

SUBMISSION 138

Name (Please use your full name)

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I could gain an advantage in trade competition through this submission

No

The specific provisions of the proposed Plan Change that my submission relates to are as follows

Consultation RPROZ RLZ RSZ

My submission is that

See Word Doc attachment

I seek the following decision from the local authority

See Attached Word Document

Please indicate whether you wish to be heard in support of your submission (tick appropriate box)

I do wish to be heard in support of my submission.

please indicate whether you wish to make a joint case at the hearing if others make a similar submission (tick appropriate box)

I do not wish to make a joint case.

If your submission is over 500 words, please upload a word document with your submission. Please provide the questions as your headers before each paragraph.

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Submission on UHCC PC50 Rural Review

I do not stand to gain commercial advantage from my submission.

I wish to be heard in support of my submission.

Consultation:

The consultation process that UHCC worked through in 2021 regarding the draft of PC50 was exemplary. The documentation, factsheets, maps and public meetings were well structured, easy to engage with and provided useful data and information for all residents to understand. As this consultation period ended and the PC50 project was “put on hold” the proactive communication ceased with dramatic effect. From mid-2021 through to October 2023 there has been zero engagement with the general population of the rural areas regarding PC50. Unless individuals conducted their own investigations with private planners or council there was no way of knowing whether PC50 was progressing and certainly no way to anticipate the major changes that we have now been presented with.

The changes from the draft PC50 presented in 2021 to the Proposed Provisions presented in October 2023 are monumental. There has been no indication given to the community to expect these changes and many rural residents are shocked and concerned by the changes. UHCC needs to take on board the negative response to many of the proposed provisions and understand that had consultation been approached like it was in 2021 the responses would likely be very different. Having no opportunity to engage with council to discuss and understand the reasoning behind the differences between the draft PC50 (2021) and Proposed Provisions (Oct 2023) is disrespectful to the residents and gives the impression of council forcing new rulings regardless of opinion/feedback. The RMA Section 32 Evaluations Report is thorough and useful to read alongside the Proposed Provisions PC50 document. However, it is unlikely and unreasonable to expect the average resident to read through 311 pages of RMA focused documentation to understand the reasoning behind the raft of sweeping changes made between the Draft PC50 (2021) and Proposed Provisions PC50 (Oct 2023). Preparation and presentation of succinct, concise guides and factsheets would be most helpful to the residents.

My feedback to council is that the consultation on the Proposed Provisions PC50 (Oct 2023) is unacceptably poor. The way the Proposed Provisions (Oct 2023) has been presented in written form uses a ‘track changes’ format and is almost impossible for the average person to read and interpret. I understand that there is a requirement for the ‘track changes’ to be visible while the document is not yet confirmed however UHCC should have provided a version where ‘track changes’ could be removed for easier comprehension. The public feeling regarding this documentation style is very negative.

I seek the following relief:

1. UHCC to take on board the criticism regarding lack of consultation regarding “Proposed Provisions PC50”.
2. UHCC to present “Proposed Provisions PC50” in non-track changes format for further review.
3. UHCC to prepare documents/factsheets explaining the reasoning behind the changes between Draft PC50 (2021) and Proposed Provisions PC50 (2023).

RPROZ – Rural production zone

As residents at 51 Mangaroa Valley Road our property has been significantly affected by the changes made between the Draft PC50 (2021) and Proposed Provisions (Oct 2023). In the Draft PC50 (2021) our property was scheduled to move from “Rural Valley Floor” to “Settlement Zone / Rural Precinct”. In the Proposed Provisions PC50 (Oct 2023) our property is now to be zoned to “Rural Production Zone”.

The Introduction of RPROZ states *“the rural sector is in transition as a diverse range of rural and rural lifestyle activities gradually replace traditional farming activities”*. It is well documented through a vast array of UHCC documents that the productive output of rural Upper Hutt is diminishing. The number of farms is declining and farming activity is less and less each year.

The UHCC Land Use Strategy 2016-2043 states *“the city’s total land area of 53,400 hectares, the majority is non-urban land in either public or private ownership. Approximately 50,000 hectares of the rural environment is publicly owned, mostly by Greater Wellington Regional Council (GW) and the Department of Conservation (DOC)”*.

Upper Hutt City Council’s Rural Land Use Assessment for Upper Hutt (August 2019) acknowledges that *“the Upper Hutt district has a small territory compared to other local authorities in New Zealand. Its total land area of 54,115 hectares makes up 0.2 percent of New Zealand’s total land area - a very small proportion”*. When the Greater Wellington Regional Council (GW) and Department of Conservation (DOC) land holdings of 50,000ha is taken into account this leaves only 3,400ha of land that is privately owned (this includes the city and suburbs of Upper Hutt). The rural land of Upper Hutt is recorded as being approximately 96% of the total area – making approx. 3264ha. This potentially productive area of rural land of 3264ha represents just 0.012% of the total land area of New Zealand.

Below is a comparison of Farm Land Areas in other nearby districts:

Council	Ha	% of NZ Land Area
Upper Hutt Rural Land (Private)	3264	0.01%
Upper Hutt (Public & Private)	8004	0.03%
Porirua City	4568	0.02%
Hutt	7231	0.03%
Kapiti	13447	0.05%
Horowhenua	66508	0.25%
Carterton	81475	0.30%
South Wairarapa	116929	0.43%
Manawatu	180851	0.68%
Masterton	203393	0.76%
Data sourced from Figure NZ Trust using data dated 2022		

This land area data clearly shows that the quantity of land available in Upper Hutt for rural activities is a tiny fraction in comparison to neighbouring districts. For example the Masterton district has 75 times as much productive rural land and South Wairarapa has 43 times as much productive rural land. These larger districts have significant rural industry and rural infrastructure to service the demand from large farms of all varieties. Upper Hutt rural industry is sufficiently small to have minimal support and service from rural industry. We have no dedicated livestock veterinarians in the local area, minimal rural merchant support, limited availability for rural contractors (many travel from outside the area to complete work in Upper Hutt) and virtually no access to food/fibre processing facilities like packhouses, mills etc.

I appreciate the implementation of the National Policy Standard for Highly Productive Land (NPS HPL) in September 2022 has had a significant effect upon the changes to PC50 presented in the Proposed Provisions PC50 (Oct 2023). The implementation of the NPS HPL and National Planning Standards has completely changed the presentation of the PC50 layout. The NPS HPL states the following *“every regional council must map as highly productive land any land in its region that: (a) is in a general rural zone or rural production zone; and (b) is predominantly LUC 1, 2, or 3 land; and (c) forms a large and geographically cohesive area.”*

It is acknowledged in the Upper Hutt Rural Land Use Assessment Economic Report and Land Use Strategy 2016-2043 that the Upper Hutt District *“contains no class 1 soils, only a small block of the more valuable and versatile class 2 soils while the valley floor areas are generally class 3 soils.”* It is clear from the Proposed Provisions PC50 (Oct 2023) that the valley floor areas of Mangaroa and Whitemans Valley where the LUC 3 soils are mapped has been assigned to Rural Production Zone. Application of the NPS HPL in this way is proving a very blunt instrument for a far more complex layout of properties.

Point 3 of NPS HPL quote above clearly states that the highly productive land must *“form a large and geographically cohesive area”*. The Whitemans Valley/Mangaroa Valley area that is proposed to be mapped as Rural Production Zone because of the NPS HPL is made up of an array of privately owned properties ranging from less than 1200m² through to large areas of 60ha or more. As stated in UHCC Land Use Strategy *“the majority of the area of rural land in Upper Hutt is held in land parcels greater than 20 hectares, and most of this land is identified as being used for farming and forestry purposes. In contrast, land parcels smaller than 20 hectares make up the greatest number of parcels. However, only 2.6% of these have been identified as being used for farming purposes, identifying a shift in the types of land use in rural areas more towards lifestyle options and more intensive productive uses”*. The fact that these rural areas are made up of so many small parcels of land of less than 20ha proves that the area of land being reclassified to RPZ because of the NPS HPL does not satisfy the requirement of being *“a large and geographically cohesive area”*.

It must also be re-acknowledged that the Upper Hutt’s privately owned rural land area is only approximately 3264ha and the GIS mapping of soil grades clearly shows that only a small percentage of rural land in Upper Hutt is made up of LUC 2 or LUC 3 soil. While it is a nice idea to protect this soil we must also acknowledge that this small percentage of 3264ha does not represent *“a large and geographically cohesive area”*. The areas of LUC 2 or LUC 3 land in Upper Hutt pales in comparison to the large swathes of productive rural land in neighbouring districts that is use for true rural production and rural industry rather than lifestyle food/fibre activities which are more common in rural Upper Hutt areas.

I have been advised by a private planning consultant that while much of the Whitemans Valley/Mangaroa Valley area has a blanket application of LUC3 overlayed in the GIS mapping that individual soil tests have frequently returned results of poorer soil grades. I have been encouraged

to have soil tests completed to verify the soil class in our property. Regrettably the short timeframe for submission has not made this possible. I encourage the UHCC to undertake more soil testing to verify whether protection of these soils is required under the NPS HPL.

The NPS HPL was implemented in September 2022 under the recently defeated Labour government. The incoming National Party led government has released statements in their Going for Growth Housing Policy document that *“National will re-focus the NPS-HPL by maintaining protection of the most productive soils (LUC 1 & 2), while excluding LUC-3 category land. National supports protection of our most valuable soils, but NPS-HPL goes too far”*. Implementation of the NPS HPL in its current form in PC50 is premature. As there are indications that the NPS HPL will be reviewed by the incoming government the UHCC should consider delaying implementation of the zoning accordingly. When LUC 3 soils are removed from NPS-HPL much of the Whitemans Valley/Mangaroa Valley land will no longer require protection in the RPROZ zone. If implementation of PC50 will not be deferred we implore UHCC to commit to a review of the zoning when the reviewed NPS-HPL is implemented.

In our area of the first 800m of Mangaroa Valley all sections have been classified as RPROZ which requires a minimum net area of 4ha and average area of 16ha. This size classification is entirely at odds with the current layout of the land parcels in our area. Despite the area being currently zoned as Rural Valley Floor (4ha minimum) within a 1 km journey from our home in both directions there are 18 land parcels that fall below that minimum. The zoning rules have not been applied consistently and our area is far more akin to a Rural Lifestyle Zone - RLZ. All the properties listed below are within 1km (by road) from our home and are to be re-zoned to RPROZ under the Proposed Provisions PC50 (Oct 2023) – they will not be compliant with this incoming zone rules.

Address	Land Area (m2)	PC50 Zone
95 Mangaroa Valley Rd	1527	RPROZ
149 Mangaroa Valley Rd	3775	RPROZ
151 Mangaroa Valley Rd	11394	RPROZ
153 Mangaroa Valley Rd	4682	RPROZ
155 Mangaroa Valley Rd	23498	RPROZ
157 Mangaroa Valley Rd	31512	RPROZ
132 Mangaroa Valley Rd	31920	RPROZ
86 Mangaroa Valley Rd	23670	RPROZ
34 Mangaroa Valley Rd	4353	RPROZ
25 Mangaroa Valley Rd	19981	RPROZ
39 Mangaroa Valley Rd	27611	RPROZ
351 Wallaceville Hill Road	1617	RPROZ
7 Whitemans Valley Road	3656	RPROZ
11 Whitemans Valley Road	8711	RPROZ
13 Whitemans Valley Road	6243	RPROZ
29 Whitemans Valley Road	5739	RPROZ
55 Whitemans Valley Road	1128	RPROZ
76 Whitemans Valley Road	2797	RPROZ

The area around our property in 51 Mangaroa Valley Road is clearly made up of properties that are not compliant with the area requirements of RPROZ. The majority of properties are “lifestyle blocks” or “hobby farms”. Almost the entire population of residents in our area in the proposed RPROZ zone work away from their properties to earn their income. The rural properties are not income generating to the point where the income can support a family. The residents in our rural area are commuting outside of the valley on a daily basis. This behaviour and economic requirement to work

away from their property clearly demonstrates that our properties are “rural lifestyle’ and not “rural production” type properties.

In conclusion, I believe the RPROZ zone is entirely inappropriate for the rural area where I live. The application of NPS HPL for the valley floor of our area of Mangaroa Valley to class the properties to RPROZ zone does not reflect the “Rural Lifestyle” type layout of the existing properties with many land parcels being non-compliant with the net area requirements of RPROZ. The application of NPS HPL requirements is a broad brushstroke of zoning across land which is not truly productive. Assigning RPROZ to an area will not make the land more productive. It is not possible to generate sustainable income from a 4ha or smaller sized block without an uneconomical amount of investment. This is clearly evident by the fact that nearly all residents in our area work away from their land (4ha or smaller) to support their families. All land parcels are used as ‘dormitory’ blocks and rural production is a by-product of existing grassland or hobby level fibre/meat production. The NPS HPL is to be reviewed by the incoming new government and UHCC need to consider that changes to the guidelines of NPS HPL will be advantageous to both council and the community when LUC 3 land is removed from the NPS HPL requirements and freed up for more community friendly zoning.

I seek the following relief:

1. Amend zoning of area around 51 Mangaroa Valley Road to at least Rural Lifestyle Zone or reinstate Mangaroa Rural Settlement/Precinct.
2. Delay implementation of RPROZ zone until NPS HPL is reviewed.

RLZ – Rural Lifestyle Zone

The Background of RLZ in Proposed Provisions PC50 (Oct 2023) describes Rural Lifestyle Zone as areas offering *“residential living opportunities within a rural environment. The predominant land uses within the Rural lifestyle zone are non-intensive primary production and residential activities”*. Furthermore the Rural Lifestyle Zones are *“generally located on the periphery of the City in locations”* and the area *“provides a transition to the surrounding Rural zone”*.

I live and work full-time in Upper Hutt. The location where I live at 51 Mangaroa Valley Road is just an 8 minute drive and a short distance of 5.3km from my home to the central city. The location is so easily accessible from central Upper Hutt that people in our area frequently cycle and walk to Upper Hutt and return. The location of our property would easily be described as being *“on the periphery”* of Upper Hutt City. The distance and time from Central Upper Hutt to our property is less in time and distance than Central Upper Hutt to the lifestyle zone of Fairview Drive Akatarawa, Kaitoke Loop and Riverstone Terraces.

Driving the short distance from Upper Hutt to our location uses Wallaceville Hill Road and passes through areas of existing Rural Lifestyle zoned properties, past the Clay Target Club, Wallaceville Church, over one bridge, past the river access reserve and past numerous homes positioned near the road and relatively close together. The area from Wallaceville Hill to Mangaroa Valley Road is an area of mixed-use land with a variety of property layouts and sizes.

Under the Proposed Provisions PC50 (Oct 2023) our property at 51 Mangaroa Valley Road is to be zoned as RPROZ with minimum net area of 4ha. As detailed in my submission under the RPROZ heading there are numerous properties within a short distance surrounding our property which are

not compliant with RPROZ requirements. The mixture of property sizes in our area gives our immediate surroundings the impression and feeling of being in a Rural Lifestyle Zone – not a Rural Production Zone. There is just one property (29 Mangaroa Valley Road) near us which is above 20ha.

In the Draft PC50 of 2021 the area of Mangaroa Valley Road (the first 800m from the bridge to corner at 86 Mangaroa Valley Road) that we live in was forecast to be re-zoned to Settlement/Rural Precinct Zone. This news was interesting and exciting to us when it was forecast. Now the land has been zoned back to Rural Production with little or no consideration to the existing land parcel sizes under that zone and no consultation with the residents.

Rural residents in our area are surprised to see the creation of Berketts Farm Precinct in the Proposed Provisions PC50 (Oct 2023) and the removal of the Settlement/Rural Precinct Zone in Mangaroa.

There is significant negative feedback in the Mangaroa/Whitemans Valley community regarding the Berketts Farm Precinct. The general feeling amongst the community is that the location of Berketts Farm Precinct is not suitable for development of large quantities of Rural Lifestyle Zoned properties. The S32 Evaluation Report clearly states in multiple areas that the Berketts Farm Precinct does not comply with the Rural Lifestyle Zone rules and it is noted that the Council has moved forward *with "Option 4 – Bespoke Precinct"* where it would create *"bespoke provisions that modify the underlying zones and enable development in accordance with a structure plan"*. This *"bespoke"* solution may prove profitable for developers but there are many reasons why Rural Lifestyle Zone properties would be better suited in other parts of the valley.

Rural Lifestyle Zone properties are to be *"generally located on the periphery of the City in locations"*. Mangaroa Valley Road begins just 5km (7 minute drive) from the centre of Upper Hutt. Berketts Farm is at least 10.2km (14 minute drive) from Upper Hutt and 11.3km (15 minute drive) from Silverstream.

Rural Lifestyle Zone is described in the S32 Evaluation Report as *"close to key transport routes and has easier topography"*. Our area of the first 800m of Mangaroa Valley Road has very *"easy topography"* being generally flat with a wide two lane road, easy access to Upper Hutt City via Wallaceville Hill Road and Mangaroa Hill Road and offers good visibility along a straight road. In comparison Berketts Farm Precinct is located in the centre of Whitemans Valley – amongst large swathes of bare rural land – equidistant from Silverstream and Upper Hutt. The roading is narrow, winding and with poor visibility heading both north and south. The addition of at least 105 new households to these narrow and winding roads will greatly affect the safety of the roads and likely require ongoing roading repair and improvement at significant cost. The topography of Berketts Farm Precinct is far more complicated and significant earthworks will be required to develop the land. The S32 Evaluation Report notes the environmental risk to be *"additional erosion and runoff from bulk earthworks"* and *"potentially increased land instability through development"*.

It is reasonable to question Council on why the Berketts Farm Precinct is to moving forward with so much negative feedback from the community and with the plan being acknowledged as not being compliant with the Rural Lifestyle zone rules or location guides. Areas like the Wallaceville/Mangaroa Valley Road area are already laid out in a close to Rural Lifestyle Zone format but not being recognised as such.

Our area of Mangaroa Valley offers significant amenity in comparison to other locations within the Upper Hutt rural environment. It is noted in Proposed Provisions PC50 that Rural Lifestyle Zones

offer the *“attractiveness of a semi-rural lifestyle that provides space and a sense of community”*. Our area boasts a community hall for hire in the form of Wallaceville Church – very popular for weddings and functions. The beginning of Mangaroa Valley Road has an area of reserve land with access to the Mangaroa River which proves popular all year round for locals and visitors. Nearby is the new Mangaroa Farms Shop which is proving very popular to the community and people outside of the valley. Also the Clay Target Club brings regular visitors and interest to the area. In addition Mangaroa Valley Road and Gorrie Road are frequently used by cycling clubs as the base for cycle race events. At the beginning of Whitemans Valley Road is also the council land which I am told has been leased for horse grazing and pony club type events over the years. Our area offers *“a high level of rural residential amenity values”* as described in RLZ-O3 of Proposed Provisions PC50. I struggle to see how areas like Berketts Farm Precinct could offer such good levels of *“rural residential amenity”*.

As mentioned above our property at 51 Mangaroa Valley Road has been zoned to RPROZ in Proposed Provisions PC50. The size of the existing land parcels in our area are not widely compliant with this zoning (or the existing Rural Valley Floor zone requirements) and there are so many smaller sized land parcels that the area is more suited to being classified as RLZ - Rural Lifestyle Zone. We have resided in the valley on a 4ha block for almost 20 years. For many years it has been acknowledged by rural residents and councils around the country alike that areas of 4ha are challenging plot sizes to make profitable and viable as farming units. The turnover of 4ha blocks (min RPROZ net area) is high due to the cost to maintain and develop. The demand for 1ha or smaller blocks (RLZ net area) consistently outstrips that of larger blocks. These smaller land parcels are retained longer, better maintained and allow residents to enjoy rural living with opportunity but not demand to enter into commercial farming operations. Our area of Mangaroa Valley Road is already full of land parcels which are not commercial farming operations. The land parcels are *“lifestyle blocks”* and *“hobby farms”*. Further development to RLZ level would have minimal effect upon the *“sense of space and openness”*. I endorse the opportunity for the land to be zoned to RLZ level.

The first 800m of Mangaroa Valley Road area meets all the requirements of RLZ-O3 as it offers *“natural character consisting of a sense of space and openness, trees and landscaping”*, the *“residential units and farm buildings integrate with the natural and rural character of the area”* and as mentioned above the area offers *“a high level of rural residential amenity values”*.

I seek the following relief:

1. I request the council to review the Draft PC50 Settlement/Rural Precinct zoning for the Mangaroa Valley area with a vision to understand the current land parcels, rural amenity, access and location with easy access to transport routes and Upper Hutt City. Council to acknowledge that this land is not compliant with RPROZ zoning.
2. Remove the first 800m of Mangaroa Valley Road area from RPROZ and re-zone to at least RLZ.

RSZ – Rural Settlement Zone

When the Draft PC50 documents were released in 2021 our property at 51 Mangaroa Valley Road was indicated to have the zoning changed from Rural Valley Floor to Settlement/Rural Precinct. This new zoning news was an exciting change to our area and we felt it reflected the opportunity to create a more cohesive community in our area with the ability to welcome commercial and residential development. It is clear Upper Hutt is growing and in order to accommodate the new residents as indicated in the Land Use Strategy 2016-2043 it makes sense to permit expansion of housing developments into the easy access areas of Mangaroa Valley.

The Proposed Provisions PC50 (Oct 2023) removed the Mangaroa Valley precinct but retained the Maymorn and McLaren Street precincts. The McLaren Street precinct is obviously pre-existing and needs no discussion. The Maymorn Precinct neighbours the new Gabites Block development which will introduce a significant quantity of housing development to the area and there is the major amenity of Maymorn Train Station in the area also plus easy access to State Highway 2 and the water/sewerage infrastructure of the Maymorn area.

There are two other areas with the Mangaroa Valley that lend themselves to further development. The area around Mangaroa School and the first 800m of Mangaroa Valley Road. Both of these areas were identified in the Draft PC50. I appreciate that the implementation of the NPS HPL in September 2022 has put limits on the possible development of the Settlement Zones in this area because they lay on LUC 3 soils.

As discussed in my submission under the RPROZ heading the incoming National led government has indicated there will be a review of NPS HPL to remove development opportunities from LUC 3 soil land. This government level review will open up once again the opportunities to welcome settlement/precinct developments in our rural areas.

It is my belief that the rural areas of Upper Hutt will benefit from increased amenity through further commercial development. The Mangaroa / Whitemans Valley area are predominantly households where the vast majority of residents work away from their land in order to support their families and have sufficient funds to develop/manage their properties. Rural Settlement Zone and Precinct Developments will give the opportunity for residents to live and work on their land and offer greater services and opportunities to other residents. Careful planning of settlement/precinct developments in areas where development on smaller land parcels is already evident will have little effect to the landscape but will strengthen the community and provide opportunity for economic development.

I seek the following relief:

1. UHCC to review reinstating the draft PC50 Settlement/Rural Precinct for Mangaroa Valley Road when the NPS HPL LUC 3 restrictions are reviewed by the incoming government.