land in the NPSUD includes industrial land, as follows:

*business land means land that is zoned, or identified in an FDS or similar strategy or plan, for business uses in urban environments, including but not limited to land in the following:*

- (a) *any industrial zone*
- (b) *the commercial zone*
- (c) *the large format retail zone*
- (d) *any centre zone, to the extent it allows business uses*
- (e) *the mixed use zone, to the extent it allows business uses*
- (f) *any special purpose zone, to the extent it allows business uses*

295. I have already addressed and made recommendations on the submission points from GWRC [137.88], John Carrad [231.29], Jason Alder [232.16], The Neil Group Limited and Gray Family [241.27] and Pukerua Property Group Limited [242.18].

### **3.13.3 Recommendations**

296. I recommend for the reasons given above that the submission from Waka Kotahi [92.290] be **rejected**.

## **3.14 Rezoning to Future Urban Zone – “Silverwood”**

### **3.14.1 Matters raised by submitters**

297. Silverwood has made a number of submission points seeking that the Silverwood and adjoining Landcorp land (“Silverwood”) is rezoned to Future Urban. The land's location is shown in the following map in Figure 12:<sup>16</sup>

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<sup>16</sup> Page 3 of the submission.





**Figure 12: Map showing the location of Silverwood**

298. The submission includes a site evaluation and rezoning report, including technical appendices. The technical appendices are:

- Draft Structure Plan and Report
- Urban Design Assessment
- Infrastructure Report and Plans
- Ecological Assessment
- Landscape Evaluation
- Transport Summary
- Geotechnical Assessment
- Ngāti Toa correspondence.

299. The submission points seek that:

- HO-O3 be amended to state:  

The Northern Growth Area and Judgeford Hills, and Silverwood areas of the Future Urban Zone will help meet the City's identified medium to long-term housing needs. [172.5]
- The rural portions of the following allotments be rezoned Future Urban:
  - Lot 6 North (Sec 9 SO475749, 1.5Ha),
  - Lot 6 South (Sec 10 SO475749, 42.3Ha),
  - Lot 1 South (Sec 7 SO475749, 8.3Ha)
  - 90 Arahura Crescent or the 'Landcorp' site (Lot 2 DP 389024 and Lot 34 DP 29428, 62.19ha) [172.1]
- The introduction to the Future Urban Zone chapter refer to Silverwood [172.2]
- FUZ-O1 clause 1 be amended to include reference to Silverwood [172.3]
- FUZ-P3 be amended to include reference to Silverwood [172.4]

300. In terms of land ownership, the submission states:

*SCL are the registered owners of Lot 6 North, Lot 6 South and Lot 1 South and Landcorp Holdings Limited are the Registered owner of the Landcorp site. The Landcorp site was listed as 'Deferred Settlement Property' in the Ngāti Toa Rangatira Deed of Settlement. While the timeframes for the purchase of DSP properties has now lapsed, Ngāti Toa have confirmed they intend on initiating discussions with the Crown regarding the purchase of this site. So, for the purposes of this submission and throughout the development of the Draft Structure Plan, SCL and its project team have engaged with Ngāti Toa and Landcorp; both of whom have both confirmed support for the rezoning request.*

301. The reasons for why the rezoning to Future Urban is sought is set out on pages 4 and 5 of the submission as follows:

- *Is strongly aligned with the intent of the Growth Strategy and serves to implement the various principles of the strategy.*
- *Is consistent with the relevant objectives and policies of the Regional Policy Statement, including Objective 22 relating to compact urban form.*
- *Is consistent with the Regional Urban Design Principles included in Appendix 2 of the Regional Policy Statement.*
- *Will assist Councils in meeting its obligations under the NPS-UD to provide sufficient housing supply and sufficient housing choice.*
- *Responds to the various matters set out in Part 2 of the Act and in turn it can be concluded that the rezoning, subject to further refinement of*

*the Structure Plan, can safeguard the life-supporting capacity of air, water, soil, and ecosystems, and will promote the sustainable management of natural and physical resources.*

- *Will enable people and communities to provide for their social, economic, and cultural wellbeing, and (at the same time) safeguard the environment through the avoidance, remediation or mitigation of adverse effects.*
- *Will generate positive effects in terms of providing for the social and economic wellbeing of the local community. Further, while the Sites [feature] some important natural features and landscapes, the activity will occur in a sensitive and sustainable manner which include the enhancement of ecosystems and the provision public access to, and opportunities for, active recreation, and cultural, social and economic engagement.*
- *Can be developed so as to ensure alignment with the NPS-FM and NES-FM.*
- *Can be adequately serviced in line with the applicable infrastructure strategies and the LTP.*
- *Provides opportunities to enhance public engagement with the Belmont Regional Park that will support the development of a masterplan for the park in line with the Greater Wellington Regional Council Toitū Te Whenua Parks Network Plan 2020-2030.*

302. GWRC [FS40.119, FS40.115, FS40.116, FS40.117 and FS40.118] oppose the rezoning on the basis that:

- the District Plan must give effect to the NPS-FM;
- additional areas of greenfield development will add to the contaminant load entering the environment; and
- the NPS-FM requires that urban development maintains or improves water quality.

303. There are no other submissions which oppose the requested rezoning.

304. I note that the submission from Richard Falkner [147] seeks two decisions in respect to this site:

- In 147.2, he suggests the inclusion of Waitangirua Hill as a place of significance to Māori, which is supported by TROTR [FS70.37]; and
- In 147.3, he seeks to include Waitangirua Hill as an Outstanding Natural Feature and Landscape, which is supported by TROTR [FS70.37].

305. These two submission points were addressed in Hearing Stream 3 and Hearing Stream 2 respectively. In summary, Ms Rachlin has recommended that the Panel:

- Accept 147.2 in part, insofar as she recommends that further work be undertaken by way of a future plan change process to determine whether it should be included within the

SASM – Sites and Areas of Significance to Māori Chapter, working with Ngāti Toa Rangatira; and

- Accept 147.3 in part, insofar as she recommends that it remain a special amenity landscape with amendments made to its schedule entry.

### **3.14.2 Assessment**

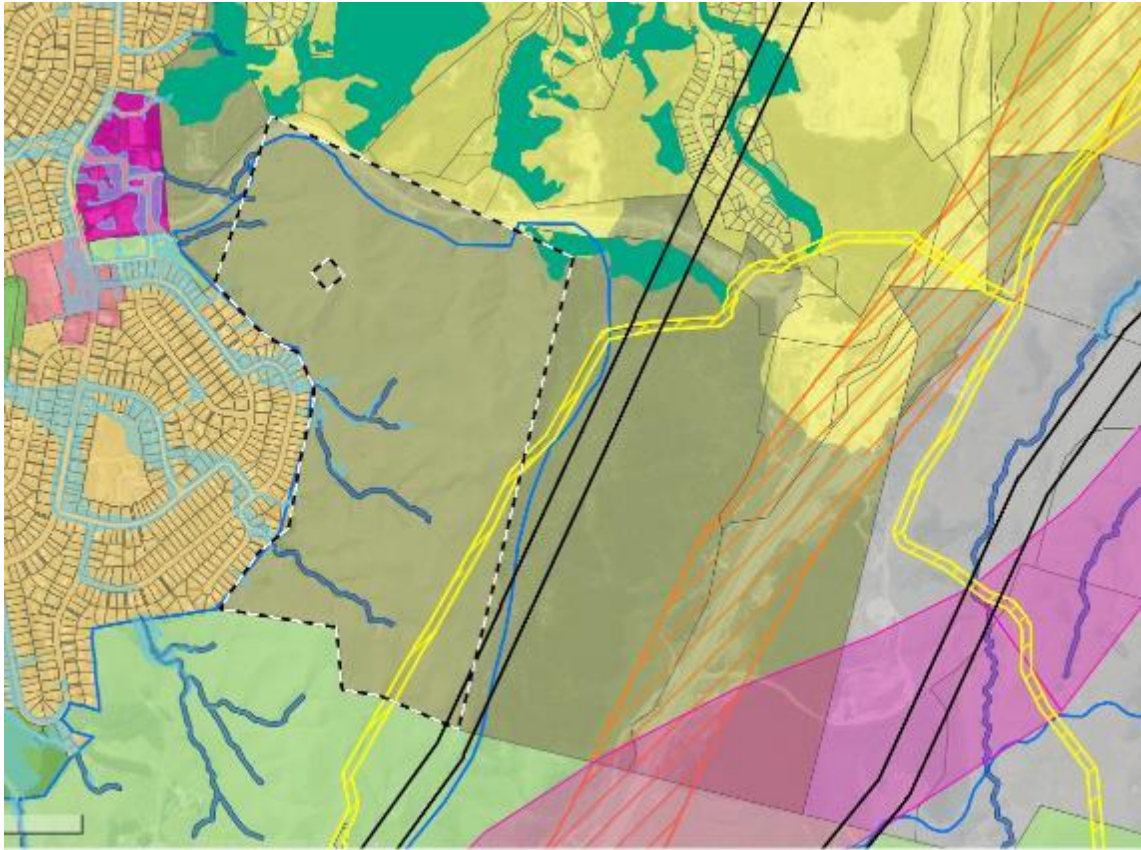
306. There are two elements to my assessment; the appropriateness of the site to be rezoned to Future Urban, taking into account the direction set in proposed FUZ-P1 as well as higher level direction in the objectives of the PDP and the NPS-UD, and the reasons for GWRC's opposition to the rezoning.

#### *Appropriateness to rezone to Future Urban*

307. The site is proposed to be zoned General Rural in the PDP, with a portion of Lot 6 North and portions of Lot 1 South and Lot 6 South proposed to be General Residential Zone. The submission does not seek to change that zoning. The site is subject to the following proposed Overlays:

- SNA084 Exploration Drive Kānuka Forest on the Landcorp site and part of Lot 1;
- SNA083 Duck Creek and Saltmarsh on part of Lot 6 North;
- SAL004 – Cannons Creek Ridge is located across the entirety of the Landcorp site and across the main ridgeline within Lot 6 North;
- The National Grid Corridor bisects Lot 1 and Lot 6 South;
- The Gas Transmission Pipeline Corridor bisects Lot 6 South;
- The southern portion of Lot 6 South is located within the Transmission Gully Noise and Vibration Corridor;
- A portion of Lot 6 South is located within the Moonshine Fault Rupture Zone; and
- Flood hazards – stream corridor, overland flow and ponding are located within the Landcorp site.

308. These are all shown in the plan below in Figure 13:



**Figure 13: PDP Planning Map for Silverwood**

309. In terms of land ownership and agreement for the rezoning, while the submission states that there is agreement from Landcorp and Ngāti Toa Rangatira, this has not been provided in writing from Landcorp. Appendix 9 to the submission includes a letter of support from Mr Helmut Karewa Modlik, the Chief Executive of Te Rūnanga o Toa Rangatira. The submitter is requested to address Landcorp support before or at the hearing.
310. The Silverwood site is identified in the Porirua Urban Growth Strategy 2019 (Growth Strategy) as a “potential residential area – medium term<sup>17</sup>”. The Growth Strategy does not address why this has been identified as potential. The Future Urban Zone section 32 evaluation report also does not address why this land was not included in the Future Urban Zone. Accordingly, in my opinion, it is not subject to clause 1 of FUZ-P1. I consider it is appropriate to evaluate the potential zoning of the site as Future Urban in accordance with clause 2 and recommended clause 3 of proposed FUZ-P1. I have obtained expert input from the following people to inform this evaluation:
- Mr Darrell Statham, Council’s Manager Transport
  - Ms Rose Armstrong, Consultant Landscape Architect
  - Ms Jane Black, Consultant Urban Designer

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<sup>17</sup> Spatial framework, page 15 of the Porirua Urban Growth Strategy.



- Mr Willie Shaw, Consultant Ecologist
- Mr Andreas Giannakogiorgos, Consultant Geotechnical Engineer

311. I also obtained advice from Ms Katrina Murison, Team Leader Growth Planning at Wellington Water Limited and Mr Phil Osborne of Property Economics.

312. I address each of the policy's clauses (as recommended to be amended elsewhere in this s42A report) in turn.

*Are of a size, scale and location which could accommodate comprehensive and integrated future development that is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or has been agreed to be serviced and funded through a formal agreement between the landowner and the Council<sup>18</sup>.*

313. Wellington Water, through the memorandum provided by Ms Katrina Murison included as Appendix H, has confirmed that:

- The site is not currently serviced by three water assets, and there is no current funding assigned for servicing this land; including any provision for network extension infrastructure (such as wastewater and water connections);
- There are no major constraints on the future development of the site for urban purposes in terms of three water assets and services; and
- There would need to be significant further refinement of development plans, and funding of three waters infrastructure would be required to provide for infrastructure-ready status.

314. I have reviewed the Council's Long Term Plan 2021-51<sup>19</sup>. This Plan references Silverwood alongside Whitby East as part of the Financial Strategy on Page 143 and the Infrastructure Strategy on Page 182, under "Planned Developments 2021-2051" as providing 200 dwellings. It also mentions Silverwood in its significant assumptions – non-financial section on page 108, under the population and economy heading.

315. In terms of funding, the memorandum goes on to say that it is likely that full developer funding would be considered appropriate to enable the provision of additional water storage, booster pump stations, rising mains and contributions to wastewater connections and storage to the site. At this point in time, I am not aware of any formal agreement between the landowner and the Council. The submitter may wish to address this at the hearing.

*Are of a size, scale and location which could accommodate comprehensive and integrated future development that is connected to or planned to be connected to the transport network;*

316. Mr Darrell Statham has reviewed the Submission, Structure Plan and Transport Summary and has confirmed that the site is appropriate to be earmarked for future urban development, such that it could provide a well-functioning integrated urban environment. His evidence is included as Appendix I. In particular, Mr Statham identifies that:

<sup>18</sup> John Carrad [231.26], Jason Alder [232.13], The Neil Group Limited and Gray Family [241.24], Pukerua Property Group Limited [242.15]

<sup>19</sup> [https://porirua.govt.nz/documents/5591/Long-term\\_Plan\\_2021-51.pdf](https://porirua.govt.nz/documents/5591/Long-term_Plan_2021-51.pdf)

- *The site is located in close proximity (0.6km) to Waitangirua local centre via the Waitangirua Link Road, and 3km from the Whitby local centre via Te Ara Kāpehu (formerly known as the Whitby Link Road). Any future development of the land to the north of the Waitangirua Link Road could possibly provide more direct access to the Whitby local centre.*
- *Access to the site is possible from the Transmission Gully Motorway via the Waitangirua Link Road. Access is also available from an existing access on Arahura Crescent in Waitangirua. Good connectivity within the site should be possible for vehicles, cycles and pedestrians. The site is on a proposed public transport route.*

317. I agree with and adopt Mr Statham's evidence that this criterion is met.

318. Ms Jane Black has also confirmed in her evidence, which is contained in Appendix J, that the site has connectivity with the transport network in accordance with the NPS-UD. I address this further below.

*Are of a size, scale and location which could accommodate comprehensive and integrated future development that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified characteristics and values of any areas identified in [SCHED9 - Outstanding Natural Features and Landscapes](#), [SCHED7 - Significant Natural Areas](#), [SCHED11 - Coastal High Natural Character Areas](#) and [SCHED10 - Special Amenity Landscapes](#);*

319. The site is not subject to the proposed Outstanding Natural Features and Landscape Overlay and is not in the coastal environment to be subject to the Coastal High Natural Character Overlay.

320. Mr Shaw has considered the requested rezoning in terms of potential impacts on SNA083 and SNA084 in his evidence, which is contained in Appendix K, and has advised that the approaches offered in the submitter's ecological assessment are adequate to avoid, minimise and mitigate potential adverse effects on them. I adopt his advice in this regard, while noting that finer detail would be assessed through a future structure plan and plan change process.

321. In terms of wider ecological effects, Mr Shaw advises that it is feasible that urban development can avoid adverse ecological effects, but that there is insufficient evidence provided to be able to ensure that adverse ecological effects will be avoided. Mr Shaw considers that further clarity and additional information is required to fully understand the scope of works, magnitude of effects and appropriateness of the mitigation proposed. Again, I accept his advice, and I am confident that such matters would be appropriately addressed through a future structure plan and plan change process, as well as subsequent subdivision consents. Overall, I consider that the presence of the SNAs on the site does not preclude the rezoning of the site to FUZ – Future Urban Zone.

322. Ms Armstrong has considered the potential effects on SAL004 in her evidence, which is included as Appendix L. Her summary is set out in paragraph 15, where she concludes that there would be risks to the SAL's values in rezoning to FUZ as proposed. She provides a series of reasons:

- The FUZ is a “holding zone” which anticipates an eventual comprehensive landscape character change, with the inclusion of urban (residential type) development on smaller lots;
- While some parts of the Cannons Creek Ridge SAL may be able to accommodate smaller-lot residential type development, this would be limited, rather than comprehensive (for example, by the use of discrete clusters), to maintain SAL values;
- The maintenance and enhancement of SAL values would depend on the Structure Plan developed for the area; and the submission does not seek for inclusion of a Structure Plan in the PDP at this stage;
- While development of any Structure Plan would need to consider the NFL Chapter Objectives and Policies, these appear to be at odds with the comprehensive character change provided for in the FUZ (urban development), which could pose a risk to SAL values;
- It is not clear what the anticipated permanent zoning being sought is. Urban zoning such as General Residential would make maintenance of SAL values difficult, even where this is managed through a Structure Plan. Rural Residential zoning would provide greater scope to maintain and enhance values, is seen as more appropriate, but may be precluded by the FUZ, which has urban development as its purpose; and
- The Landscape Evaluation of the Draft Structure Plan shows that there is potential for inclusion of development in the SAL at a more intensive scale (lot size) than provided for in other SALs. To maintain and enhance SAL values across the extent of the SAL, this would need to be in a more limited way than shown in the Draft Structure Plan.

323. I appreciate and understand Ms Armstrong’s concerns. In terms of residential zoning just because the PDP currently only includes General Residential and Medium Density Residential does not mean that other residential zonings could not be more appropriate. For instance, the Large Lot Residential Zone may be considered appropriate. However, I do share her concern that a full rezoning of all the site to FUZ – Future Urban Zone may “send” a message that it is overall suitable for future urban development; nothing that both the submitter’s expert and Ms Armstrong agree that residential development is not appropriate across the whole site.

*Are of a size, scale and location which could accommodate comprehensive and integrated future development that will not result in an increase in risk to people’s lives and properties within any area located in a [Natural Hazard Overlay](#) or a [Coastal Hazard Overlay](#).*

324. The site is not located in a Coastal Hazard Overlay, but it is subject to the Natural Hazard Overlay as addressed earlier.

325. As shown on the earlier planning map, only a small portion of the site is subject to Flood Hazards. In my view and from my experience with many land development proposals, these hazards will be able to be appropriately addressed through any future rezoning and structure plan process and can accommodate development without increasing risk. Any subdivision and development would be subject to the proposed Natural Hazards chapter, which provides a risk based management approach to development. I also note that the NES-FW and the PNRP would also regulate any development in or around these hazards.



326. The Moonshine Fault only crosses a small portion of the south-eastern part of the site, which is immediately adjacent to Transmission Gully and subject to the National Grid Corridor. I address the hazard risk of the Moonshine Fault earlier in this s42A report, in respect of both Judgeford Hills and Judgeford Flat. Given its location on the site and the advice received from Mr Riman about the Fault, I consider that this is not an impediment for a Future Urban Zone applying to the site.
327. Mr Andreas Giannakogiorgos has also reviewed the submission and Geotechnical report in terms of overall hazards and geotechnical suitability for rezoning in his evidence, which is included in Appendix M. He concludes that the ENGEO geotechnical suitability report follows best practice, and its conclusions are sound and does not raise any concerns about a Future Urban zoning. I adopt his conclusions.

Overall evaluation

328. In respect of the criteria contained in FUZ-P1 for inclusion of additional sites as Future Urban Zone, I consider that generally the Silverwood site could be considered for inclusion. However, I have also considered the wider appropriateness of its rezoning to FUZ – Future Urban Zone, in particular against FUZ-O1, HO-O3, UFD-O1, UFD-O2 and UFD-O4 in the PDP and Objectives 1, 2, 3 and 6 of the NPS-UD, the latter of which are set out below.

**Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

**Objective 2:** *Planning decisions improve housing affordability by supporting competitive land and development markets.*

**Objective 3:** *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

**Objective 6:** *Local authority decisions on urban development that affect urban environments are:*

- (a) integrated with infrastructure planning and funding decisions; and*
- (b) strategic over the medium term and long term; and*
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.*

329. I address all of these comprehensively.

330. I agree with Ms Armstrong's concern that an overall Future Urban zoning may indicate that all the site is appropriate for future urban development. In particular, I share her concern regarding zoning all of the SAL as Future Urban, where it is not clear that all significant adverse effects will be avoided, and other adverse effects will be avoided, remedied or mitigated. I consider that there needs to be further work undertaken in this regard to better identify what parts of the site are appropriately Future Urban Zone, and which remain as General Rural, or are rezoned to Rural Lifestyle. There is also question as to whether there are cultural values associated with the site that have not yet been addressed, as raised by Richard Falkner and supported by TROTR. The level of evidence necessary to make this evaluation is not available. In my view, rezoning all of the site to FUZ – Future Urban Zone would not be consistent with FUZ-O1 or FUZ-P1 (in respect of identification of areas for future urban development [my emphasis]). The submitter may wish to address this further at the hearing.
331. I asked Ms Black to review the urban design report attached to the submission as to whether a future urban rezoning would give effect to the NPS-UD, and in particular Objective 1. Ms Black concluded in her evidence<sup>20</sup> that the site is able to provide for residential development that would provide for a well-functioning urban environment for a number of reasons, summarised as:
- Its proximity to local centres;
  - Being adjacent to established residential areas and a marae;
  - Access to recreation and the natural environment;
  - Access to SH1 and the existing roading network, and good multi-modal connectivity including to a planned public transport route;
  - Opportunities for access to sun and views;
  - Ability to maintain the value of the Special Amenity Landscape (SLA) to Eastern Porirua;
  - Ability to retain existing vegetation and provide for development;
  - Possibility to provide a range of housing typologies; and
  - Ability to locate a neighbourhood centre within the site<sup>21</sup>.
332. Mr Osborne, in his report attached as Appendix E, also identified that the Silverwood site has a number of attributes that means that its location makes economic sense as a natural expansion area for Porirua City, stating:
- *The site will have good transport routes north and south once Transmission Gully's wider connector road network is completed and will be around 10-12-minutes' drive from Porirua's CBD. There are also existing public transport routes that could be extended to include the area without much disruption.*

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<sup>20</sup> See Appendix J

<sup>21</sup> Paragraph 13 of Ms Black's expert evidence

- *The sites are on the city's fringe and would allow for a diverse range of housing typologies across a number masterplanned super lots or mega lots.*
- *The sites are similar to the surrounding suburbs, and much of Porirua City, marked by rolling hills and valleys. The residential environment would likely blend in with the city seamlessly.*
- *The site is not used for productive use and does not feature highly productive soils so the opportunity cost of live-zoning for residential would be slight.*
- *The site would form an extension to the Waitangirua suburb filling the area along link road between the "old" suburb and Transmission Gully interchange<sup>22</sup>*

333. I agree with Ms Black and Mr Osborne that the site has many positive attributes that would lend itself to future urban development. However, while the site's rezoning may be a logical extension and it may be able to achieve Objective 1 of the NPS-UD, my concerns lie with achieving UFD-O1 and UFD-O2 and Objectives 2, 3 and 6 of the NPS-UD, and whether its rezoning would result in an over-supply of Future Urban zoned land. This in turn may impact on housing affordability and competitive land and development markets, impacting on intensification, and being strategic. To this end, I sought advice from Mr Osborne.

334. In respect of the sufficiency of development capacity, Mr Osborne states:

*Ultimately the ability for Porirua to grow in a compact way will be impacted by both the level of zoned greenfield and the indication provided to the market of the level of growth expected to be accommodated within FUZ land.*

...

*Under these conditions the Porirua PDP has provided sufficient residential development capacity within both its existing urban areas and in identified greenfield locations. While the identification of FUZ land has benefits in terms of certainty of direction it also presents risks in terms of a release 'valve' that has the potential to materially undermine meaningful levels of brownfield residential development to meet the NPS and PDP (UFD) objectives.*

*While the risk associated with FUZ may not be as high as that of excess 'live zoned' greenfield land, this signalled provision directs the market to increased expansion. This is especially true when considering over the short to medium term there is typically a greater propensity for the development of greenfield capacity. If this capacity is first to be developed the risk is that a review will potentially identify a shortfall in greenfield capacity (as a*

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<sup>22</sup> Section 7 of Mr Osborne's report

*proportion of total residential capacity) thereby prompting the 'upzoning' of identified FUZ land.<sup>23</sup>*

335. In terms of the level of growth currently planned and provided for, Mr Osborne's report identifies in summary:

- Under the PDP and current market conditions, there is development potential of 21,500 feasible dwellings within the existing urban area. The realisation rate for feasible urban development is estimated at just under 11,000 dwellings.
- There are another 3,600 potential dwellings accommodated through greenfield provision (FUZ)
- With an estimated long term (30-year) demand<sup>24</sup> of just under 11,800 dwellings, the total provided already in the PDP is sufficient.
- Based on these expectations, there is no requirement to identify additional FUZ to meet sufficiency over this period<sup>25</sup>.

336. Further, while Mr Osborne identifies the benefits of greenfield residential land and FUZ – Future Urban Zone<sup>26</sup>, he also states that

*"the PDP currently facilitates more than sufficient levels of capacity for expected growth, and as such additional greenfield and FUZ identification have the potential to result in material economic costs to the community including:*

- *Reduction of brownfield feasibility rates;*
- *Reduced land values reducing brownfield feasibility rates;*
- *Increased infrastructure costs (marginal costs);*
- *Reduced land use efficiencies;*
- *Reduced community and transportation efficiencies;*
- *Less housing choice; and*
- *Additionally, providing increased greenfield and FUZ options to the market is likely to result in market outcomes that are not in line with the NPS UD, RPS3 and strategic objectives of the Porirua PDP.<sup>27</sup>*

337. Rezoning to FUZ-Future Urban Zone would not directly result in urban development occurring, as that would only occur through a plan change and structure plan process or by way of resource consents. However, rezoning to FUZ - Future Urban Zone would make the pathway to urban development more straightforward than if the site remains zoned General Rural. My concern is that rezoning to FUZ – Future Urban Zone now would open the door to Council receiving a plan change request and lead to the inefficiencies and the material economic costs and negative market outcomes identified in Mr Osborne's report.

<sup>23</sup> Pages 24 and 25 of the Property Economics report

<sup>24</sup> Including the 15% NPS-UD buffer

<sup>25</sup> Page 7 of the Property Economics report

<sup>26</sup> Page 8 of the Property Economics report

<sup>27</sup> Page 9 of the Property Economics report

338. In conclusion, while there are many merits to rezoning the Silverwood site to Future Urban and some parts of FUZ-P1 are achieved, I consider on balance that its rezoning would be inconsistent with the relevant strategic objectives of the PDP and the NPS-UD. Further, due to the particular site constraints and the concerns raised by Ms Armstrong and the potential identification of a site and or area of significance to Māori, I consider that more work would be required to determine the appropriate zoning across the site, rather than the blanket FUZ – Future Urban Zone sought by the submitter.

*GWRC's opposition*

339. Mr McDonnell traversed Porirua City Council's obligations under the NPS-FM in the Part 1 Overview section 32 evaluation report, his oral evidence at HS1 and in his right of reply to HS1. I agree with Mr McDonnell's opinion.

340. The District Plan is limited in its ability to implement the NPS-FM to the extent that GWRC has given effect to it in the first instance through its regional policy statement and regional plan. The NPS-FM provides clear direction to the GWRC on the process it has to go through to give effect to it. I am unclear how Porirua City Council could give effect to the NPS-FM in the absence of GWRC having done so in the first instance, particularly in the absence of any contaminant limits to assess any potential future urban development against.

341. I also consider that the GWRC's point that the NPS-FM requires that urban development maintains or improves water quality is a blunt and misleading one. The term "urban" is only used twice within the NPS-FM, under 3.5 Integrated management, as set out below:

*3.5 Integrated management*

- (1) *Adopting an integrated approach, ki uta ki tai, as required by Te Mana o te Wai, requires that local authorities must:*
- (a) *recognise the interconnectedness of the whole environment, from the mountains and lakes, down the rivers to hāpua (lagoons), wahapū (estuaries) and to the sea; and*
  - (b) *recognise interactions between freshwater, land, water bodies, ecosystems, and receiving environments; and*
  - (c) *manage freshwater, and land use and development, in catchments in an integrated and sustainable way to avoid, remedy, or mitigate adverse effects, including cumulative effects, on the health and well-being of water bodies, freshwater ecosystems, and receiving environments; and*
  - (d) *encourage the co-ordination and sequencing of regional or urban growth.*
- ...
- (4) *Every territorial authority must include objectives, policies, and methods in its district plan to promote positive effects, and avoid, remedy, or mitigate adverse effects (including cumulative effects), of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.*

342. Further, the objective of the NPS-FM is:

*to ensure that natural and physical resources are managed in a way that prioritises:*

- (a) first, the health and well-being of water bodies and freshwater ecosystems*
- (b) second, the health needs of people (such as drinking water)*
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

343. Policy 5 is the key policy in respect of water quality, and states:

*Freshwater is managed through a National Objectives Framework to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.*

344. Policy 5 clearly anticipates that regional councils implement the NPS-FM in accordance with Subpart 1, "Approaches to implementing the National Policy Statement".

345. At the same time, Porirua City Council is required to give effect to the NPS-UD and s31 of the RMA and ensure it is providing sufficient land for housing and business growth. In my view, if the Government had intended that territorial authorities not proceed with greenfield development, it would have done so by way of a blunt and directive policy within the NPS-FM or the NPS-UD, or by bluntly amending the RMA. It has not done so.

346. However, to some extent, GWRC's further submission at this stage is a moot point. The Silverwood submission seeks rezoning to Future Urban Zone, which would then need to go through a subsequent plan change and structure plan process to allow urban development to occur. As I have outlined earlier, I consider that this is the most appropriate time for consideration of impacts on water quality and contaminant loads to occur, in an integrated manner, and subject to the GWRC having relevant limits and direction contained within its RPS and regional plan.

### **3.14.3 Recommendations**

347. I recommend for the reasons given in the assessment, that the submission from Silverwood [171.2, 172.3 and 172.4] be **rejected**.

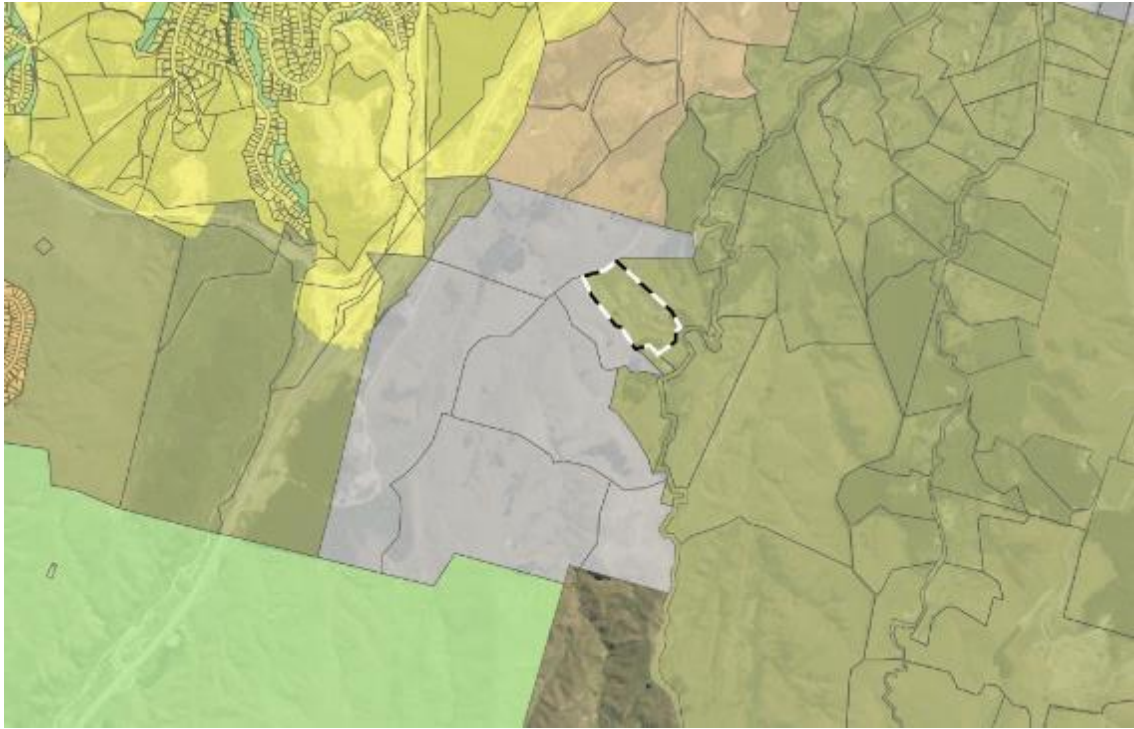
348. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

## **3.15 Rezoning to Future Urban Zone - Other**

### **3.15.1 Matters raised by submitters**

349. Jason Alder [232.18] seeks that the Rural Lifestyle Zone and Settlement Zone be retained and either one be extended over the land at 272A Belmont Road, Judgeford (Lot 3 DP 33209) or

alternatively rezoned to Future Urban. The reason stated is that the Rural Lifestyle Zone and Settlement Zone will provide for opportunities for people to live in a rural setting but within a small allotment size. The site is shown below in Figure 14:



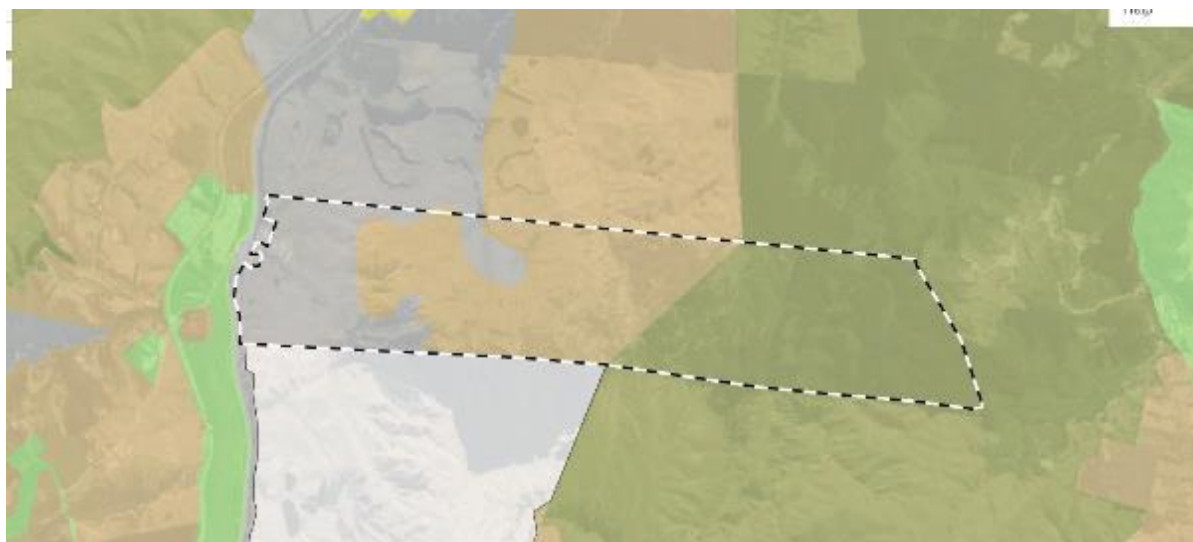
**Figure 14: Map showing location of 272A Belmont Road**

350. David William Ltd [181.1] seeks that the sites at 310 State Highway 1 Pukerua Bay be rezoned so that the Rural Lifestyle Zone be reclassified as Future Urban Zone and the General Rural Zone be rezoned as Rural Lifestyle. Currently the site is in three zonings, Future Urban on the front of the farm, Rural Lifestyle (2 hectare lots) in the middle and General Rural (5 hectare lots) at the rear of the farm.

351. The reason provided is that:

*The characteristics of the area is changing by extending the current Future Urban Zone to take in the Rural Lifestyle Zone would allow the density of the site and size to fit in better with the topography of the land and offer the best flexibility for the land and surrounding North and South Developments to be in keeping with them, as the land abuts North of the Plimmerton Farm site. Then re-zoning the current General Rural Zone to Rural Lifestyle Zone would also better benefit the topography of the land. National Policy Statement for Freshwater Management 2020 would negate any future development for Porirua City or any other land development anywhere in New Zealand, so, with this in mind, I oppose this Waterways Regulation as well. Under this any waterway, obviously this is a farm and has waterways through most of it, there is no touching or disturbance of these allowed under this new policy. I think future development of any land is not feasible within this policy statement.*

352. The site is shown below in Figure 15:



**Figure 15: Map showing location of 310 State Highway 1 (now 59)**

### 3.15.2 Assessment

353. I address each of the rezoning requests in turn against the criteria set in FUZ-P1-2 and 3<sup>28</sup> for the addition of new areas of land as the Future Urban Zone, as I have recommended it to be amended in response to submission:

*Identify areas for future urban development as the Future Urban Zone where these:*

1. *Are consistent with the Porirua Urban Growth Strategy 2048 (2019); and*
  - a. *Avoid significant adverse effects and avoid, remedy or mitigate any other adverse effects on the identified characteristics and values of any areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and*
  - b. *Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard Overlay or a Coastal Hazard Overlay; or*
2. *Are of a size, scale and location which could accommodate comprehensive and integrated future development that:*
  - a. *Is serviced by infrastructure, ~~or~~ planned to be serviced by infrastructure in the Council's Long Term Plan or has been agreed to be serviced and funded through a formal agreement between the landowner and the Council<sup>29</sup>;*
  - b. *Is connected to or planned to be connected to the transport network;*
  - c. *Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified characteristics and values of any*

<sup>28</sup> Clause 1 is not relevant as neither site is identified within the Growth Strategy.

<sup>29</sup> John Carrad [231.26], Jason Alder [232.13], The Neil Group Limited and Gray Family [241.24], Pukerua Property Group Limited [242.15]

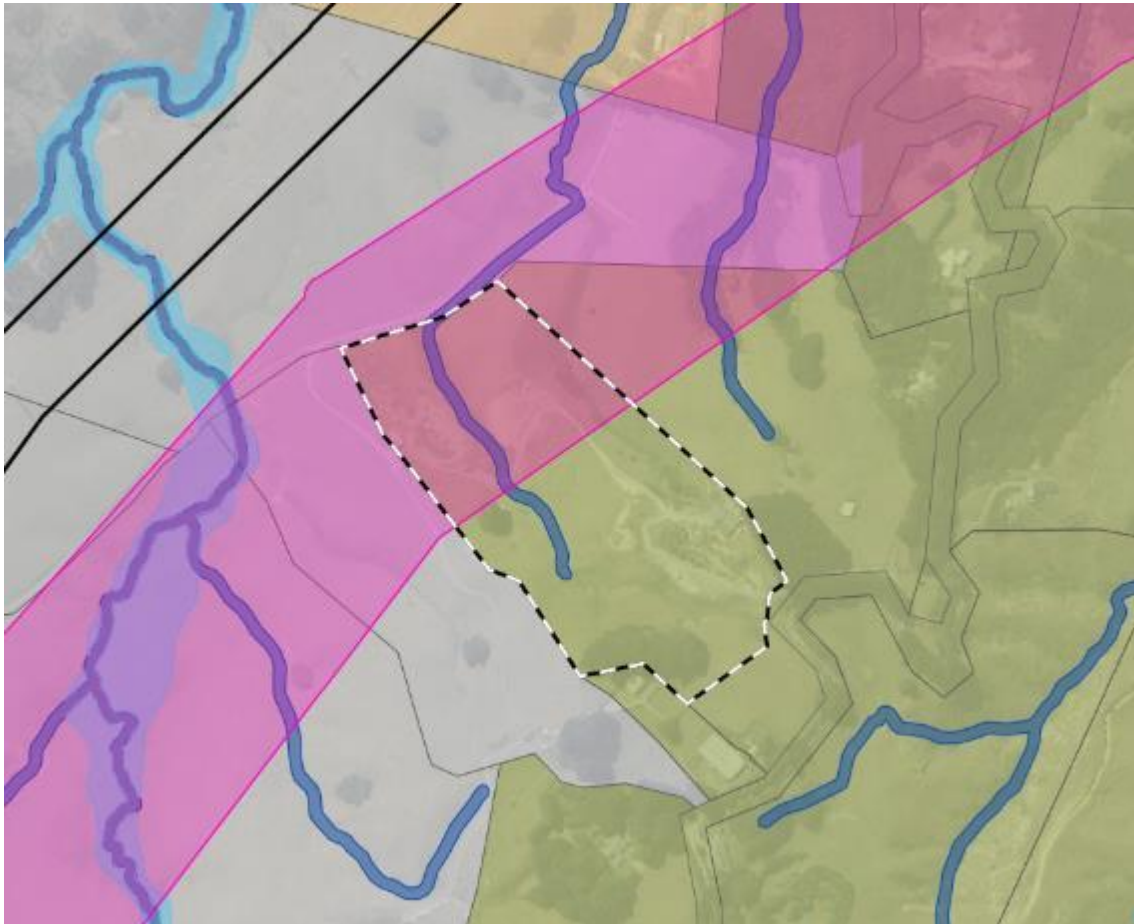


*areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and*

- d. Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard Overlay or a Coastal Hazard Overlay.*

*Adler [232.18]*

354. Unfortunately, due to Covid restrictions, I was not able to visit this site prior to completing this report. However, I have been able to review the PDP maps and GIS topographical maps. I note that seeking a Future Urban Zone was a default request for rezoning from Mr Adler. I note Mr McDonnell has addressed the request to rezone the property to Rural Lifestyle or Settlement, and as such, I have not addressed that part of the request.
355. In terms of any restrictions for development, the Moonshine Fault runs across the northern part of the site and there is a stream corridor on the site. This is shown in the map below in Figure 16:



**Figure 16: PDP Planning Map for 272A Belmont Road**

356. For the reasons I have addressed earlier in respect of Judgeford Flat and Judgeford Hills, I do not consider the Moonshine Fault would preclude future urban development of this site. While the stream corridor is a High Hazard, the area of hazard is constrained and there remains significant

land available to be developed. Both of these would be able to be addressed through future structure plan and subdivision processes.

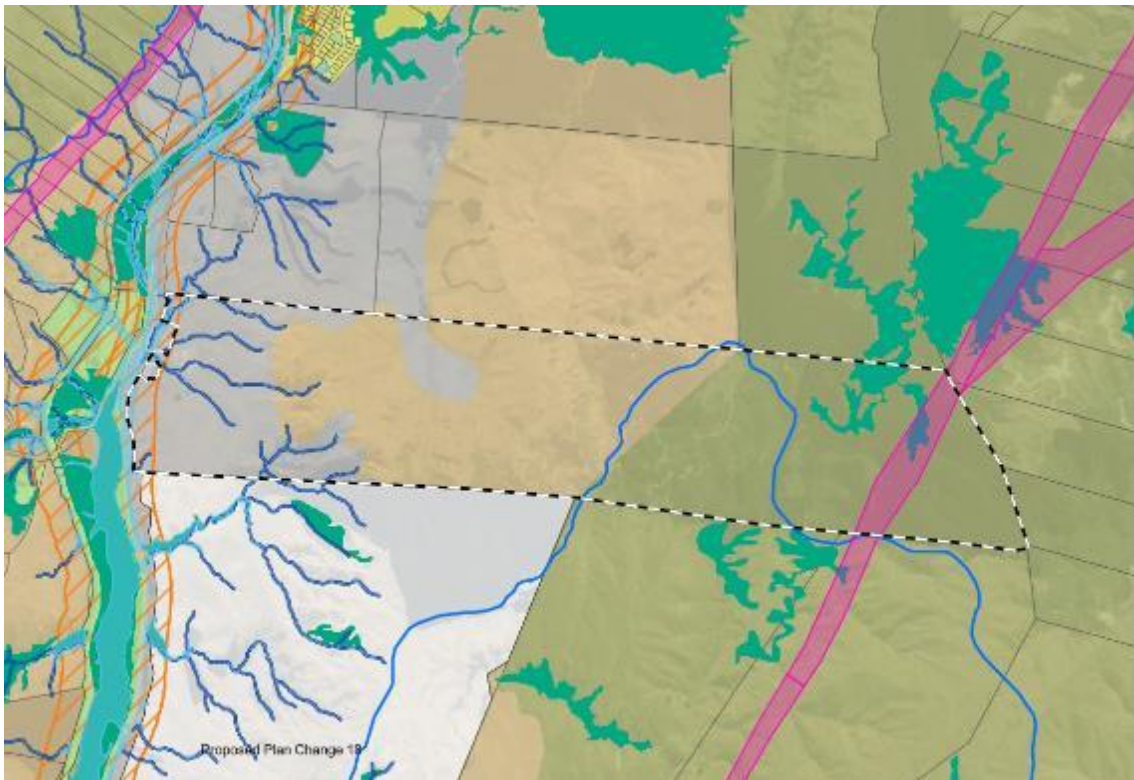
357. Mr Adler's submission was not accompanied by any evaluation against FUZ-P1-2 or 3, expert reports or a section 32 evaluation. Without this information, I have not been able to undertake a full evaluation of the appropriateness of rezoning this site to Future Urban now. However, given its location adjoining the Judgeford Hills Future Urban Zone, it is likely that it could be considered at the time of a future Structure Plan and plan change process occurs for the rezoning of that land.

358. Accordingly, at this point in time, subject to any evidence being presented at the hearing, I recommend that the site remain General Rural Zone.

*David William Ltd [181.1]*

359. Again, I was unable to visit this property in advance of completing this report. The submitter did not provide any evaluation against FUZ-P1-2 or 3, expert reports or section 32 evaluation to support his submission.

360. That part of the site sought to be rezoned as Future Urban has very little in the way of restrictions, as shown in the map below in Figure 17. Only a small portion of the area sought to be rezoned is located within SAL006 Kakaho Special Amenity Landscape.



**Figure 17: PDP Planning Map for 310 State Highway 59**

361. While the zoning changes sought are clear, I have not been able to undertake an evaluation of the appropriateness of the zone changes sought in the absence of any evaluation against FUZ-P1-2 or 3, expert reports or section 32 evaluation from the submitter. The FUZ boundary shown on the site is consistent with the Growth Strategy.

362. Accordingly, at this point in time, subject to any evidence being presented at the hearing, I recommend that the portion of the site sought to be rezoned Future Urban remain in the Rural Lifestyle Zone.

### **3.15.3 Recommendations**

363. I recommend for the reasons given in the assessment that the submissions from Jason Adler [232.18] and David William [181.1] be **rejected**.

## **3.16 Rezoning from Future Urban Zone**

### **3.16.1 Matters raised by submitters**

364. There were three submissions received which sought to immediately up-zone sites identified as FUZ - Future Urban Zone to Residential.

#### *“The Wairaka Precinct”*

365. John Carrad [231.1, 231.2, 231.3, 231.23 and 231.30] seek that the Future Urban Zone provisions are deleted from the submitter's land at the end of Rawhiti Road, Pukerua Bay, and that it be rezoned as General Residential; or in the alternative that it be identified as “The Wairaka Precinct” and provisions adopted for it that are similar to Plan Change 18 (Plimmerton Farms) for relevant parts of the land. The submission is accompanied by the following:

- “Potential Residential Subdivision – Review of Traffic Issues” dated 9 May 2019, prepared by Tim Kelly Transportation Planning Ltd
- John Carrad Station – Preliminary Ecology Survey dated 9 May 2019, prepared by RMA Ecology

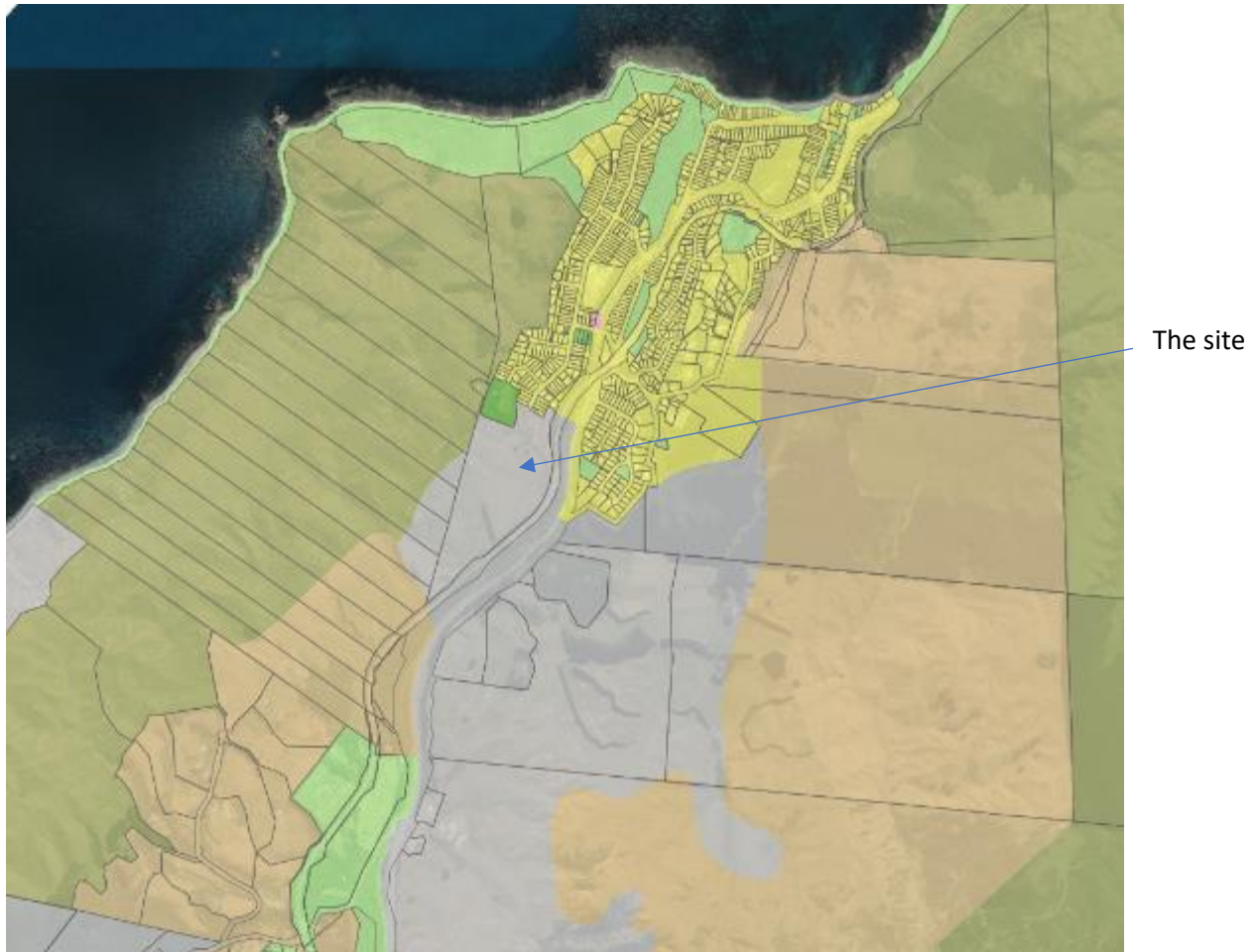
366. A copy of an indicative structure plan included in the submission is shown below in Figure 18:



Figure 18: Indicative Structure Plan for the Wairaka Precinct

367. The following map in Figure 20 shows the site's location:





**Figure 19: Location of the Wairaka Precinct**

368. The submitter states that the suite of provisions relating to the FUZ are essentially monopolising future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side. The submission should be read in full. The submitter states that the land has been identified for many years as a future residential area and its development will compliment and expand on the existing Pukerua Bay settlement. The submission is opposed by Waka Kotahi [FS36.22] for the reasons:

*The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multi-modal options (including travel planning), accessibility and connections to the Transport Network are aptly identified. Waka Kotahi require these matters to be assessed prior to any urban development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan. As such, Waka Kotahi seeks the Future Urban Zone is retained as drafted for this subject site.*

*“The Kakaho Precinct”*

369. The Neil Group Limited and Gray Family [241.2, 241.21, 241.28] seek that the Future Urban Zone provisions be deleted from the District Plan and the submitter's land at 93 Grays Road,

Camborne, be rezoned as General Residential; or in the alternative that it be identified as “The Kakaho Precinct” and provisions adopted for it that are similar to Plan Change 18 (Plimmerton Farms) for relevant parts of the land. The submission is accompanied by the following:

- Kakaho Precinct Plan and Landscape/visual assessment, dated 20 November 2020, prepared by 4Sight Consulting Ltd
- Preliminary Geotechnical Investigation and Natural Hazard Assessment, dated 21 December 2018, prepared by CMW Geosciences
- Transport Review, dated 9 November 2020, prepared by Harriet Fraser Traffic Engineering & Transportation Planning
- Civil Engineering and Infrastructure Report, dated 17 November 2020, prepared by Cuttriss Consulting
- Kakaho – Preliminary Ecology Survey, dated 24 July 2020, prepared by RMA Ecology

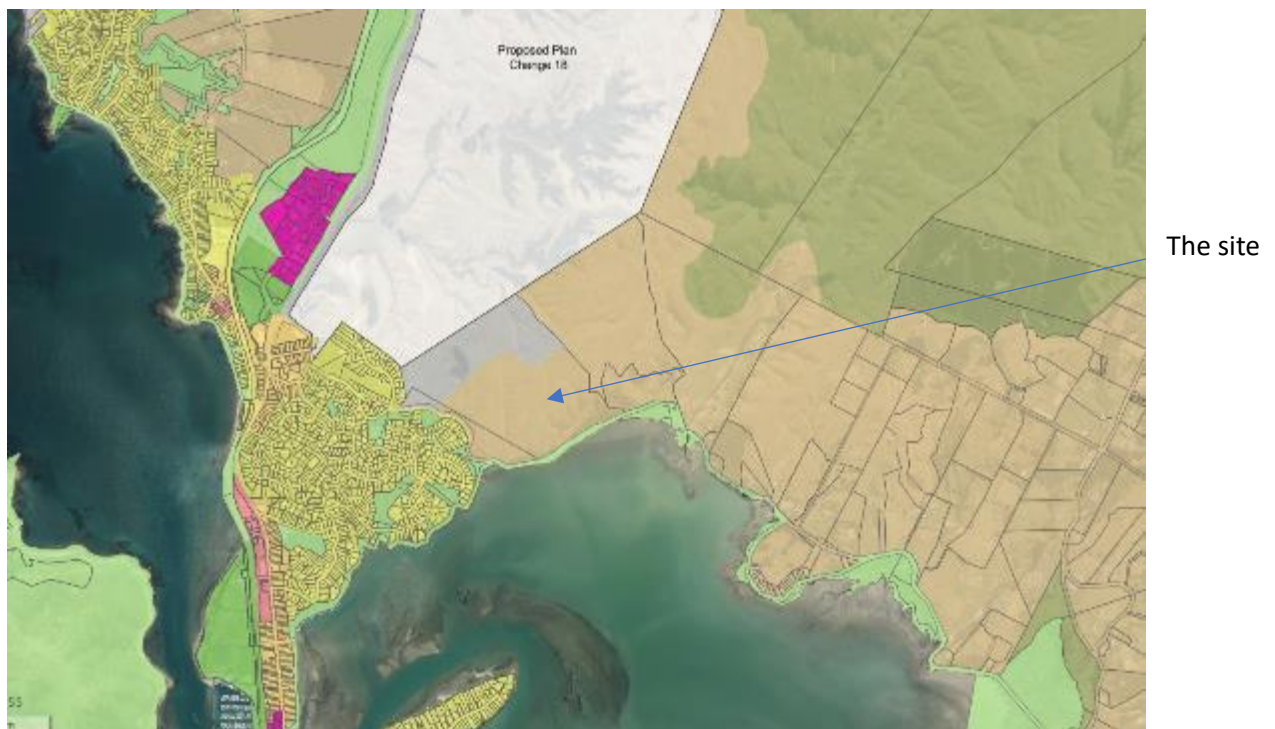
370. A copy of an indicative Precinct Plan is set out below in Figure 20:



**Figure 20: Indicative Precinct Plan for the Kakaho Precinct**

371. The following map in Figure 21 shows the site's location:





**Figure 21: Map showing the location of the Kakaho Precinct**

372. The submitter states that the suite of provisions relating to the FUZ are essentially monopolising future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side. Further, the land has been identified for many years as a future residential area and its development will compliment and expand on the existing Pukerua Bay settlement. There is an opportunity to master plan the Gray property for the benefit of Council and stakeholders with an interest in Te Awarua-o-Porirua Harbour (Pāuatahanui Arm). The submitter considers the opportunity to manage over 50ha of the Harbour catchment through a structure plan is a strategic decision in line with the overall intent of the Growth Strategy. Potential outcomes can include catchment protection, environmental enhancement through planting, and controls on future land use to manage landscape values.
373. The submitter considers that the land has long been identified by Council as being suitable for urban development. It is capable of being serviced with the necessary infrastructure to support the residential density and yields as shown on the attached precinct Plan.
374. The submission should be read in full. The submission is opposed by:
- Waka Kotahi [FS36.23, FS36.24] for the same reason as the submission by John Carrad.
  - GWRC [FS40.149] for the reason that it is appropriate that a full assessment is made on all Future Urban Zones before they are rezoned to ensure the NPS-FM is given effect to.

*“The Mt Welcome Precinct”*

375. Pukerua Property Group Limited [242.12, 242.2, 242.19] seek that the Future Urban Zone provisions be deleted from the District Plan and the submitter's land at 422, 422A and 422B State Highway 1, Pukerua Bay, be rezoned as General Residential; or in the alternative that it be identified as “The Mt Welcome Precinct” and provisions adopted for it that are similar to Plan Change 18 (Plimmerton Farms) for relevant parts of the land. Their submission point 242.1 states

that they generally support showing parts of the land as appropriate for urban development. The submission is accompanied by the following:

- Mt Welcome Station Urban Design Report, dated August 2019, prepared by Construct
- Preliminary Geotechnical Investigation and Natural Hazard Assessment, dated August 2019, prepared by Tonkin + Taylor
- Mt Welcome Station Residential Development Vehicular Access Assessment, dated August 2019, prepared by Tim Kelly Transportation Planning Ltd
- Preliminary Site Investigation, Mt Welcome Station, dated 27 August 2019, prepared by pdp
- Mt Welcome Station, 422 State Highway 1, Pukerua Bay, Porirua: Archaeological Appraisal for Plan Changes to the Porirua District Plan, dated June 2019, prepared by Clough & Associates Ltd
- Mt Welcome: Preliminary Land Development and Infrastructure Report, dated September 2019, prepared by Orogen
- Mt Welcome Station – Preliminary ecology survey, dated 9 May 2019, prepared by RMA Ecology

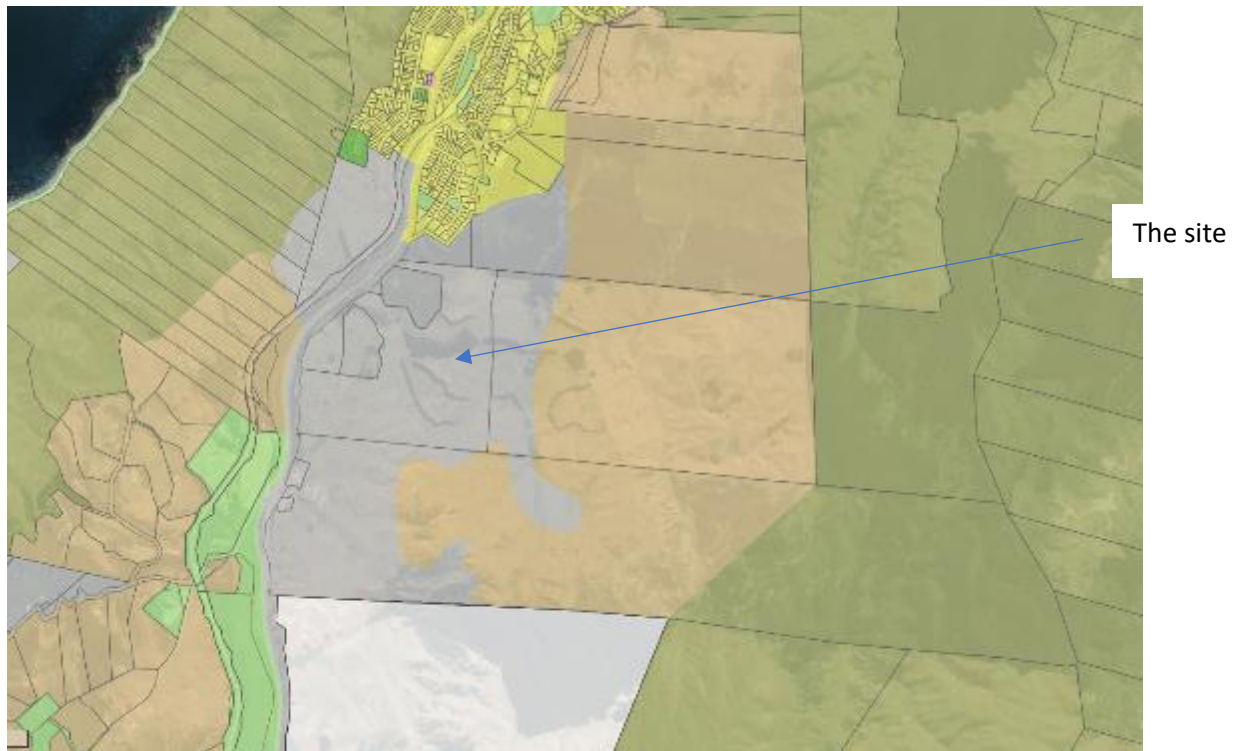
376. A copy of an indicative Master Plan is set out below in Figure 22:



**Figure 22: Indicative Master Plan for the Mt Welcome Precinct**



377. The following plan in Figure 23 shows the site's location:



**Figure 23: Map showing the location of the Mt Welcome Precinct**

378. The submitter states that the suite of provisions relating to the FUZ are essentially monopolising future urban land supply to one area of the City. This approach does not provide appropriate market forces and choice on the land supply side. There is an opportunity to master plan the Mt Welcome property for the benefit of Council and stakeholders with an interest in the area. The submitter considers the opportunity to manage over 65ha of the Taupo Swamp catchment through a structure plan is a strategic decision in line with the overall intent of the Growth Strategy. Potential outcomes can include catchment protection, environmental enhancement through planting, and controls on future land use to manage the urban form of this area. The submission should be read in full. The submission is opposed by:

- Waka Kotahi [FS36.25] for the reasons:

*The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multi-modal options (including travel planning), accessibility and connections to the Transport Network are aptly identified. Waka Kotahi require these matters to be assessed prior to any urban development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan. As such, Waka Kotahi seeks the Future Urban Zone is retained as drafted for this subject site.*

- GWRC [FS40.70] for the reason that it is appropriate that a full assessment is made on all Future Urban Zones before they are rezoned to ensure the NPS-FM is given effect to.

### 3.16.2 Assessment

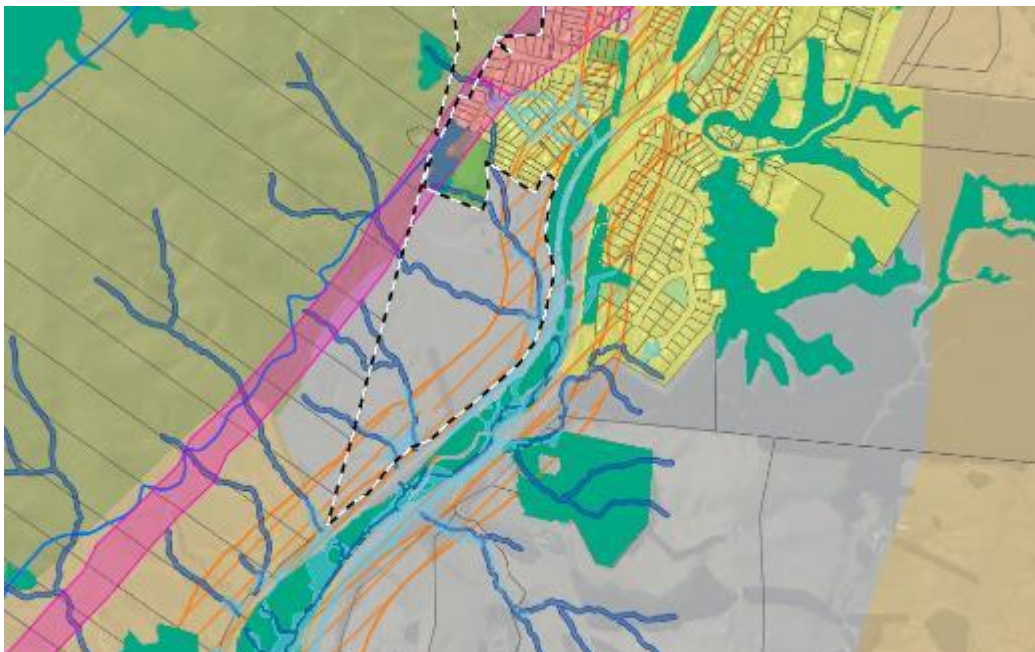
379. I address each of the rezoning requests in turn.

*"The Wairaka Precinct"*

380. I have undertaken an evaluation of the submission against FUZ-P2 and the matters contained in Appendix 11, which is attached as Appendix D. In doing so, I have also considered the additional matters that I have recommended be included in Appendix 11 in response to GWRC's submission. I do not repeat my assessment here; however, I do repeat my high level evaluation:

- The submitter has not provided rationale for the rezoning to General Residential Zone, and its appropriateness;
- The submission lacks key information, particularly in relation to infrastructure, yield and staging;
- The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;
- There is no evaluation of the appropriateness of the General Residential Zone provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary;
- The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW; and
- Not all the matters contained in Appendix 11 have been addressed.

381. The following map in Figure 24 shows that the site has areas of high hazard ponding, is adjacent to SNA and is subject to the Noise Corridor.



**Figure 24: PDP Planning Map for the Wairaka Precinct**

382. In summary, given that the submission did not fully address the matters set out in Appendix 11 or FUZ-P2, I have been unable to undertake an evaluation of the appropriateness of the decision sought. I concur with Waka Kotahi's further submission in this regard.

383. Accordingly, at this point in time, subject to any evidence being presented at the hearing, I recommend that the site remain Future Urban Zone.

*"The Kakaho Precinct"*

384. I have undertaken an evaluation of the submission against FUZ-P2 and the matters contained in Appendix 11, which is attached as Appendix D. In doing so, I have also considered the additional matters that I have recommended be included in Appendix 11 in response to GWRC's submission. I do not repeat my assessment here; however, I do repeat my high level evaluation:

- It is unclear what the submitter is fully seeking in terms of zoning;
- What has been provided is more akin to a scheme plan for a subdivision than a structure plan;
- Only a portion of the site is zoned Future Urban. There is no evaluation as to the demand for housing to rezone that part of the site zoned Rural Lifestyle to Residential;
- The Structure Plan itself is inconsistent with applying a blanket GRZ General Residential Zone and SETZ Settlement Zone; as it shows large block residential and general density housing. No evaluation of why the GRZ or SETZ is sought or an evaluation of their appropriateness. The information provided also refers to the use of Medium Density and Rural Residential zoning (which is not a zone included in the National Planning Standards);
- The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;
- There is no evaluation of the appropriateness of the PDP provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary. I note that the landscape and visual assessment contains a series of recommendations in respect to provisions, but there are no proposed provisions included;
- The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW;
- There are inconsistencies in the material provided, in terms of the zoning sought, etc; and
- Not all the matters contained in Appendix 11 have been addressed.

385. The following map in Figure 25 shows that the site is located within SAL001 Pāuatahanui Special Amenity Landscape, has SNA060 Camborne East Forest Remnant in a small portion, is partly within the coastal environment and small parts are within the stream corridor and tsunami extent.



**Figure 25: PDP Planning Map for the Kakaho Precinct**

386. In summary, given that the submission did not fully address the matters set out in Appendix 11 or FUZ-P2, I have been unable to undertake an evaluation of the appropriateness of the decision sought. I concur with GWRC's and Waka Kotahi's further submissions in this regard.

387. Accordingly, at this point in time, subject to any evidence being presented at the hearing, I recommend that the site remain Future Urban Zone and Rural Lifestyle Zone.

*The Mt Welcome Precinct*

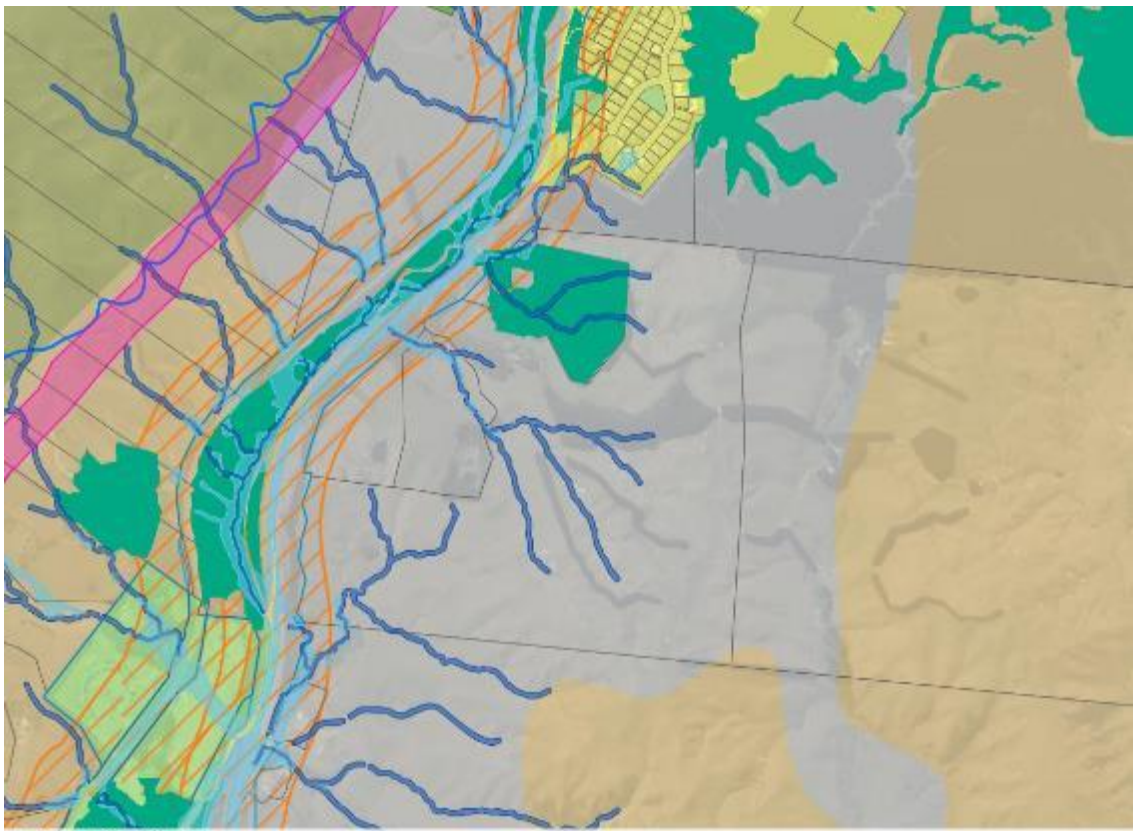
388. I have undertaken an evaluation of the submission against FUZ-P2 and the matters contained in Appendix 11, which is attached as Appendix D. In doing so, I have also considered the additional matters that I have recommended be included in Appendix 11 in response to GWRC's submission. I do not repeat my assessment here; however, I do repeat my high level evaluation:

- It is unclear what the submitter is fully seeking in terms of zoning;
- What has been provided is more akin to a scheme plan for a subdivision than a structure plan;
- The Structure Plan itself is inconsistent with applying a blanket GRZ General Residential Zone; as it shows large block residential and general and medium density housing. No evaluation of why the GRZ is sought or an evaluation of its appropriateness;
- The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;



- There is no evaluation of the appropriateness of the PDP provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary. I note that the urban design assessment contains a series of recommendations in respect to provisions, but there are no proposed provisions included;
- The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW;
- There is no assessment of the potential effects on Taupō Swamp; and
- Not all the matters contained in Appendix 11 have been addressed.

389. The following map in Figure 26 shows that the site is reasonably free from constraints. There are areas of stream corridor and ponding hazards and the site is subject to the Noise Corridor. SNA029 Pukerua Bay South Bush adjoins the site. I recommend that the Panel view this online.



**Figure 26: PDP Planning Map for the Kakaho Precinct**

390. In summary, given that the submission did not fully address the matters set out in Appendix 11 or FUZ-P2, I have been unable to undertake an evaluation of the appropriateness of the decision sought. I concur with GWRC's and Waka Kotahi's further submissions in this regard.
391. Accordingly, at this point in time, subject to any evidence being presented at the hearing, I recommend that the site remain Future Urban Zone.

392. However, on 2 December 2021, the Council entered into a Memorandum of Understanding with the submitter and the landowner to the north<sup>30</sup> (the land known as the Muri Block) to progress a variation to the PDP. This would see this land, the land immediately to the east of Mt Welcome and the Muri Block being rezoned for urban development purposes. I will be able to provide the Panel with a further update at the hearing.

### **3.16.3 Recommendations**

393. I recommend for the reasons given in the assessment that the submissions from John Carrad [231.1, 231.2, 231.3, 231.23 and 231.30] and Neil Group Limited and Gray Family [241.2, 241.21, 241.28] be **rejected**.

394. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

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<sup>30</sup> Barber Commercial Ltd

## 4 Conclusions

395. Submissions have been received in support of, and in opposition to the PDP. Submissions seek a range of amendments, including:

- That FUZ-zoned land only be “released” in stages, taking into account intensification in existing residential zones;
- Whether Judgeford Flat and Judgeford Hills should be in the Future Urban Zone, and the extent of land zoned;
- The rezoning of the “Silverwood” land to Future Urban Zone;
- Up-zoning of identified Future Urban Zoned land to allow urban development to occur;
- Whether the FUZ objectives, policies and rules should allow for urban development through a resource consent pathway; and
- The scope and content of Appendix 11 – Future Urban Zone Structure Plan Guidance.

396. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that PDP should be amended as set out in Appendix A of this report.

397. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

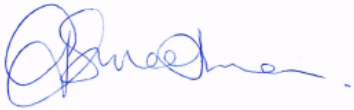
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
- achieve the relevant objectives of the PDP, in respect to the proposed provisions.

### Recommendations:

It is recommended that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

Name and Title	Signature
Gina Sweetman Consultant Planner	

## Appendix A. Recommended Amendments to HO-03, the FUZ - Future Urban Zone Chapter and Appendix 11

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is in red and underlined.
- Text recommended to be deleted from the PDP is in red and ~~struckthrough~~.

# HO - Housing Opportunities

Porirua's diverse and growing population has led to increased demand for housing and demand for a wider range of housing types. The shortage of housing supply to meet demand has also contributed to a decline in housing affordability. Enabling an increase in the supply of housing, along with an increase in housing variety and density, will help address this.

The strategic objectives set the direction for the District Plan and help to implement the Council's community outcomes set out in its Long Term Plan. They reflect the intended outcomes to be achieved through the implementation of the District Plan.

The objectives, policies and rules in Parts 2 and 3 of the District Plan implement the strategic objectives and reconcile any tensions between them.

The strategic objectives will be particularly relevant for any future changes to the Plan and any significant resource consent applications.

Details of the steps Plan users should take when using the District Plan are provided in the General Approach chapter.

### Strategic objectives

**HO-03** Future urban<sup>31</sup> housing supply

The Northern Growth Area and Judgeford Hills areas of the Future Urban Zone will help meet the City's identified medium to long-term housing needs.

# FUZ - Future Urban Zone

Council's Housing and Business Capacity Assessment (2019) identified a need for additional land for housing and business purposes over the next thirty-years. The Future Urban Zone applies to Greenfield land that has been identified as being

<sup>31</sup> Kāinga Ora [81.212]



suitable for these purposes. It is a holding zone where land can continue to be used for a range of rural activities, and subdivision and urban development are discouraged until a structure plan is prepared and the land rezoned. Structure planning helps achieve an optimal type, form and extent of urban development, and demonstrates how future development can be adequately serviced by infrastructure.

Rural-lifestyle subdivision, use and development, non-farming related industry and commercial activities are discouraged in the Future Urban Zone along with ad hoc urban development. Subdivision and development is restricted to limit fragmentation of land and to maintain the land's character, amenity and productive capability in the interim.

The Future Urban Zone applies to the Northern Growth Area, Judgeford Hills and Judgeford Flat. The Northern Growth Area and Judgeford Hills are identified as being needed and suitable for residential development. Judgeford Flats is identified as being needed and suitable for industrial use.

**Exception:**

The Proposed Porirua District Plan does not apply to the land known as Plimmerton Farm, being Lot 2 DP 489799, 18 State Highway 1, Plimmerton, which is identified on the planning maps. Lot 2 DP 489799 is subject to Proposed Plan Change 18 to the Operative Porirua District Plan.

**Objectives**

**FUZ- Purpose of the Future Urban Zone  
O1**

The Future Urban Zone allows for the continued operation of existing activities and the establishment of new primary production, rural use activities<sup>32</sup> and development that does not compromise the potential of:

1. The Judgeford Hills and Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;
2. The Judgeford Flats area to accommodate integrated, serviced and primarily industrial urban development; and
3. Any other areas that have been subsequently included in the Future Urban Zone, and are able to accommodate integrated and serviced urban development.

**FUZ- Character and amenity values of the Future Urban Zone  
O2**

The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned for urban purposes.

**FUZ- Maintaining the development potential of the Future Urban Zone  
O3**

Use and development in the Future Urban Zone does not result in any of the following:

1. Structures and buildings of a scale and form that will restrict or prevent future urban development;

<sup>32</sup> Fulton Hogan [262.31]

2. The efficient and effective operation of the local and wider transport network being compromised;
3. The need for significant upgrades, provisions or extensions to the wastewater, water supply or stormwater networks, or any other infrastructure in advance of future urban development;
4. The efficient operation, maintenance, upgrade or development<sup>33</sup> ~~provision~~ of infrastructure being compromised;
5. Reverse sensitivity effects when urban development occurs;
6. Reverse sensitivity effects on existing rural activities, primary production activities<sup>34</sup> or infrastructure; or
7. The form or nature of future urban development being compromised.

## Policies

### FUZ- P1 Identifying future urban areas

Identify areas for future urban development as the Future Urban Zone where these:

1. Are consistent with the Porirua Urban Growth Strategy 2048 (2019); and
  - a. Avoid significant adverse effects and avoid, remedy or mitigate any other adverse effects on the identified characteristics and values of any areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and
  - b. Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard Overlay or a Coastal Hazard Overlay; or
2. Are of a size, scale and location which could accommodate comprehensive and integrated future development that:
  - Is serviced by infrastructure, ~~or~~ planned to be serviced by infrastructure in the Council's Long Term Plan or has been agreed to be serviced and funded through a formal agreement between the landowner and the Council<sup>35</sup>;
  - Is connected to or planned to be connected to the transport network;
  - Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified characteristics and values of any areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and
  - Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard Overlay or a Coastal Hazard Overlay.

### FUZ- P2 Urban development

Only provide for urban development within a Future Urban Zone when:

<sup>33</sup> Transpower [60.117]

<sup>34</sup> Aggregate and Quarry Association [104.4]

<sup>35</sup> John Carrad [231.26], Jason Alder [232.13], The Neil Group Limited and Gray Family [241.24], Pukerua Property Group Limited [242.15]

<ol style="list-style-type: none"> <li>1. A comprehensive structure plan for the area has been developed in accordance with the guidelines contained in APP11 - Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and</li> <li>2. The area has been rezoned as a Development Area which enables urban development.</li> </ol>
<b>FUZ- Intended use of future urban areas</b> <b>P3</b>
<p>Recognise that the intended use of the Northern Growth Area and Judgeford Hills is primarily for residential purposes, while Judgeford Flats is primarily for industrial purposes.</p>
<b>FUZ- Appropriate use and development</b> <b>P4</b>
<p>Provide for use and development of land in the Future Urban Zone where it supports the policies of the General Rural Zone, except where that use and development is inconsistent with FUZ-P5 and FUZ-P6.</p>
<b>FUZ- Potentially inappropriate activities</b> <b>P5</b>
<p>Only allow activities that are potentially incompatible with the purpose, character and amenity values of the Future Urban Zone where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The site design, layout and scale of the activity is compatible with the character and amenity values of the Future Urban Zone;</li> <li>2. There is no more than one principal residential unit and one minor residential unit per site;</li> <li>3. There is adequate infrastructure available to service the activity, including on-site servicing where reticulated services are not available;</li> <li>4. Areas of indigenous vegetation are retained where practicable;</li> <li>5. It does not compromise the future intended use of the Future Urban Zone;</li> <li>6. It avoids constraining the establishment of activities otherwise anticipated within the Future Urban Zone; and</li> <li>7. There are measures to internalise effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the Future Urban Zone.</li> </ol>
<b>FUZ- Inappropriate use and development</b> <b>P6</b>
<p>Avoid use and development that may result in the future development potential of the Future Urban Zone being compromised.</p>
<b>Rules</b>
<p>Note: There may be a number of provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> <p>Rules relating to subdivision, including minimum allotment sizes for each zone, are found in the Subdivision chapter.</p>
<b>FUZ- Building activity, including additions and alterations, excluding fences and standalone walls</b> <b>R1</b>

	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>1. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. FUZ-S1;</li> <li>ii. FUZ-S2;</li> <li>iii. FUZ-S3;</li> <li>iv. FUZ-S4;</li> <li>v. FUZ-S5; and</li> <li>vi. FUZ-S6.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>1. Compliance not achieved with FUZ-S1, FUZ-S2, FUZ-S3, or FUZ-S4.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p><b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p>
	<p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-S5 or FUZ-S6.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule where compliance is not achieved with FUZ-S5 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA.</li> <li>• An application under this rule where compliance is not achieved with FUZ-S6 is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to non-compliance with FUZ-S6 for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Fire and Emergency New Zealand.</li> </ul>
<b>FUZ-R2</b>	<b>Buildings and structures, including additions and alterations, within the National Grid Yard</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. The building or structure is a non-habitable farm or horticulture structure or building or a stockyard or platform ancillary to milking/dairy sheds (excluding commercial greenhouses, wintering barns, produce packing facilities and milking/dairy sheds);</li> <li>b. The building or structure is a fence that is no greater than 2.5m in height and is located no closer than: <ol style="list-style-type: none"> <li>i. 6m from the outer visible edge of a foundation of a National Grid transmission line tower; or</li> </ol> </li> </ol>

	<p>ii. 5m from the outer visible edge of a foundation of a National Grid transmission line pole; or</p> <p>c. The building or structure is an artificial crop protection structure or crop support structure is no greater than 2.5m in height and is located at least 8m from a National Grid transmission line pole;</p> <p>d. The building or structure is an accessory building that is associated with an existing residential activity and is less than 10m<sup>2</sup> in area and 2.5m in height; and</p> <p>e. Any alterations to an existing building or structure that is used for a sensitive activity do not result in an increase to the building or structure height or footprint.</p> <p>Note:</p> <ul style="list-style-type: none"> <li>• To avoid doubt, FUZ-R1 also applies.</li> <li>• Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34:2001, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.</li> </ul>
	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-R2-1.a, FUZ-R2-1.b, FUZ-R2-1.c, FUZ-R2-1.d, or FUZ-R2-1.e.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ul>
	<p><b>FUZ-R3 Rainwater tanks</b></p>
	<p>1. Activity status: <b>Permitted</b></p>
	<p><b>FUZ-R4 Fences and standalone walls</b></p>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with FUZ-S7.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the infringed standard.</p> <p><b>Notification:</b></p>

	An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>FUZ-R5</b>	<b>Construction activity</b>
	1. Activity status: <b>Permitted</b>
<b>FUZ-R6</b>	<b>Conservation activity</b>
	1. Activity status: <b>Permitted</b>
<b>FUZ-R7</b>	<b>Rural activity other than primary production</b>
	1. Activity status: <b>Permitted</b>
<b>FUZ-R8</b>	<b>Primary production, excluding quarrying activity, mining, intensive indoor primary production and rural industry</b>
	1. Activity status: <b>Permitted</b>
<b>FUZ-R9</b>	<b>Residential activity and residential units</b>
	1. Activity status: <b>Permitted</b>  Where: a. There is no more than one principal residential unit per site; b. There is no more than one minor residential unit per site; and c. Any minor residential unit shares a driveway with the site's principal residential unit.
	2. Activity status: <b>Discretionary</b>  Where: a. Compliance not achieved with FUZ-R9-1.a, FUZ-R9-1.b, FUZ-R9-1.c.  <b>Notification:</b> An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.
<b>FUZ-R10</b>	<b>Home business</b>
	1. Activity status: <b>Permitted</b>  Where: a. The home business is undertaken within a residential unit, minor residential unit or accessory building; b. There is no more than one staff member who lives off-site; and c. No more than 100m <sup>2</sup> of total gross floor area per site is used for the home business.
	2. Activity status: <b>Restricted discretionary</b>  Where:

	<p>a. Compliance is not achieved with FUZ-R10-1.a, FUZ-R10-1.b or FUZ-R10-1.c.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in FUZ-P5.</li> </ol>
<b>FUZ-R11</b>	<b>Visitor accommodation</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The visitor accommodation is undertaken within a residential unit, minor residential unit or accessory building; and</li> <li>The maximum number of all guests per night is 10 people.</li> </ol>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with FUZ-R11-1.a or FUZ-R11-1.b.</li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The matters in FUZ-P5.</li> </ol>
<b>FUZ-R12</b>	<b>Educational facility</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The activity is undertaken within a residential unit, minor residential unit or accessory building;</li> <li>The maximum number of children on-site is four; and</li> <li>The hours of operation are between 7.00am to 7.00pm Monday to Friday.</li> </ol> <p>Except that FUZ-R12-1.b and FUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p>
	<p>2. Activity status: <b>Non-complying</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is not achieved with FUZ-R12-1.a, FUZ-R12-1.b or FUZ-R12-1.c.</li> </ol>
<b>FUZ-R13</b>	<b>Activities within the National Grid Yard</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The activity is not a sensitive activity.</li> </ol>
	<p>2. Activity status: <b>Non-complying</b></p>

	<p>Where:</p> <p>a. Compliance is not achieved with FUZ-R13-1.a.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on Transpower.</li> </ul>
<b>FUZ-R14</b>	<b>Activities within the Gas Transmission Pipeline Corridor</b>
	<p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The activity is not a sensitive activity.</p>
	<p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Compliance is not achieved with FUZ-R14-1.a.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P25.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ul>
<b>FUZ-R15</b>	<b>Habitable buildings and structures, including additions and alterations, near the Gas Transmission Pipeline Corridor</b>
	<p>1. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>a. Any habitable building or structure is located within 10m of the Gas Transmission Pipeline Corridor; and</p> <p>b. Any habitable building or structure is located within 30m of any above-ground station forming part of the Gas Transmission Network.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-P25.</p> <p><b>Notification:</b></p> <ul style="list-style-type: none"> <li>• An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> <li>• When deciding whether any person is affected in relation to this rule for the purposes of section 95E of the RMA, the Council will give specific consideration to any adverse effects on First Gas Ltd.</li> </ul>
<b>FUZ-R16</b>	<b>Community facility</b>



	1. Activity status: <b>Discretionary</b>
<b>FUZ-R17</b>	<b>Emergency service facilities</b>
	1. Activity status: <b>Discretionary</b>
<b>FUZ-R18</b>	<b>Golf course and ancillary activities</b>
	1. Activity status: <b>Discretionary</b>
<b>FUZ-R19</b>	<b>Any activity not provided for as a permitted, restricted discretionary, discretionary or non-complying activity</b>
	1. Activity status: <b>Discretionary</b>
<b>FUZ-R20</b>	<b>Commercial activity, excluding home business and visitor accommodation</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R21</b>	<b>Hospital and healthcare activity</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R22</b>	<b>Industrial activity</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R23</b>	<b>Intensive indoor primary production</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R24</b>	<b>Major sports facility, excluding golf courses and ancillary activities</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R25</b>	<b>Mining</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R26</b>	<b>Quarrying activity</b>
	1. Activity status: <b>Non-complying</b>
<b>FUZ-R27</b>	<b>Rural industry</b>
	1. Activity status: <b>Non-complying</b>
<b>Standards</b>	
<b>FUZ-S1</b>	<b>Height</b>

1. All buildings and structures must not exceed a maximum height above ground level of 10m.

This standard does not apply to:

- Solar water heating components provided these do not exceed the height by more than 500mm;
- Chimney structures not exceeding 1.1m in width on any elevation and provided these do not exceed the height by more than 1m;
- Antennas, aerials, and flues provided these do not exceed the height by more than 1m; or
- Satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) provided these do not exceed the height by more than 1m.

Matters of discretion are restricted to:

1. Design and siting of the building or structure;
2. Any shading of, or loss of privacy for, residential units on adjacent sites;
3. Screening, planting, and landscaping of the building or structure;
4. Whether an increase in building or structure height results from a response to natural hazard mitigation; and
5. Whether topographical or other site constraints make compliance with the standard impractical.

#### **FUZ- S2 Height in relation to boundary**

1. All buildings and structures must be contained beneath a line of 45° measured into the site from any point 3m vertically above ground level along any site boundary.

Except:

- Where adjacent to a shared access in excess of 2.5m in width, the measurement shall be taken from the furthest side.

Matters of discretion are restricted to:

1. Design and siting of the building or structure;
2. Any shading of, or loss of privacy for, residential units on adjacent sites;
3. Screening, planting, and landscaping of the building or structure;
4. Whether an increase in height in relation to boundary results from a response to natural hazard mitigation; and
5. Whether topographical or other site constraints make compliance with the standard impractical.

#### **FUZ- S3 Scale of buildings and structures**

1. All buildings and structures on a site must not exceed a maximum gross floor area of:

- a. 350m<sup>2</sup> for a primary residential unit;
- b. 60m<sup>2</sup> for a minor residential unit; and
- c. 1000m<sup>2</sup> for all other non-residential buildings and structures combined.

Matters of discretion are restricted to:

1. Design and siting of the building or structure;
2. Any shading of, or loss of privacy for, residential units on adjacent sites;
3. Screening, planting, and landscaping of the building or structure; and

<p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Accessory buildings with a footprint less than 10m<sup>2</sup>;</li> <li>• Pergola structures that are not covered by a roof; and</li> <li>• In-ground outdoor swimming pools.</li> </ul>	<p>4. Whether topographical or other site constraints make compliance with the standard impractical.</p>
<p><b>FUZ-      Setback</b> <b>S4</b></p>	
<p>1. Buildings or structures used for residential purposes must not be located within:</p> <ol style="list-style-type: none"> <li>a. A 10m setback from a boundary with a road; and</li> <li>b. A 5m setback from a side or rear boundary.</li> </ol> <p>2. Buildings or structures used for non-residential purposes must not be located within:</p> <ol style="list-style-type: none"> <li>a. A 10m setback from a boundary with a road; and</li> <li>b. A 5m setback from a side or rear boundary; or</li> <li>c. A 10m setback from a boundary of a site in a residential zone.</li> </ol> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> <li>• Fences and standalone walls;</li> <li>• Up to two rainwater tanks within the side or rear setbacks, each with a maximum diameter of 3.5m and a maximum height of 3m; and</li> <li>• Up to two accessory buildings within the side and rear setbacks, with a maximum gross floor area of 10m<sup>2</sup> each</li> </ul>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Design and siting of the building or structure;</li> <li>2. Any shading of, or loss of privacy for, residential units on adjacent sites;</li> <li>3. Screening, planting, and landscaping of the building or structure; and</li> <li>4. Whether topographical or other site constraints make compliance with the standard impractical.</li> </ol>
<p><b>FUZ-      On-site services</b> <b>S5</b></p>	
<p>1. Where a connection to Council's reticulated <u>water and/or</u><sup>36</sup> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the</p>	<p>There are no matters of discretion for this standard.</p>

<sup>36</sup> PCC [11.69]

Wellington Water Regional Standard for Water Services May 2019.

2. Where a connection to Council's reticulated wastewater systems is not available and sewage is to be disposed to ground, that area must not be subject to instability or inundation or used for the disposal of stormwater.

**FUZ- S6 Firefighting water supply and access**

1. All new buildings must comply with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

There are no matters of discretion for this standard.

**FUZ- S7 Fences and standalone walls**

1. All fences and standalone walls must not exceed a maximum height above ground level of 2m.

Matters of discretion are restricted to:

1. Design and siting of the fence or standalone wall;
2. Any shading of, or loss of privacy for, residential units on adjacent sites where the fence or standalone wall is located on their boundary; and
3. Whether topographical or other site constraints make compliance with the standard impractical.

# APP11 - Future Urban Zone Structure Plan Guidance

A structure plan is to identify, investigate and address the matters set out below.

## Urban growth

1. The future supply and projected demand for residential and business land in the structure plan areas to achieve an appropriate capacity to meet the requirements of the National Policy Statement for Urban Development 2020.
2. The phases and timing for the staged release of Greenfield land to a more intensive activity for urban development or for comprehensive redevelopment, in coordination with infrastructure.
3. The location, type and form of the urban edge, its appropriateness to the structure plan area and the surrounding area and how transitions between the area to be urbanised and other areas with different activities, building types and densities or levels of intensity are to be managed.
4. Linkages and integration with existing urban-zoned and/or rural-zoned land adjoining the structure plan area through careful edge or boundary treatment.
5. Opportunities to improve access to landlocked parcels.

## Natural resources

1. The protection, maintenance and enhancement of natural resources, particularly those that have been identified:
  - a. in the District Plan in relation to Ngāti Toa Rangatira, areas of Outstanding Natural Features and Landscapes, areas of Coastal High Natural Character Areas and Significant Natural Areas;
  - b. [in the Regional Natural Resources Plan or National Policy Statement for Freshwater Management as a natural wetland<sup>37</sup>](#).
2. Demonstrate how proposed subdivision, use, and development will protect, maintain and enhance the identified values of the resources identified above.
3. The integration of green networks (such as freshwater and coastal water systems, and ecological corridors) with open space and pedestrian and cycle networks, showing how they reflect the underlying natural character values and provide opportunities for environmental restoration and biodiversity.

## Natural and built heritage

3. The existence of natural and physical resources that have been scheduled in the District Plan in relation to Historic Heritage Items (Group A), Historic Heritage Items (Group B), Historic Heritage Sites, Notable Trees and Sites and Areas of Significance to Māori.

## Use and activity

- 1.** Contribution to a compact urban form and the efficient use of land in conjunction with existing urban areas to give effect to the Regional Policy Statement for the Wellington Region 2013.

<sup>37</sup> GWRC [137.66 and 137.88]

- 2.** Establishment of new centres and the expansion of existing centres in ways that complement the hierarchy and network of existing centres. Centres should be located and designed to maximise access by walking, cycling and public transport.
- 3.** A density of development sufficient to support the vitality of centres and communities and to provide housing and transport choice.
- 4.** A mix and distribution of land uses within the structure plan area, as is appropriate to the area's size and location, to provide opportunities for business activities and employment, community facilities and open space close to where people live.
- 5.** The location and protection of infrastructure and management of reverse sensitivity effects on infrastructure from subdivision, use and development.
- 6.** The location and protection of use and development and management of reverse sensitivity effects on use and development.

### Hazards

1. Measures to avoid any increase in risk to people and property from natural hazards.
2. Measures to manage contaminated land.

### Urban development

1. Consistency with the Regional Urban Design Principles, Appendix 2 of the Regional Policy Statement for the Wellington Region 2013.
2. A desirable urban form at the neighbourhood scale including all of the following:
  - a. A layout providing pedestrian connectivity with a network of streets and block sizes which allow for a choice of routes, particularly near centres and public transport facilities;
  - b. Provision of a diversity of site sizes within blocks to enhance housing choice, accommodate local small-scale community facilities and, where appropriate, enable a range of business and mixed-use activities;
  - c. Provision of open spaces which are highly visible from streets and of a scale and quality to meet identified community needs;
  - d. Appropriate transitions within and at the edge of the structure plan area between different land use activities, intensities and densities; and
  - e. The application of an integrated stormwater management approach within developments to reduce impacts on the environment while enhancing urban amenity.

### Transport networks

1. Integration of land use and development with the local and strategic transport networks.
2. Layout of the transport network and facilities in a manner that is safe, attractive, efficient, and resilient to hazards, well connected to local facilities and integrated with land uses, the surrounding area and the wider transport network.
3. Support for transport and accessibility that is multi-modal and interconnected with an appropriate number and location of access points.
4. Provision of public and active transport linkages.
5. Transport effects on land uses and the management of these effects.

### Infrastructure

1. The location and protection of existing and planned infrastructure, including infrastructure corridors.
2. The location, scale and capacity of existing and new infrastructure to serve the structure plan area.
3. The location, scale and function of stormwater management facilities based on the principles of an integrated stormwater management approach, including the use of green infrastructure, [water sensitive design](#)<sup>38</sup> and the primary use of on-site flow and quality controls (to manage stormwater runoff from proposed sites and roads).
4. The location, scale, function and provision of community facilities, including educational, health, welfare and cultural facilities and open space to cater for the needs of communities in the structure plan area and neighbouring areas.
5. [The impact on any discharge consents.](#)
6. [Any contaminant limits set in the Regional Natural Resources Plan](#)<sup>39</sup>.

#### Feedback from stakeholders

1. Feedback from landowners, Ngāti Toa Rangatira, infrastructure providers and communities gained through consultation during the structure planning process.

#### Specialist documents to support the structure plan and plan changes process

The scale and detail of the investigation and reporting required needs to be at a level appropriate to the scale of the area subject to the structure planning process and the complexity of the issues identified by the process. Reports may be required on the matters listed below to support the structure planning and plan change process.

- b. Land use:
  - a. Evaluation of the identified role of and principal objectives for the structure plan area in terms of land uses and amenity values;
  - b. Assessment against any relevant sub-regional spatial plan; and
  - c. Analysis of anticipated land use supply and demand informing the spatial allocation of areas for different activities, intensities and densities.
- c. Infrastructure:
  - a. Integrated catchment management plan - stormwater management plan, including network plans, updates to catchment or zone management plans and variations to existing or new network discharge consents, where relevant;
  - b. Integrated transport assessment;
  - c. Water and wastewater servicing plan; and
  - d. Other infrastructure plans.
- d. Impact on natural, historic and cultural values:
  - a. Landscape assessment;
  - b. Assessment of effects on the cultural wellbeing of Ngāti Toa Rangatira, including mapping of local history and whakapapa;
  - c. Archaeological and historic heritage assessment;
  - d. Natural heritage assessment; and
  - e. Freshwater and ecological assessment.

<sup>38</sup> GWRC [137.66 and 137.88]

<sup>39</sup> GWRC [137.66 and 137.88]



- e. Environmental risk:
  - a. Geotechnical assessment;
  - b. Land contamination and remediation assessment; and
  - c. Health impact assessment.
- f. Implementation:
  - a. Staging plan;
  - b. Funding plan;
  - c. Affordability assessment;
  - d. Neighbourhood design statement; and
  - e. Any other documents depending on the characteristics of the land and water resources of the area.

Input from technical specialists is critical to the development of a credible evidence base to inform a structure plan.

## **Appendix B. Recommended Responses to Submissions and Further Submissions**

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
<b>General submissions</b>							
264.69 <sup>40</sup>	TROTR	Policy approach	Retain as notified subject to the following amendments: Include: Future urban zones should: Tangata whenua values, mātauranga, tikanga and their ability to actively practice kaitiakitanga are recognised and reflected. Cultural expertise to inform design not just provide cultural impact advice.	3.2	Accept in part	See body of report	No
216.46 <sup>41</sup>	QEII	Policy approach	Amend the FUZ Chapter Objectives, Policies, and Rules to align with amendments sought elsewhere in this submission.	3.2	Reject	See body of report	No
184.6	John Cody	Policy approach	Seeks revised criteria for economic 'feasibility' to reassess the scope for redevelopment using forward looking models for providing housing in FUZs and Future Regeneration Zones.	3.2	Reject	See body of report	No
184.7	John Cody	Policy approach	Rezone the Northern Growth Area as a Future Regeneration Zone.	3.2	Reject	See body of report	No
184.8	John Cody	Policy approach	In respect of FUZs and Future Regeneration Zones, seeks: Designated reserves and regeneration zones that provide a full off-set of all residual urban environmental impacts, associated with improved public access to reserves within the active travel radius of public transport hubs to off-set any restrictions on activity implied by intensification	3.2	Accept in part	See body of report	No
81.815 <sup>42</sup>	Kāinga Ora	Multiple provisions National Grid Notification preclusion	Kāinga Ora seeks consequential changes consistent with its overall submission on the PDP. Key areas of concern are (but not limited to): 1. Review and re-drafting of notification exclusion clauses; 2. Amend provisions with direct 'avoid' statements. This needs to be qualified in light of the King Salmon meaning of 'avoid'; 3. Review and redrafting of the full package of provisions (objectives, policies, rules and definitions) in relation to the National Grid. 4. Consequential changes to the numbering of provisions following changes sought throughout chapter.	3.2	Accept in part	See Overview s42A report	No
248.2	Gary Lewis	General – section 32	Discourage rezoning of greenfield areas from future development	3.2	Reject	See body of report	No
<b>Staging of Future Urban Zone "release"</b>							
81.944	Kāinga Ora	Future Urban Zone, Section 32 Evaluation Report, How the Plan Works	Seeks that any staged release of Future Urban Zoned land for future residential use take into account and monitor the uptake of intensification within existing residential zones.	3.3	Accept in part	See body of report	No
FS34.1	Silverwood Corporation Limited		Disallow				

<sup>40</sup> Support by Silverwood [FS34.9]<sup>41</sup> Opposed by Silverwood [FS34.14]<sup>42</sup> Opposed by John Carrad [FS43.2], The Neil Group Limited and the Gray Family [FS44.2], Pukerua Property Group Ltd [FS45.2] and Transpower New Zealand Ltd [FS04.59].

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
184.5	John Cody	Policy approach	Seeks the requirement that any application for housing on a Future Urban Zone (FUZ) is supported by evidence that intensification is not an option	3.3	Accept in part	See body of report	No
<b>Consideration of Freshwater, the NPS-FM and NES-FW</b>							
137.66 <sup>43</sup>	GWRC	FUZ-P2	Amend FUZ-P2 and APP-11 to take into account the National Environmental Standards for Freshwater, contaminant limits, conditions on discharge consents held by Wellington Water, and water sensitive urban design.	3.4	Accept in part	See body of report	Yes
FS34.26	Silverwood		Disallow				
137.88 <sup>44</sup>	GWRC	General	Amend FUZ-P2 and APP-11 to take into account the National Environmental Standards for Freshwater, contaminant limits, conditions on discharge consents held by Wellington Water, and water sensitive urban design.	3.4	Accept in part	See body of report	Yes
FS34.28	Silverwood		Disallow				
<b>The Zoning of Judgeford Flat as a Future Urban Zone for Industrial Purposes</b>							
261.1	Vic Draper	Judgeford Flat	Requests Council consult with the Draper family with regards to any matters seeking changes pertaining to the Draper Family land, including any proposed zone changes.	3.5	Reject	See body of report	No
261.3	Vic Draper	Judgeford Flat	Amend to: <ul style="list-style-type: none"> <li>Up-zone all three properties [the Draper Family Land] to Live Industrial/commercial/employment zoning</li> <li>In the alternative the Future Urban Zone needs to reflect the current use and intended use of the area through appropriate policy and regulatory framework. This includes but not limited to provisions of appropriate permitted activities rules for the current and intended use of the land.</li> </ul> For clarification purposes reference to Draper Family Land is the below: <ul style="list-style-type: none"> <li>278 Paremata Haywards Road (SH58) also known as Lot 1 DP14428</li> <li>275b Paremata Haywards Road (SH58) also known as Lot 2 DP76421</li> </ul> 278 Paremata Haywards Road (SH58) also known as Lot 1 DP25982	3.5	Reject	See body of report	No
189.1	Vic Draper	Judgeford Flat	Amend: <ul style="list-style-type: none"> <li>Up-zone the property at 287 Paremata Haywards Road, Judgeford to a live industrial, commercial or employment zone; or</li> <li>Incorporate an appropriate policy and regulatory framework in the Future Urban Zone, including but not</li> </ul>	3.5	Reject	See body of report	No

<sup>43</sup> Opposed by Silverwood [FS34.26]<sup>44</sup> Opposed by Silverwood [FS34.28]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			limited to provisions of appropriate permitted activities rules for the current and intended use of the land. [Refer to original submission for full decision requested.]				
189.3	Vic Draper	Judgeford Flat	Amend: <ul style="list-style-type: none"> <li>Up-zone the property at 287 Paremata Haywards Road, Judgeford to a live industrial, commercial or employment zone; or</li> <li>Incorporate an appropriate policy and regulatory framework in the Future Urban Zone, including but not limited to provisions of appropriate permitted activities rules for the current and intended use of the land.</li> </ul> [Refer to original submission for full decision requested.]	3.5	Reject	See body of report	No
188.1	Melanie and Scott Draper	Judgeford Flat	Amend: <ul style="list-style-type: none"> <li>Up-zone the property at 278 Paremata Haywards Road and 275b Paremata Haywards Road to a live industrial, commercial or employment zone; or</li> <li>Incorporate provisions of appropriate permitted activities rules for the current and intended use of the land.</li> </ul> [Refer to original submission for full decision requested.]	3.5	Reject	See body of report	No
187.1	Shedlands Limited - Draper, Scott	Judgeford Flat	Amend: <ul style="list-style-type: none"> <li>Up-zone the property at 275b Paremata Haywards Road (Lot 1 DP76421) to a live industrial, commercial or employment zone; or</li> <li>Incorporate provisions of appropriate permitted activities rules for the current and intended use of the land.</li> </ul> [Refer to original submission for full decision requested]	3.5	Reject	See body of report	No
<b>Against the Future Urban Zoning</b>							
162.7	Victoria and Nick Coad	Judgeford Flat	In respect of the Judgeford Flat FUZ: <ul style="list-style-type: none"> <li>Any building over 450 square metres should trigger a resource consent for design reasons.</li> <li>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</li> </ul>	3.5	Reject	See body of report	No
44.1	Magdalena Conradie	Judgeford Flat	Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
44.16	Magdalena Conradie	Judgeford Flat	PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes
76.1	John Hungerford	Judgeford Flat	Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
76.17	John Hungerford	Judgeford Flat	PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing	3.5	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.				
89.17	Sandra Johnston	Judgeford Flat	PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes
89.2	Sandra Johnston	Judgeford Flat	Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
93.1	Graham Twist	Judgeford Flat	Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
90.1	Derek and Kristine Thompson	Judgeford Flat	Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
89.12	Sandra Johnston		Retain Judgeford Flats as General Rural.	3.5	Accept in part	See body of report	Yes
89.17	Sandra Johnston		PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes
162.17	Victoria and Nick Coad		PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes
90.15	Derek and Kristine Thompson		If a Future Urban Zone for Judgeford Flats is retained, it should be redrawn as per map in submission. [Refer to original submission for full decision requested]	3.5	Accept in part	See body of report	Yes
93.12	Graham Twist		If a Future Urban Zone for Judgeford Flats is retained, it should be redrawn as per map in submission. [Refer to original submission for full decision requested]	3.5	Accept in part	See body of report	Yes
44.10	Magdalena Conradie		If a Future Urban Zone for Judgeford Flats is retained, it should be redrawn as per map in submission. [Refer to original submission for full decision requested]	3.5	Accept in part	See body of report	Yes
44.16	Magdalena Conradie		PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
76.12	John Hungerford		If a Future Urban Zone for Judgeford Flats is retained, it should be redrawn as per map in submission. [Refer to original submission for full decision requested]	3.5	Accept in part	See body of report	Yes
76.17	John Hungerford		PCC should reconsider the area designated FUZ at Judgeford Flats and reduce the industrial area to flat land and the existing businesses. Murphys Road and lower Mulhern and Flightys areas need to be removed as these are steep areas with narrow road access and vulnerable topographies. Greater constraints need to be imposed currently to protect Judgeford Flats from exploitation.	3.5	Accept in part	See body of report	Yes
162.16	Victoria and Nick Coad		PCC should investigate further other areas for future business/commercial growth with better transport links, more infrastructure ready, less costly to implement, and less impact on the environment. PCC should also investigate and support brownfields developments and make full use of established and well-serviced industrial areas of Porirua.	3.5	Reject	See body of report	No
89.16	Sandra Johnston		PCC should investigate further other areas for future business/commercial growth with better transport links, more infrastructure ready, less costly to implement, and less impact on the environment. PCC should also investigate and support brownfields developments and make full use of established and well-serviced industrial areas of Porirua.	3.5	Reject	See body of report	No
44.15	Magdalena Conradie		PCC should investigate further other areas for future business/commercial growth with better transport links, more infrastructure ready, less costly to implement, and less impact on the environment. PCC should also investigate and support brownfields developments and make full use of established and well-serviced industrial areas of Porirua	3.5	Reject	See body of report	No
76.16	John Hungerford		PCC should investigate further other areas for future business/commercial growth with better transport links, more infrastructure ready, less costly to implement, and less impact on the environment. PCC should also investigate and support brownfields developments and make full use of established and well-serviced industrial areas of Porirua.	3.5	Reject	See body of report	No
246.1	Judgeford Environmental Protection Society		Rezoning should only be done if it enables activities that are in keeping with the existing use of the land and surrounding environment, such as supporting a rural lifestyle	3.5	Reject	See body of report	No
10.1	Lyle and Tracey Davies		Any changes to the current plan must not further entrench or imbed existing inappropriate activities that are inconsistent with the existing residential use, and amenity value, in the area. If re-zoned or amended in any way, this must be done in a manner that does not continue or aggravate existing effects to existing residents associated with temporary activities already underway. Any rezoning should only enable appropriate uses such as rural lifestyle development and should only occur if there are additional protections for residents. For example, broad scale mining activities (and any other inappropriate activities) must be	3.5	Accept in part	See body of report	Yes



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			specifically prohibited to protect resident's amenity values and enjoyment and to minimize negative impacts on transport networks in the area.				
91.1	Judgeford Golf Club		Judgeford Golf Course retains General Rural Zoning rather than being rezoned as Future Urban Zone.	3.5	Reject	See body of report	No
47.1	Glenn Johnston		Do not make Judgeford Flats a Future Urban Zone	3.5	Reject	See body of report	No
74.2	Pāuatahanui Residents Association		Consider the reasons put forward by Pauatahanui residents concerned that the positioning of an urban/industrial zone within the Rural zone is inappropriate.	3.5	Accept in part	See body of report	Yes
<b>Rezone to Rural Lifestyle</b>							
14.2	Nadine Steffens	Judgeford Flat	Remove the Future Urban Zone as pertains to the Judgeford flats from the District Plan. This area, and Murphys/Flightys and Moonshine and related land holdings currently located in a rural zone, should be redesignated Rural Lifestyle Zone with grandparenting to any primary sector industry currently located within this area.	3.5	Reject	See body of report	No
1.2	Stephen Smith	Judgeford Flat	Remove the Future Urban Zone as pertains to the Judgeford flats from the District Plan. This area, and Murphys/Flightys and Moonshine and related land holdings currently located in a rural zone, should be redesignated Rural Lifestyle Zone with grandparenting to any primary sector industry currently located within this area.	3.5	Reject	See body of report	No
17.2	Jennifer Blake	Judgeford Flat	Remove the Future Urban Zone as pertains to the Judgeford flats from the District Plan. This area, and Murphys/Flightys and Moonshine and related land holdings currently located in a rural zone, should be redesignated Rural Lifestyle Zone with grandparenting to any primary sector industry currently located within this area.	3.5	Reject	See body of report	No
<b>Amendments to Future Urban Zone Boundary</b>							
77.18	Te Awarua-o-Porirua Harbour & Catchments Community	Judgeford Flat	The zone boundary should be moved slightly up one of the valleys (e.g. Mulhern Road area to the vicinity of the BRANZ area). It should not be in the stream valley. It needs to be higher up (at least two metres) and away from the bed and riparian area of the stream.	3.5	Reject	See body of report	No
43.1	Jacqui Lally	Judgeford Flat	The small rural lifestyle property, (3.6925 ha) [346B Paremata Haywards Road (SH58) Judgeford], should remain as general rural.	3.5	Reject	See body of report	No
200.1 <sup>45</sup>	Judgeford Heights Ltd	Rezoning	Amend zoning at 346A, 346C & 352 Paremata Haywards Road, Judgeford from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone.  [Refer to original submission for full decision requested, including attachment]	3.5	Accept	See body of report	Yes

<sup>45</sup> Opposed by Waka Kotahi [FS36.20], GWRC [FS40.120]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
262.4	Fulton Hogan	Judgeford Flat	Not specified, refer to original submission] Supportive of Judgeford Flats being proposed as a Future Urban Zone. While no specific decision sought, the submitter raised the following matter(s):	N/A	Accept	Agree with submitter, subject to amendments made in response to other submissions.	No
262.32	Fulton Hogan	Judgeford Flat FUZ-P3	Retain as proposed.	N/A	Accept	Agree with submitter, subject to amendments made in response to other submissions.	No
<b>Judgeford Flat Provisions</b>							
162.7	Victoria and Nick Coad	Judgeford Flats	In respect of the Judgeford Flat FUZ: <ul style="list-style-type: none"> <li>Any building over 450 square metres should trigger a resource consent for design reasons.</li> </ul> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No
162.8	Victoria and Nick Coad	Judgeford Flats	In respect of the Judgeford Flat FUZ: <ul style="list-style-type: none"> <li>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</li> <li>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</li> <li>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</li> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>	3.5	Reject	See body of report	No
162.14	Victoria and Nick Coad	Judgeford Flats	If a FUZ for Judgeford Flats is retained a high trip generator rule should apply, including for heavy vehicles.	3.5	Accept in part	See body of report	No
162.15	Victoria and Nick Coad	Judgeford Flats	If a FUZ for Judgeford Flats is retained water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities. Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.	3.5	Reject	See body of report	No
162.10	Victoria and Nick Coad	Judgeford Flats	In respect of the Judgeford Flat FUZ:	3.5	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>Permitted activities in the zone should be restricted to low density light industrial activities and low-density recreation facilities</li> </ul> <p>Existing businesses and activities should be deemed to be permitted.</p>				
162.11	Victoria and Nick Coad	Judgeford Flats	That the proposed restrictions for the Judgeford Flats FUZ that make non-rural type activities non-compliant (such as industrial, large format retail, standalone commercial) remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5	Accept	See body of report	No
162.9	Victoria and Nick Coad	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>A height limit for buildings and other structures is required of no more than 10m.</li> <li>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</li> </ul> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
162.6	Victoria and Nick Coad	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <p>Any new light industrial or recreational development should be set back from State Highway 58 by at least 20m, and from an internal Rural Zone boundary by at least 20m, and from natural waterways by at least 10m.</p>	3.5	Reject	See body of report	No
93.14	Graham Twist	Judgeford Flats	A high trip generator rule should apply to this site, including for heavy vehicles.	3.5	Accept in part	See body of report	No
93.15	Graham Twist	Judgeford Flats	Water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities. Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.	3.5	Reject	See body of report	No
93.7	Graham Twist	Judgeford Flats	<p>Any building over 450 square metres should trigger a resource consent for design reasons.</p> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
93.8	Graham Twist	Judgeford Flats	<p>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</p> <p>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</p> <p>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</p> <ul style="list-style-type: none"> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>	3.5	Reject	See body of report	No
93.10	Graham Twist	Judgeford Flats	Permitted activities in the zone should be restricted to low-density light industrial activities and low-density recreation facilities, alongside a continuation of existing permitted activities.	3.5	Reject	See body of report	No
93.9	Graham Twist	Judgeford Flats	<p>A height limit for buildings and other structures is required of no more than 10m.</p> <p>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</p> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
93.6	Graham Twist	Judgeford Flats	Any new light industrial or recreational development should be set back from State Highway 58 by at least 20m, and from an internal Rural Zone boundary by at least 20m, and from natural waterways by at least 10m.	3.5	Reject	See body of report	No
93.11	Graham Twist	Judgeford Flats	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5	Accept	See body of report	No
90.11	Derek and Kristine Thompson	Judgeford Flats	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5	Accept	See body of report	No
90.13	Derek and Kristine Thompson	Judgeford Flats	A high trip generator rule should apply to this site, including for heavy vehicles.	3.5	Accept in part	See body of report	No
90.14	Derek and Kristine Thompson	Judgeford Flats	Water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities. Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.	3.5	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
90.7	Derek and Kristine Thompson	Judgeford Flats	<p>Any building over 450 square metres should trigger a resource consent for design reasons.</p> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No
90.8	Derek and Kristine Thompson	Judgeford Flats	<p>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</p> <p>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</p> <p>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</p> <ul style="list-style-type: none"> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>	3.5	Reject	See body of report	No
90.10	Derek and Kristine Thompson	Judgeford Flats	Permitted activities in the zone should be restricted to low density light industrial activities and low-density recreation facilities, alongside a continuation of existing permitted activities.	3.5	Reject	See body of report	No
90.9	Derek and Kristine Thompson	Judgeford Flats	<p>A height limit for buildings and other structures is required of no more than 10m.</p> <p>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</p> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
90.6	Derek and Kristine Thompson	Judgeford Flats	Any new light industrial or recreational development should be set back from State Highway 58 by at least 20m, and from an internal Rural Zone boundary by at least 20m, and from natural waterways by at least 10m.	3.5	Reject	See body of report	No
89.15	Sandra Johnston	Judgeford Flats	<p>Water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities.</p> <p>Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.</p>	3.5	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
89.7	Sandra Johnston	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>Any building over 450 square metres should trigger a resource consent for design reasons.</li> </ul> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No
89.8	Sandra Johnston	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</li> <li>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</li> <li>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</li> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>	3.5	Reject	See body of report	No
89.10	Sandra Johnston	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <p>Permitted activities in the zone should be restricted to low density light industrial activities and low-density recreation facilities, alongside a continuation of existing permitted activities.</p>	3.5	Reject	See body of report	No
89.11	Sandra Johnston	Judgeford Flats	<p>That the proposed restrictions for the Judgeford Flats FUZ that make non-rural type activities non-compliant (such as industrial, large format retail, standalone commercial) remain until such time as there is a Structure Plan developed and publicly consulted on.</p>	3.5	Accept	See body of report	No
89.9	Sandra Johnston	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>A height limit for buildings and other structures is required of no more than 10m.</li> <li>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</li> </ul> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
89.13	Sandra Johnston	Judgeford Flats	<p>If a FUZ for Judgeford Flats is retained, the requirement for a structure plan is supported. This structure plan should be subject</p>	3.5	Accept	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			to a public consultation process in recognition of the significance of the proposal and the wide-ranging impacts on the community and environment.  [Refer to original submission for full decision requested]				
89.14	Sandra Johnston	Judgeford Flats	If a FUZ for Judgeford Flats is retained a high trip generator rule should apply, including for heavy vehicles.	3.5	Accept in part	See body of report	No
44.9	Magdalena Conradie	Judgeford Flats	It is important that such restrictions remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5	Accept	See body of report	No
44.13	Magdalena Conradie	Judgeford Flats	If a FUZ for Judgeford Flats is retained water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities. Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.	3.5	Reject	See body of report	No
44.12	Magdalena Conradie	Judgeford Flats	If a FUZ for Judgeford Flats is retained a high trip generator rule should apply, including for heavy vehicles.	3.5	Accept in part	See body of report	No
44.5	Magdalena Conradie	Judgeford Flats	In respect of the Judgeford Flat FUZ: <ul style="list-style-type: none"> <li>Any building over 450 square metres should trigger a resource consent for design reasons.</li> </ul> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No
44.6	Magdalena Conradie	Judgeford Flats	In respect of the Judgeford Flat FUZ: <ul style="list-style-type: none"> <li>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</li> <li>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</li> <li>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</li> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>	3.5	Reject	See body of report	No
44.8	Magdalena Conradie	Judgeford Flats	In respect of the Judgeford Flat FUZ:	3.5	Reject	See body of report	No



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>Permitted activities in the zone should be restricted to low density light industrial activities and low-density recreation facilities</li> </ul> <p>Existing businesses and activities should be deemed to be permitted.</p>				
44.7	Magdalena Conradie	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>A height limit for buildings and other structures is required of no more than 10m.</li> <li>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</li> </ul> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
44.4	Magdalena Conradie	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <p>Any new light industrial or recreational development should be set back from State Highway 58 by at least 20m, and from an internal Rural Zone boundary by at least 20m, and from natural waterways by at least 10m.</p>	3.5	Reject	See body of report	No
76.15	John Hungerford	Judgeford Flats	<p>If a FUZ for Judgeford Flats is retained water quality infrastructure and operating requirements and constraints are needed in recognition of the ecological importance and sensitivity of the area. Activities such as depots and contractors' yards should not be permitted activities. Maximum limits should apply to hardstanding area, and first flush treatment should be required to manage contaminants entering the waterway. Treatment could be combined with landscaping requirements.</p>	3.5	Reject	See body of report	No
76.14	John Hungerford	Judgeford Flats	<p>If a FUZ for Judgeford Flats is retained a high trip generator rule should apply, including for heavy vehicles.</p>	3.5	Accept in part	See body of report	No
76.7	John Hungerford	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>Any building over 450 square metres should trigger a resource consent for design reasons.</li> </ul> <p>The design assessment should consider the proposal against criteria including: reflectivity, form, scale, materials, detailing, landscaping, setbacks, access, etc to ensure the building is sympathetic to the rural surroundings and reduces visual bulk and obtrusive appearance.</p>	3.5	Reject	See body of report	No
76.8	John Hungerford	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>Any development should be required to have, and to maintain, landscaping and planting that includes species endemic to the area.</li> </ul>	3.5	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<ul style="list-style-type: none"> <li>Include a minimum landscaping depth of 10m along all road boundaries and the rural zone boundary interface.</li> <li>Landscaping should include a combination of trees and shrubs, with trees capable of growing to 5m tall at maturity and a minimum of 1.5m at the time of planting.</li> <li>Storage and service areas should be screened when visible from a road or adjacent Rural Zone boundary.</li> </ul> <p>Landscaping should also be required to improve the amenity of vehicle parking areas at a ratio of one tree per five parks provided.</p>				
76.10	John Hungerford	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>Permitted activities in the zone should be restricted to low density light industrial activities and low-density recreation facilities</li> </ul> <p>Existing businesses and activities should be deemed to be permitted.</p>	3.5	Reject	See body of report	No
76.11	John Hungerford	Judgeford Flats	That the proposed restrictions for the Judgeford Flats FUZ that make non-rural type activities non-compliant (such as industrial, large format retail, standalone commercial) remain until such time as there is a Structure Plan developed and publicly consulted on.	3.5	Accept	See body of report	No
76.9	John Hungerford	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <ul style="list-style-type: none"> <li>A height limit for buildings and other structures is required of no more than 10m.</li> <li>Recession planes are not requested for zone boundary interfaces on the assumption that the setbacks proposed apply.</li> </ul> <p>While preference is for zone boundary setbacks, if these do not apply, then recession planes should instead apply.</p>	3.5	Reject	See body of report	No
76.6	John Hungerford	Judgeford Flats	<p>In respect of the Judgeford Flat FUZ:</p> <p>Any new light industrial or recreational development should be set back from State Highway 58 by at least 20m, and from an internal Rural Zone boundary by at least 20m, and from natural waterways by at least 10m.</p>	3.5	Reject	See body of report	No
<b>Appropriateness of Judgeford Hills as a Future Urban Zone</b>							
82.300	Waka Kotahi	Judgeford Hills	Amendments to the Future Urban Zone provisions to remove reference to Future Urban Zoning within the Judgeford Hills area.	3.6	Reject	See body of report	No
82.292	Waka Kotahi	HO-03	<p>Amend provision:</p> <p>"The Northern Growth Area and Judgeford Hills areas of the Future Urban Zone will help meet the City's identified medium to long-term housing."</p>	3.6	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
82.272	Waka Kotahi	FUZ-O1	Amend provision: <p>"The Future Urban Zone allows for the continued operation of existing activities and the establishment of new rural use and development that does not compromise the potential of:</p> <ol style="list-style-type: none"> <li>1. The Judgeford Hills and Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;</li> <li>2. The Judgeford Flats area to accommodate integrated, serviced and primarily industrial urban development; and</li> </ol> <p>Any other areas that have been subsequently included in the Future Urban Zone, and are able to accommodate integrated and serviced urban development.</p>	3.6	Reject	See body of report	No
82.271	Waka Kotahi	FUZ-P2 Judgeford Hills	FUZ-P2 is retained to ensure a comprehensive structure plan is developed prior to any rezoning as a development area which enables urban development.  Remove / Delete the Future Urban Zoning of Judgeford Hills.	3.6	Reject	See body of report	No
82.276	Waka Kotahi	FUZ-P3	Amend provision: <p>"Recognise that the intended use of the Northern Growth Area and Judgeford Hills is primarily for residential purposes, while Judgeford Flats is primarily for industrial purposes."</p>	3.6	Reject	See body of report	No
125.1	1010 Homes Limited <sup>46</sup>	Judgeford Hills	Retains all policies and objectives, except for the current wording of FUZ-P2, where Clause 2 needs to be amended to avoid the risk of an unnecessary potential delay in the future	3.6	Reject	See body of report	No
<b>Providing for urban development as a discretionary activity in the Future Urban Zone</b>							
231.30	John Carrad	Policy approach Wairaka Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative):  Identify the submitters land interest as 'The Wairaka Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, policies and rules to provide a resource consenting path for urban development in the FUZ	3.7	Reject	See body of report	No
231.6	John Carrad	Policy approach	Amend or remove the FUZ provisions to provide for a more flexible approach to development including the possibility of consenting new residential areas (discretionary activity) and a more flexible approach under policy FUZ-P1.	3.7	Reject	See body of report	No

<sup>46</sup> Opposed by Waka Kotahi [FS36.12]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
231.23	John Carrad	Policy approach Wairaka Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative):  Identify the submitters land interest as 'The Wairaka Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ	3.7	Reject	See body of report	No
231.24	John Carrad	FUZ-01	FUZ-01  The Future Urban Zone allows ...  1. The ... Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;	3.7	Reject	See body of report	No
231.25	John Carrad	FUZ-02	FUZ-02  The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned or consented for urban purposes.	3.7	Reject	See body of report	No
231.26	John Carrad	FUZ-P1	FUZ-P1  Identify areas for future urban development as the Future Urban Zone where these:  1. Are of a size, scale and location which could accommodate comprehensive and integrated future development that:  1. Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site;  2. Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.	3.7	Accept in part	See body of report	Yes
231.27	John Carrad	FUZ-P2	FUZ-P2  Only provide for urban development within a Future Urban Zone when:  1. A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and  2. The area has been rezoned or consented as a Development Area which enables urban development.	3.7	Reject	See body of report	No
232.28	John Carrad	New rule	FUZ-R16A Subdivision and Development in the Wairaka Precinct Area	3.7	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>1. Activity Status: Discretionary</p> <p>Notification and Natural Hazards:</p> <ul style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> <p>Activities considered under this rule are exempt from the rules relating to Natural Hazards (NH) and those District Wide Matters will be considered under section 106 of the RMA.</p>				
232.13 <sup>47</sup>	Jason Alder	FUZ-02	<p>Amend the objective as follows:</p> <p>FUZ-02</p> <p>The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned or consented for urban purposes.</p> <p>FUZ-P1</p> <p>Identify areas for future urban development as the Future Urban Zone where these:</p> <ol style="list-style-type: none"> <li>Are of a size, scale and location which could accommodate comprehensive and integrated future development that: <ol style="list-style-type: none"> <li>Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site;</li> <li>Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.</li> </ol> </li> </ol>	3.7	Accept in part	See body of report	Yes
232.14	Jason Alder	FUZ-P2	<p>Amend the policy as follows:</p> <p>FUZ-P2</p> <p>Only provide for urban development within a Future Urban Zone when:</p> <ol style="list-style-type: none"> <li>A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and</li> <li>The area has been rezoned or consented as a Development Area which enables urban development.</li> </ol>	3.7	Reject	See body of report	No
232.15	Jason Alder	FUZ-R16	<p>Amend the rule as follows:</p>	3.7	Reject	See body of report	No

<sup>47</sup> Support – Silverwood [FS34.19]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>FUZ-R16A Subdivision and Development in the Judgeford Precinct Area</p> <p>1. Activity Status: Discretionary</p> <p>Notification and Natural Hazards:</p> <ul style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> <p>Activities considered under this rule are exempt from the rules relating to Natural Hazards (NH) and those District Wide Matters will be considered under section 106 of the RMA.</p>				
241.6 <sup>48</sup>	The Neil Group Limited and Gray Family	Policy approach	Amend the FUZ provisions to provide for a more flexible approach to development including the possibility of consenting new residential areas (discretionary activity) and a more flexible approach under policy FUZ-P1.	3.7	Reject	See body of report	No
241.21 <sup>49</sup>	The Neil Group Limited and Gray Family	Policy approach Kakaho Precinct	<p>Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone:</p> <p>or (in the alternative);</p> <p>Identify the submitters land interest as 'The Kakaho Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land:</p> <p>or (in the alternative):</p> <p>Amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ.</p> <p>[Refer to original submission for full decision requested]</p>	3.7	Reject	See body of report	No
241.22 <sup>50</sup>	The Neil Group Limited and Gray Family	FUZ-01	<p>Amend the objective as follows:</p> <p>FUZ-01</p> <p>The Future Urban Zone allows ...</p> <p>1. The ... Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;</p>	3.7	Reject	See body of report	No
241.23 <sup>51</sup>	The Neil Group Limited and Gray Family	FUZ-02	<p>Amend the objective as follows:</p> <p>FUZ-02</p>	3.7	Reject	See body of report	No

<sup>48</sup> Supported by Silverwood [FS34.10]

<sup>49</sup> Opposed by Waka Kotahi [FS36.24]

<sup>50</sup> Supported by Silverwood [FS34.17]

<sup>51</sup> Supported by Silverwood [FS34.18]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned or consented for urban purposes.				
241.24	The Neil Group Limited and Gray Family	FUZ-P1	Amend the policy as follows: FUZ-P1 Identify areas for future urban development as the Future Urban Zone where these: 1. Are of a size, scale and location which could accommodate comprehensive and integrated future development that: 1. Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site; 2. Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.	3.7	Accept in part	See body of report	Yes
241.25	The Neil Group Limited and Gray Family	FUZ-P2	Amend the policy as follows: FUZ-P2 Only provide for urban development within a Future Urban Zone when: 1. A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and 2. The area has been rezoned or consented as a Development Area which enables urban development.	3.7	Reject	See body of report	No
241.26	The Neil Group Limited and Gray Family	FUZ-R16	Amend the rule as follows: FUZ-R16A Subdivision and Development in the Kakaho Precinct Area 1. Activity Status: Discretionary Notification and Natural Hazards: <ul style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> Activities considered under this rule are exempt from the rules relating to Natural Hazards (NH) and those District Wide Matters will be considered under section 106 of the RMA.	3.7	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
242.4 <sup>52</sup>	Pukerua Property Group Limited	Policy approach	Amend or remove the FUZ provisions to provide for a more flexible approach to development including the possibility of consenting new residential areas (discretionary activity) and a more flexible approach under policy FUZ-P1.	3.7	Reject	See body of report	No
242.12 <sup>53</sup>	Pukerua Property Group Limited	Policy approach  Mount Welcome	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative);  Identify the submitters land interest as 'The Mt Welcome Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, policies and rules to provide a resource consenting path for urban development in the FUZ.	3.7	Reject	See body of report	No
242.13	Pukerua Property Group Limited	FUZ-01	Amend the objective as follows:  FUZ-01  The Future Urban Zone allows ...  1. The ... Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;	3.7	Reject	See body of report	No
242.14	Pukerua Property Group Limited	FUZ-02	Amend the objective as follows:  FUZ-02  The Future Urban Zone supports appropriate rural use and development, and maintains the character and amenity values of the General Rural Zone until such time as it is rezoned or consented for urban purposes.	3.7	Reject	See body of report	No
242.15 <sup>54</sup>	Pukerua Property Group Limited	FUZ-P1	Amend the policy as follows:  FUZ-P1  Identify areas for future urban development as the Future Urban Zone where these:  Are of a size, scale and location which could accommodate comprehensive and integrated future development that  1. Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan or the effects on existing infrastructure can be mitigated through provision of new services within the development site;	3.7	Accept in part	See body of report	Yes

<sup>52</sup> Supported by Silverwood [FS34.11]

<sup>53</sup> Opposed by Waka Kotahi [FS36.25]

<sup>54</sup> Support – Silverwood [FS34.22]



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			2. Is connected to or planned to be connected to the transportation network where the effects on the network are minor and/or can be mitigated.				
242.16	Pukerua Property Group Limited	FUZ-P2	Amend the policy as follows: FUZ-P2 Only provide for urban development within a Future Urban Zone when: 1. A comprehensive structure plan for the area has been developed in general accordance with the guidelines contained in APP11 – Future Urban Zone Structure Plan Guidance and adopted by Porirua City Council; and 2. The area has been rezoned or consented as a Development Area which enables urban development.	3.7	Reject	See body of report	No
242.17	Pukerua Property Group Limited	FUZ-R16	Amend the rule as follows: FUZ-R16A Subdivision and Development in the Mt Welcome Precinct Area 1. Activity Status: Discretionary Notification and Natural Hazards: <ul style="list-style-type: none"> <li>An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</li> </ul> Activities considered under this rule are exempt from the rules relating to Natural Hazards (NH) and those District Wide Matters will be considered under section 106 of the RMA.	3.7	Reject	See body of report	No
<b>Strategic Objectives UFD-O4, HO-O3 and CEI-O8</b>							
85.11	Wellington Electricity	UFD-O4	Amend the objective as below: Future urban growth areas are able to be serviced by infrastructure that has sufficient capacity to accommodate the form and type of development anticipated.	3.8	Reject	See body of report	No
119.18	Fire and Emergency New Zealand	UFD-O4	Retain as proposed.	n/a	Accept	Agree with submitter	No
231.8	John Carrad	UFD-O4	Retain the objectives as proposed.	n/a	Accept	Agree with submitter	No
241.8	The Neil Group Limited and Gray Family	UFD-O4	Retain the objectives as proposed.	n/a	Accept	Agree with submitter	No
242.6	Pukerua Property Group Limited	UFD-O4	Retain the objectives as proposed.	n/a	Accept	Agree with submitter	No
82.34	Waka Kotahi NZ Transport Agency	UFD-O4	Retain as notified.	n/a	Accept	Agree with submitter	No
83.22	Powerco Limited	UFD-O4	Retain as notified.	n/a	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.237	Kāinga Ora	UFD-04	Retain objective as notified	n/a	Accept	Agree with submitter	No
81.212	Kāinga Ora	HO-03	amend: <b>HO-03 Future Urban Zone housing supply</b> The Northern Growth Area and Judgeford Hills areas of the Future Urban Zone will help meet the City's identified medium to long-term housing needs.	3.8	Accept in part	See body of report	Yes
67.2 <sup>55</sup>	Housing Action Porirua	HO-03	Delete HO-03	3.8	Reject	See body of report	No
225.89 <sup>56</sup>	Forest and Bird	HO-03	Clarify that housing opportunities will be within environmental limits of the areas identified.	3.8	Reject	See body of report	No
172.5	Silverwood Corporation Limited	HO-03	Amend strategic objective HO-03 as follows: The Northern Growth Area and Judgeford Hills, <u>and</u> <u>Silverwood</u> areas of the Future Urban Zone will help meet the City's identified medium to long-term housing needs.	3.8	Reject	See body of report	No
<b>Chapter Introduction</b>							
81.816	Kāinga Ora	Exception: The Proposed Porirua District Plan does not apply to the land known as Plimmerton Farm [...]	Amend: Council's Housing and Business Capacity Assessment (2019) identified a need for additional land for housing and business purposes over the next thirty-years. The Future Urban Zone applies to Greenfield land that has been identified as being suitable for these purposes. It is a holding zone where land can continue to be used for a range of rural activities, and subdivision and urban development are discouraged until a structure plan is prepared and the land rezoned. Structure planning helps achieve an optimal type, form and extent of urban development, and demonstrates how future development can be adequately serviced by infrastructure.  Rural-lifestyle subdivision, use and development, non-farming related industry and commercial activities are discouraged in the Future Urban Zone along with ad hoc urban development. Subdivision and development is restricted to limit fragmentation of land and to maintain the land's character, amenity and productive capability in the interim.  The Future Urban Zone applies to the Northern Growth Area, Judgeford Hills and Judgeford Flat. The Northern Growth Area and Judgeford Hills are identified as being needed and suitable for residential development. Judgeford Flats is identified as being needed and suitable for industrial use.  <b>Exception:</b>	3.9	Reject	See body of report	No

<sup>55</sup> Opposed by Silverwood [FS34.4]<sup>56</sup> Opposed by Silverwood [FS34.5]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			The Proposed Porirua District Plan does not apply to the land known as Plimmerton Farm, being Lot 2 DP 489799, 18 State Highway 1, Plimmerton, which is identified on the planning maps. Lot 2 DP 489799 is subject to Proposed Plan Change 18 to the Operative Porirua District Plan.				
<b>Objectives</b>							
262.31	Fulton Hogan	FUZ-01	Amend the objective as follows:  The Future Urban Zone allows for the continued operation of existing activities and the establishment of new <del>rural use</del> <u>primary production</u> and development that does not compromise the potential of: ...	3.10	Accept in part	See body of report	Yes
81.817	Kāinga Ora	FUZ-01	Amend:  The Future Urban Zone allows for the continued operation of existing activities and the establishment of new rural use and development that does not compromise the potential of:  1. The Judgeford Hills and Northern Growth Area to accommodate integrated, serviced and primarily residential urban development;  2. The Judgeford Flats area to accommodate integrated, serviced and primarily industrial urban development; and  3. Any other areas that <del>have been</del> <u>are</u> subsequently included in the Future Urban Zone, and <u>the ability for these areas are able</u> to accommodate integrated and serviced urban development.	3.10	Reject	See body of report	No
81.818	Kāinga Ora	FUZ-02	Retain as notified	N/A	Accept	Agree with submitter	No
82.273	Waka Kotahi	FUZ-03	Amend provision:  "2. The <u>safe</u> , efficient and effective operation of the transport network being compromised".	N/A	Accept	Agree with submitter	Yes
104.4	The Aggregate and Quarry Association	FUZ-03	Amend:  FUZ-03 Maintaining the development potential of the Future Urban Zone  Use and development in the Future Urban Zone does not result in any of the following:  1. Structures and buildings of a scale and form that will restrict or prevent future urban development;  2. The efficient and effective operation of the local and wider transport network being compromised;  3. The need for significant upgrades, provisions or extensions to the wastewater, water supply or stormwater networks, or any other infrastructure in advance of future urban development;	3.10	Accept in part	See body of report	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>4. The efficient provision of infrastructure being compromised;</p> <p>5. Reverse sensitivity effects when urban development occurs;</p> <p>6. Reverse sensitivity effects on <u>proposed and existing rural primary production</u> activities or infrastructure; or</p> <p>The form or nature of future urban development being compromised.</p>				
60.117 <sup>57</sup>	Transpower	FUZ-03	<p>Amend Objective FUZ-03 as follows:</p> <p>FUZ-03 Maintaining the development potential of the Future Urban Zone</p> <p>Use and development in the Future Urban Zone does not result in any of the following:</p> <ol style="list-style-type: none"> <li>1. Structures and buildings of a scale and form that will restrict or prevent future urban development;</li> <li>2. The efficient and effective operation of the local and wider transport network being compromised;</li> <li>3. The need for significant upgrades, provisions or extensions to the wastewater, water supply or stormwater networks, or any other infrastructure in advance of future urban development;</li> <li>4. The efficient <u>operation, maintenance, upgrade development or provision</u> of infrastructure being compromised;</li> <li>5. Reverse sensitivity effects when urban development occurs;</li> <li>6. Reverse sensitivity effects on existing rural activities or infrastructure; or</li> <li>7. The form or nature of future urban development being compromised.</li> </ol> <p>And</p> <p>Any consequential amendments.</p>	3.10	Accept in part	See body of report	Yes
81.819	Kāinga Ora	FUZ-03	<p>Amend:</p> <p>FUZ-03 Maintaining the development potential of the Future Urban Zone</p>	3.10	Reject	See body of report	No

<sup>57</sup> Support – Silverwood [FS34.20]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>Use and development in the Future Urban Zone does not result in any of the following:</p> <ol style="list-style-type: none"> <li>1. Result in structures and buildings of a scale and form that will restrict or prevent future urban development;</li> <li>2. <del>Compromise</del> the efficient and effective operation of the local and wider transport network <del>being compromised</del>;</li> <li>3. Result in the need for significant upgrades, provisions or extensions to the wastewater, water supply or stormwater networks, or any other infrastructure in advance of future urban development;</li> <li>4. <del>Compromise</del> the efficient provision of infrastructure <del>being compromised</del>;</li> <li>5. <del>Result in</del> Reverse sensitivity effects when urban development occurs;</li> <li>6. <del>Result in</del> Reverse sensitivity effects on existing rural activities or infrastructure; or</li> <li>7. <del>Compromise</del> the form or nature of future urban development <del>being compromised</del>.</li> </ol>				
<b>Policies</b>							
81.820	Kāinga Ora	FUZ-P1	<p>Amend:</p> <p><del>Identify</del> <u>Rezone</u> areas for future urban development as the Future Urban Zone where these:</p> <ol style="list-style-type: none"> <li>1. Are consistent with the Porirua Urban Growth Strategy 2048 (2019); and <ol style="list-style-type: none"> <li>a. Avoid significant adverse effects and avoid, remedy or mitigate any other adverse effects on the identified characteristics and values of any areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and</li> <li>b. Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard area <del>Overlay</del> or a Coastal Hazard Overlay; or</li> </ol> </li> <li>1. Are of a size, scale and location which could accommodate comprehensive and integrated future development that: <ol style="list-style-type: none"> <li>1. Is serviced by infrastructure or planned to be serviced by infrastructure in the Council's Long Term Plan;</li> </ol> </li> </ol>	3.11	Reject	See body of report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p>2. Is connected to or planned to be connected to the transport network;</p> <p>3. Avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified characteristics and values of any areas identified in SCHED9 - Outstanding Natural Features and Landscapes, SCHED7 - Significant Natural Areas, SCHED11 - Coastal High Natural Character Areas and SCHED10 - Special Amenity Landscapes; and</p> <p>4. Will not result in an increase in risk to people's lives and properties within any area located in a Natural Hazard Overlay or a Coastal Hazard Overlay.</p>				
82.275	Waka Kotahi	FUZ-P2	Retain as notified	N/A	Accept	Agree with submitter	No
225.214	Forest and Bird	FUZ-P2	<p>Amend the zoning of identified SNAs within the FUZ to "natural open space zone".</p> <p>Amend the policy direction in the FUZ to:</p> <ul style="list-style-type: none"> <li>avoid adverse effects on areas meeting the significance criteria in Policy 23 of the RPS;</li> <li>maintain indigenous biodiversity;</li> <li>include a setback from the natural open space zone; and</li> <li>avoid adverse effects on SNAs from activities in the FUZ.</li> </ul> <p>Amend the FUZ-P2 by changing the words "Only provide for" to Only <u>considered</u> providing for" and to clarify the rezoning requirement in clause 2.</p>	3.11	Reject	See body of report	No
81.822	Kāinga Ora	FUZ-P3	Retain as notified	N/A	Accept	Agree with submitter	No
81.823	Kāinga Ora	FUZ-P4	Retain as notified	N/A	Accept	Agree with submitter	No
125.2 <sup>58</sup>	1010 Homes Ltd	Judgeford Hills	Retains all policies and objectives, except for the current wording of FUZ-P2, where Clause 2 needs to be amended to avoid the risk of an unnecessary potential delay in the future.	3.11	Reject	See body of report	No
82.277	Waka Kotahi	FUZ-P5	<p>Amend provision:</p> <p><u>"8. The safety and efficiency of the transport network is not compromised."</u></p>	3.11	Reject	See body of report	No
104.5	The Aggregate and Quarry Association	FUZ-P6	Policy should be strengthened so it recognises key infrastructure and future development.	3.11	Reject	See body of report	No
81.824	Kāinga Ora	FUZ-P6	Amend:	3.11	Reject	See body of report	No

<sup>58</sup> Opposed by Waka Kotahi [FS36.12]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<u>Discourage</u> Avoid use and development that may result in the future development potential of the Future Urban Zone being compromised.				
<b>Rules</b>							
167.11 <sup>59</sup>	The House Movers section of the New Zealand Heavy Haulage Association Inc	New Provision	<p>Expressly provide for relocation, removal, and re-siting of dwellings as a permitted activity subject to the same zone standards as in situ dwellings.</p> <p>Accompany the permitted activity classification with the following performance standards in addition to the zone performance standards which currently apply to "Construction Activity":</p> <p><u>a. Any relocated building complies with the relevant standards for Permitted Activities in the District Plan;</u></p> <p><u>b. Any relocated dwelling must have been previously designed, built and used as a dwelling;</u></p> <p><u>c. A building inspection report shall accompany the building consent for the building/dwelling (refer Schedule 1). The report is to identify all reinstatement work required to the exterior of the building/dwelling;</u></p> <p><u>d. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site;</u></p> <p><u>e. All work required to reinstate the exterior of any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 months of the building being delivered to the site.</u></p> <p>A non-notified restricted discretionary activity status for relocated buildings that do not comply with the performance standards, with the following assessment criteria:</p> <p><u>Restricted Discretionary Activity</u> (on a non-notified, non-service basis)</p> <p><u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u></p> <p><u>i) Proposed landscaping;</u></p>	3.12	Accept in part	See body of report	Yes

<sup>59</sup> Opposed by Kainga Ora [FS65.417]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			<p><u>ii) the proposed timetable for completion of the work required to reinstate the exterior of the building and connections to services.</u></p> <p>Provides a suggested pre-inspection report which may either be a non-statutory form, or prescribed into the plan, or to similar effect [Refer to original submission, including appendices].</p> <p>Any further or consequential amendments to give effect to this submission in accordance with the reasons for this submission and the relief sought.</p>				
81.825	Kāinga Ora	FUZ-R1	Retain as notified	N/A	Accept	Agree with submitter	No
81.827	Kāinga Ora	FUZ-R3	Retain as notified	N/A	Accept	Agree with submitter	No
81.828	Kāinga Ora	FUZ-R4	Retain as notified	N/A	Accept	Agree with submitter	No
81.829	Kāinga Ora	FUZ-R5	Retain as notified	N/A	Accept	Agree with submitter	No
81.830	Kāinga Ora	FUZ-R6	Retain as notified	N/A	Accept	Agree with submitter	No
81.831	Kāinga Ora	FUZ-R7	Retain as notified	N/A	Accept	Agree with submitter	No
81.832	Kāinga Ora	FUZ-R8	Retain as notified	N/A	Accept	Agree with submitter	No
81.833	Kāinga Ora	FUZ-R9	Retain as notified	N/A	Accept	Agree with submitter	No
81.834	Kāinga Ora	FUZ-R10	Retain as notified	N/A	Accept	Agree with submitter	No
81.835	Kāinga Ora	FUZ-R11	Retain as notified	N/A	Accept	Agree with submitter	No
81.836	Kāinga Ora	FUZ-R12	Retain as notified	N/A	Accept	Agree with submitter	No
134.35	Ministry of Education	FUZ-R12	<p>Amend the rule as follows:</p> <p>FUZ-R12 Educational facility</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The activity is undertaken within a residential unit, minor residential unit or accessory building;</p> <p>b. The maximum number of children on-site is four; and</p> <p>c. The hours of operation are between 7.00am to 7.00pm Monday to Friday.</p> <p>Except that FUZ-R12-1.b and FUZ-R12-1.c do not apply to any children who are normally resident at the site or who are otherwise guests of the occupants of the site.</p> <p>Note: This rule applies to home-based childcare services.</p> <p>2. Activity status: <del>Non-complying</del> <u>Discretionary</u></p> <p>Where:</p>	3.12	Reject	See body of report	No



Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			a. Compliance is not achieved with FUZ-R12-1.a, FUZ-R12-1.b or FUZ-R12-1.c.				
81.840	Kāinga Ora	FUZ-R16	Retain as notified	N/A	Accept	Agree with submitter	No
81.841	Kāinga Ora	FUZ-R17	Retain as notified	N/A	Accept	Agree with submitter	No
81.842	Kāinga Ora	FUZ-R18	Retain as notified	N/A	Accept	Agree with submitter	No
81.843	Kāinga Ora	FUZ-R19	Retain as notified	N/A	Accept	Agree with submitter	No
81.844	Kāinga Ora	FUZ-R20	Retain as notified	N/A	Accept	Agree with submitter	No
81.845	Kāinga Ora	FUZ-R21	Retain as notified	N/A	Accept	Agree with submitter	No
81.846	Kāinga Ora	FUZ-R22	Retain as notified	N/A	Accept	Agree with submitter	No
81.847	Kāinga Ora	FUZ-R23	Retain as notified	N/A	Accept	Agree with submitter	No
81.848	Kāinga Ora	FUZ-R24	Retain as notified	N/A	Accept	Agree with submitter	No
81.849	Kāinga Ora	FUZ-R25	Retain as notified	N/A	Accept	Agree with submitter	No
81.850	Kāinga Ora	FUZ-R26	Retain as notified	N/A	Accept	Agree with submitter	No
81.851	Kāinga Ora	FUZ-R27	Retain as notified	N/A	Accept	Agree with submitter	No
<b>Standards</b>							
81.852	Kāinga Ora	FUZ-S1	Retain as notified	N/A	Accept	Agree with submitter	No
81.853	Kāinga Ora	FUZ-S2	Retain as notified	N/A	Accept	Agree with submitter	No
81.854	Kāinga Ora	FUZ-S3	Retain as notified	N/A	Accept	Agree with submitter	No
81.855	Kāinga Ora	FUZ-S4	Retain as notified	N/A	Accept	Agree with submitter	No
81.856	Kāinga Ora	FUZ-S5	Retain as notified	N/A	Accept	Agree with submitter	No
11.69	Porirua City Council	FUZ-S5	Amend the standard as follows:  <b>On-site services</b>  1. Where a connection to Council's reticulated <u>water and/or</u> wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves, and be connected to a septic tank or soakage field or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services May 2019.	N/A	Accept	Agree with submitter	Yes
81.857	Kāinga Ora	FUZ-S6	Retain as notified	N/A	Accept	Agree with submitter	No
81.858	Kāinga Ora	FUZ-S7	Retain as notified	N/A	Accept	Agree with submitter	No
<b>Appendix 11</b>							

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
137.88 <sup>60</sup>	GWRC	General	Amend FUZ-P2 and APP-11 to take into account the National Environmental Standards for Freshwater, contaminant limits, conditions on discharge consents held by Wellington Water, and water sensitive urban design.	3.4	Accept in part	See body of report	Yes
92.290	Waka Kotahi	General	Amend Appendix 11- Future Urban Zone Structure Plan Guidance:  A structure plan is to identify, investigate and address the matters set out below.  Urban growth  1. The future supply and projected demand for residential, industrial and business land in the structure plan areas to achieve an appropriate capacity to meet the requirements of the National Policy Statement for Urban Development 2020.	3.13	Reject	See body of report	No
231.29 <sup>61</sup>	John Carrad	A structure plan is to identify, investigate and address the matters set out below	APP11 – Future Urban Zone Structure Plan Guidance  <u>Where applicable, relevant and appropriate</u> a structure plan is to identify, investigate and address the matters set out below.	3.7	Reject	See body of report	No
232.16	Jason Alder	A structure plan is to identify, investigate and address the matters set out below	Amend as follows:  APP11 – Future Urban Zone Structure Plan Guidance  <u>Where applicable, relevant and appropriate</u> a structure plan is to identify, investigate and address the matters set out below.	3.7	Reject	See body of report	No
241.27 <sup>62</sup>	The Neil Group Limited and Gray Family	A structure plan is to identify, investigate and address the matters set out below	Amend as follows:  APP11 – Future Urban Zone Structure Plan Guidance  <u>Where applicable, relevant and appropriate</u> a structure plan is to identify, investigate and address the matters set out below.	3.7	Reject	See body of report	No
242.18	Pukerua Property Group Limited	A structure plan is to identify, investigate and address the matters set out below	Amend as follows:  APP11 – Future Urban Zone Structure Plan Guidance  <u>Where applicable, relevant and appropriate</u> a structure plan is to identify, investigate and address the matters set out below.	3.7	Reject	See body of report	No
<b>Rezoning to Future Urban Zone – “Silverwood”</b>							
172.2 <sup>63</sup>	Silverwood	Introduction Silverwood	Amend to the introductory statement in the FUZ – Future Urban Zone chapter as follows:	3.14	Reject	See body of report	No

<sup>60</sup> Opposed by Silverwood [FS34.28]

<sup>61</sup> Supported by Silverwood [FS34.30]

<sup>62</sup> Supported by Silverwood [FS34.30]; Opposed by GWRC [FS40.154]

<sup>63</sup> Opposed by GWRC [FS40.116]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			The Future Urban Zone applies to the Northern Growth Area, Judgeford Hills and Judgeford Flat and Silverwood. The Northern Growth Area, and Judgeford Hills, and Silverwood are identified as being needed and suitable for residential development. Judgeford Flats is identified as being needed and suitable for industrial use.				
172.3 <sup>64</sup>	Silverwood	FUZ-01	Amend Objective FUZ-01 – Purpose of the Future Urban Zone as follows: The Future Urban Zone allows for the continued operation of existing activities and the establishment of new rural use and development that does not compromise the potential of: 1. The Judgeford Hills and Northern Growth Area, and Silverwood to accommodate integrated, serviced and primarily residential urban development; 2. The Judgeford Flats area to accommodate integrated, serviced and primarily industrial urban development; and 3. Any other areas that have been subsequently included in the Future Urban Zone, and are able to accommodate integrated and serviced urban development.	3.14	Reject	See body of report	No
172.4 <sup>65</sup>	Silverwood	FUZ-P3	Amend Policy FUZ-P3 as follows: Recognise that the intended use of the Northern Growth Area, and Judgeford Hills and Silverwood is primarily for residential purposes, while Judgeford Flats is primarily for industrial purposes.	3.14	Reject	See body of report	No
<b>Rezoning To Future Urban Zone - Other</b>							
232.18	Jason Alder	Rezoning	Retain the RLZ and SETZ and extend one or other over the submitters land [272A Belmont Road, Judgeford (Lot 3 DP 33209 (RoT 547236))] (alternatively add the land to the FUZ).	3.15	Reject	See body of report	No
181.1	David William Ltd	Rezoning	Amend. The Rural Lifestyle Zone be reclassified as Future Urban Zone The General Rural Zone be reclassified as Rural Lifestyle Zone	3.15	Reject	See body of report	No
<b>Rezoning From Future Urban Zone</b>							
231.1	John Carrad	Rezoning	Amendments to the planning maps to either identify part of the subject land as General Residential Zone (GRZ) <u>or</u> create a Specific Precinct (Wairaka) within the General Residential Zone to give effect to the Structure Plan prepared by Land Matters on behalf of the submitter.	3.16	Reject	See body of report	No
231.2	John Carrad	Natural hazard overlays	Amendments to the planning maps to either identify part of the subject land as General Residential Zone (GRZ) <u>or</u> create a Specific Precinct (Wairaka) within the General Residential Zone to give effect to the Structure Plan prepared by Land Matters on behalf of the submitter.	3.16	Reject	See body of report	No

<sup>64</sup> Opposed by GWRC [FS40.117]<sup>65</sup> Opposed by GWRC [FS40.118]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
231.3 <sup>66</sup>	John Carrad	Policy approach Wairaka Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative): Identify the submitters land interest as 'The Wairaka Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ	3.16	Reject	See body of report	No
231.23	John Carrad	Policy approach Wairaka Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative): Identify the submitters land interest as 'The Wairaka Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ	3.16	Reject	See body of report	No
231.30 <sup>67</sup>	John Carrad	Policy approach Wairaka Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative): Identify the submitters land interest as 'The Wairaka Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ	3.16	Reject	See body of report	No
241.2 <sup>68</sup>	Neil Group Limited and Gray Family	Kakaho	Amend the planning maps to either: <ul style="list-style-type: none"> <li>Identify the subject land as part of the General Residential Zone (GRZ) and Settlement Zone; or</li> </ul> Create a Specific Precinct (Kakaho) within the General Residential Zone to give effect to the Structure Plan prepared by 4Sight Consulting on behalf of the NGL.	3.16	Reject	See body of report	No
241.21 <sup>69</sup>	Neil Group Limited and Gray Family	Policy approach Kakaho Precinct	Delete the Future Urban Zone provisions from the District Plan and provide for the submitters land interest in the General Residential Zone: or (in the alternative); Identify the submitters land interest as 'The Kakaho Precinct' and adopt provisions similar to Proposed Plan Change 18 for the precinct for relevant parts of the land: or (in the alternative): Amend the objectives, polices and rules to provide a resource consenting path for urban development in the FUZ.	3.16	Reject	See body of report	No

<sup>66</sup> Opposed by Waka Kotahi [FS36.22]

<sup>67</sup> Opposed by Waka Kotahi [FS36.22]

<sup>68</sup> Opposed by: Waka Kotahi [FS36.23]; GWRC [FS147]

<sup>69</sup> Opposed by Waka Kotahi [FS36.24]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			[Refer to original submission for full decision requested]				
241.28 <sup>70</sup>	Neil Group Limited and Gray Family	General	<p>[Refer to original submission for full decision requested]</p> <p>While no specific decision sought, the submitter raised the following matter(s):</p> <p>There is an opportunity to master plan the Gray property [93 Grays Road, Camborne Lot 1 DP 408158 &amp; Pt Sec 82 Porirua DIS BLK VIII PAEKAKARIKI SD] for the benefit of Council and stakeholders with an interest in Te Awarua-o-Porirua Harbour (Pāuatahanui Arm). Considers the opportunity to manage over 50ha of the Harbour catchment through a structure plan is a strategic decision in line with the overall intent of the Growth Strategy. Potential outcomes can include catchment protection, environmental enhancement through planting, and controls on future land use to manage landscape values.</p> <p>General thrust of the submission is to enable the subject land to be developed as part of the residential zone and is supported by the following technical information. The land [93 Grays Road, Camborne Porirua, Lot 1 DP 408158 &amp; Pt Sec 82 Porirua DIS BLK VIII PAEKAKARIKI SD] has long been identified by Council as being suitable for urban development. It is capable of being serviced with the necessary infrastructure to support the residential density and yields as shown on the precinct Plan attached:</p> <p>Appendix 1: Kakaho Precinct Plan and Landscape/visual assessment (4Sight Consulting Limited)</p> <p>Appendix 2: Preliminary Geotechnical Investigation and Natural Hazard Assessment (CMW Geosciences)</p> <p>Appendix 3: Transport Review (Harriet Fraser Traffic Engineering &amp; Transportation Planning)</p> <p>Appendix 4: Civil Engineering and Infrastructure Report (Cuttriss Consulting)</p> <p>Appendix 5: Kakaho – Preliminary Ecology Survey (RMA Ecology)</p>	3.16	Reject	See body of report	No

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<sup>70</sup> Opposed by GWRC [FS40.149]

## Appendix C. Report Author's Qualifications and Experience

I hold the following qualifications: Masters of Planning (First Class Honours) from the University of Auckland. I am a full member of the New Zealand Planning Institute. I have over 29 years' experience in working as a planner for local and central government and as a private consultant. I am an experienced Independent Commissioner with Chair endorsement and a government-appointed Development Contributions and Freshwater Commissioner.

My work experience includes, amongst other matters:

- Independent technical review for several district and regional plan reviews
- Expert witness in the Environment Court
- Author of various chapters of regional policy statements, regional plans and district plans
- Manager, Resource Management Practice, Ministry for the Environment
- Contractor at Te Puni Kōkiri, Office of Treaty Settlements and the Ministry of Agriculture and Forestry

I have been engaged by the Porirua City Council since 2015 as a Consultant Planner for the Environment and City Planning Team.

## **Appendix D. Evaluation of 'Wairaka, Kakaho and Mt Welcome Precincts'**

## **Appendix E. Economics evidence**



## **Appendix F.      Geotechnical evidence**

## **Appendix G.     Flooding evidence**

## **Appendix H. Wellington Water Memorandum**

## **Appendix I.      Transportation evidence**

## **Appendix J.      Urban design evidence**

## **Appendix K. Ecological evidence**

## **Appendix L.      Landscape evidence**

## **Appendix M. Geotechnical evidence**