

SUBMISSION 88

Hill just submitted the survey PC50 - Rural chapter Submission with the responses below.

Name (Please use your full name)

John Hill

Postal Address

198A Katherine Mansfield Drive, Upper Hutt

Telephone number

045280691

Email address

j.hill@xtra.co.nz

I could gain an advantage in trade competition through this submission

Yes

I am / am not (tick one below) directly affected by an effect of the subject matter of the submission that:

a) adversely affects the environment; and

b)

- does not relate to trade competition or the effects of trade competition.

I am not

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

Addressed in submission attached

My submission is that

Submission attached

I seek the following decision from the local authority

Submission attached

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.

https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/3badfaf9539758ffd334882194553b57387a31d9/original/1699979598/3ad3caadaf3a613739b1e0bd2e5d54f1_PC50_Submission_Biggs_Service_Final.pdf?1699979598

PC50 Submission

John Hill

198A Katherine Mansfield Dr, Upper Hutt

j.hill@xtra.co.nz

I do want to be heard in support of my submission. As a landowner, farmer, and Whiteman's Valley resident, I stand to both lose and gain commercial advantage from the Policy Change 50 (PC50). I do not want to make a joint case.

The submission below highlights some significant oversights regarding the proposed zoning in PC50 and how the oversights relate specifically to the property owned by Biggs Service Stores adjacent to Wallaceville Hill and Katherine Mansfield Drive.

Main points of discussion:

1. Decision requested: Retain lifestyle zoning on the hills as in the operative plan following the physical attributes of the land with a simplified boundary.

Many large parcels/blocks of land are zoned as a single zone in the proposed plan. The land parcel boundaries do not typically relate to land typography/attributes. Split zoning should be retained on property where boundaries do not represent physical attributes.

To achieve the overarching goal of physically representative zoning, split zoning on larger blocks is essential. Simplified lines can effectively represent physical boundary's which is explained through Figures A-D. The property has several current legal access points (Figure E) in addition to the originally planned Mansfield development loop road.

Split zoning has been applied inconsistently throughout the plan change, with a number of examples shown (Figures I-L) where split zoning has been used effectively for some properties but not for others.

It is property owners' legitimate expectation that lifestyle zoning should be retained from the operative plan, as this change dramatically effects the property rights and values of the effected properties without reasonable justification. The property has had lifestyle zoning in the operative plan for 30 years and should retain these zonings in the new plan.

2. Decision requested: Settlement zoning on the plateau and surrounding area at the top of Wallaceville Hill.

The plateau and surrounding area is within walking distance of the city centre, transport (train, bus, taxi, cycle paths etc), swimming pool, Brewtown, movie Studio and a short distance to the CIT Sporting Facility. The area would be ideal for settlement.

The property has easy access to Upper Hutt via Wallaceville road and walking access to Maidstone Park and Kingsley heights. The location is very close to 3 waters infrastructure and has the main valley power supply running through it.

3. Decision requested: Remove the Clay Target Club Acoustic Overlay.

The acoustic overlay proposed puts onerous restrictions on landowners without reasonable justification. The Clay Target Club's activity should not dictate the acoustic standard of the properties surrounding the club, especially not properties which predate the club at this location. Our family has owned land in the valley for over 60 years.

The gun club is legally restricted to 80 shooting days per year. The acoustic impact of the Clay Target Club is significantly less onerous than properties close to railways, motorways, emergency services, sports grounds, and schools. It should be landowners' choice to have improved sound deadening. The acoustic overlay could set a precedent in the area in the future and impact surrounding owners property rights. Its suggested surrounding properties bare the cost and responsibility for noise mitigation from a recreational club whose membership is predominantly from people who live outside the valley.

Figure B - Proposed zoning should follow the physical boundary between the hill and flat as it does in the operative zoning.

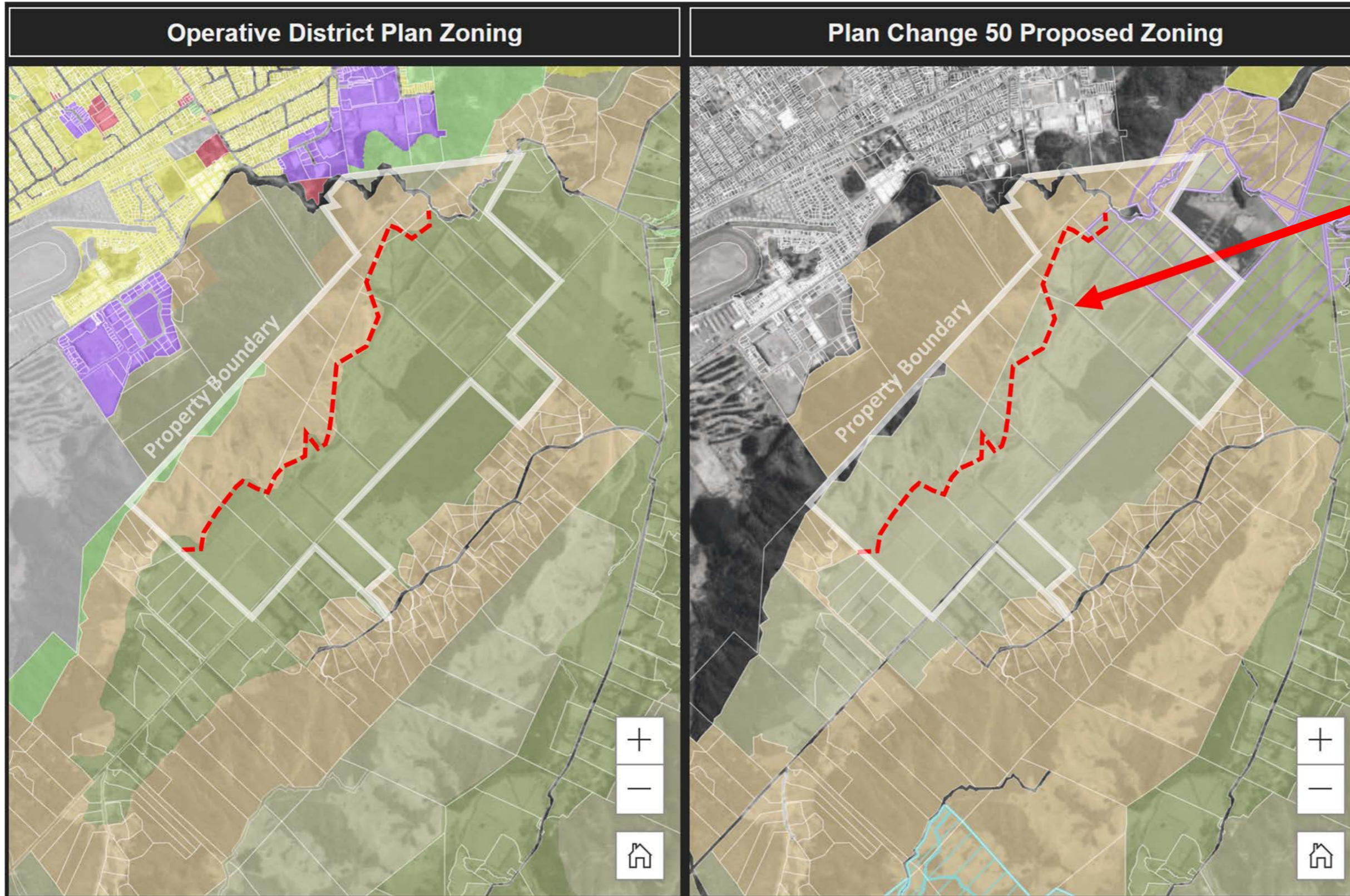
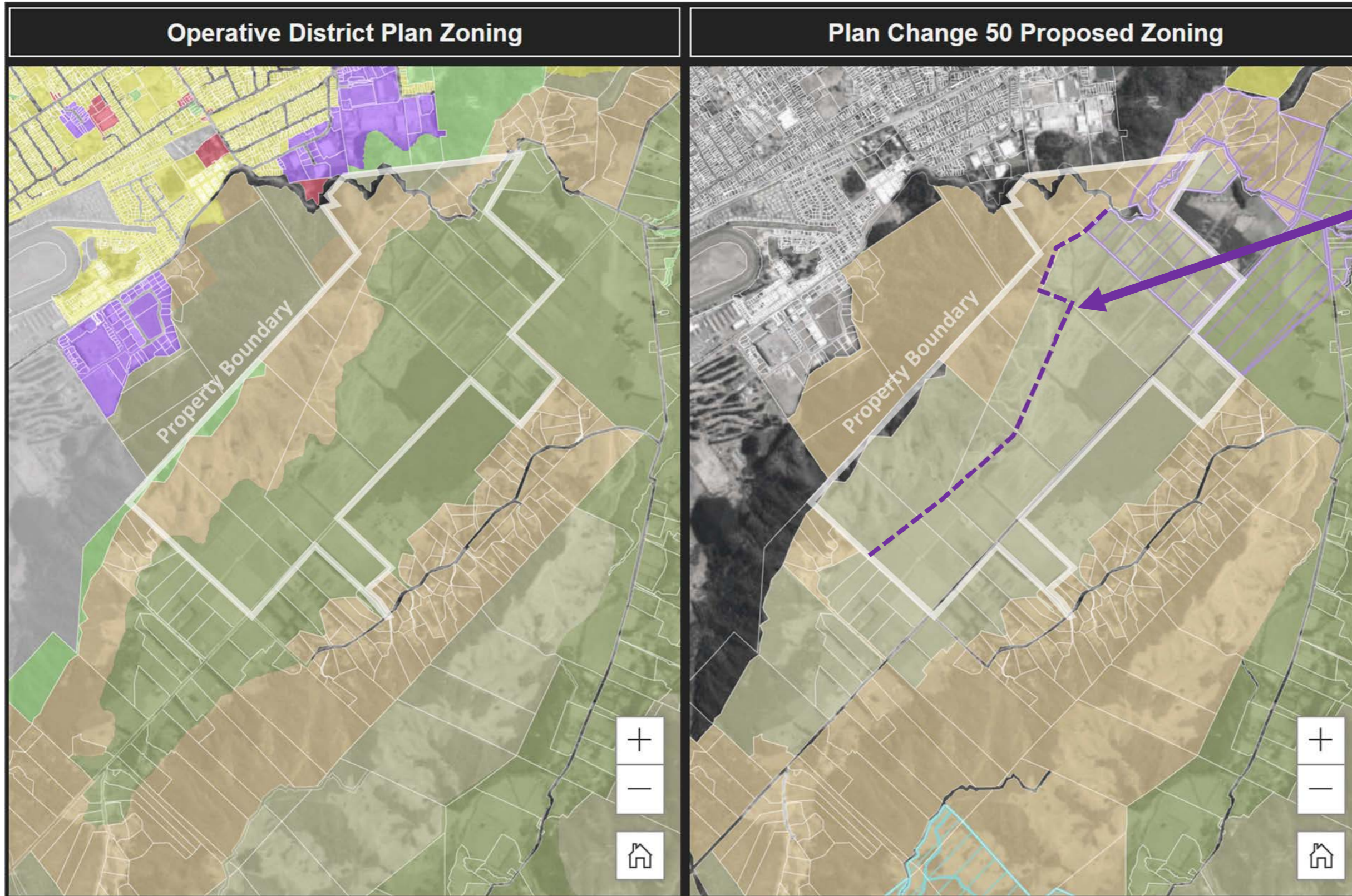


Figure C – Demonstrating how straight line boundary can be used to capture the physical characteristics and still simplify the zone designations.



Simplified representation of the hill and flats physical boundary.

Figure D – Illustration of application of straight line boundary from figure C.

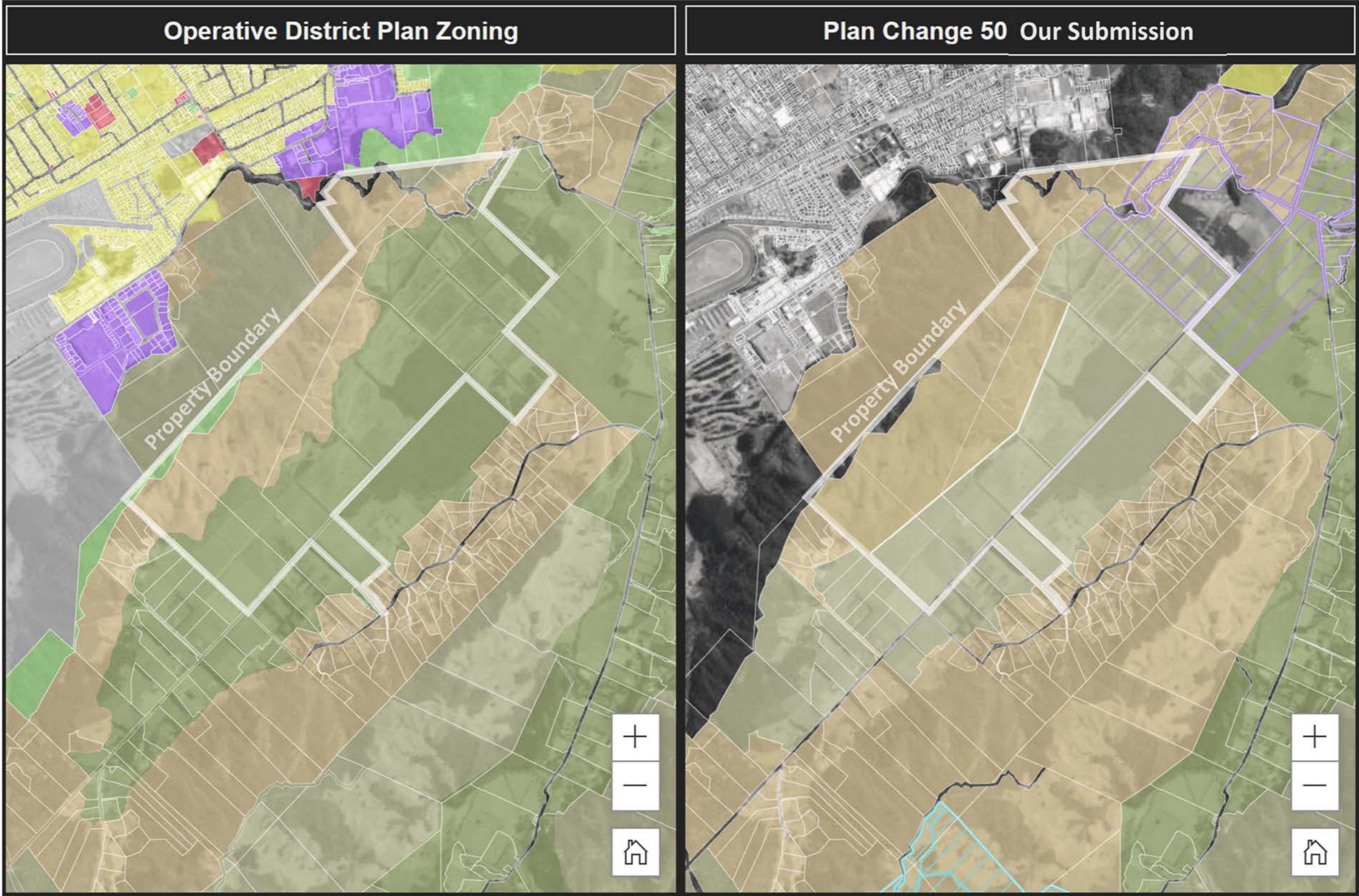


Figure E – Legal access points to farm from Wallaceville Road and Katherine Mansfield.

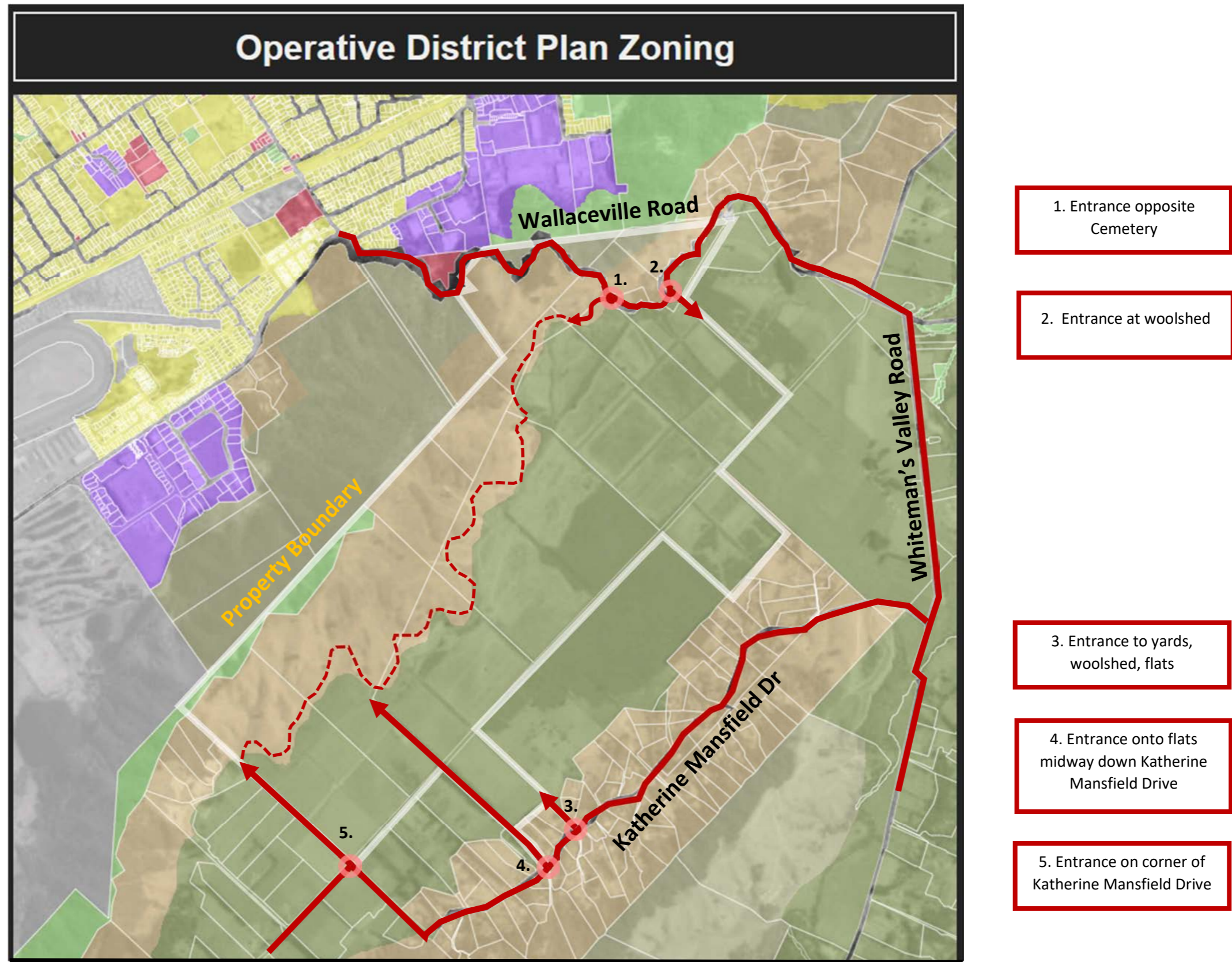
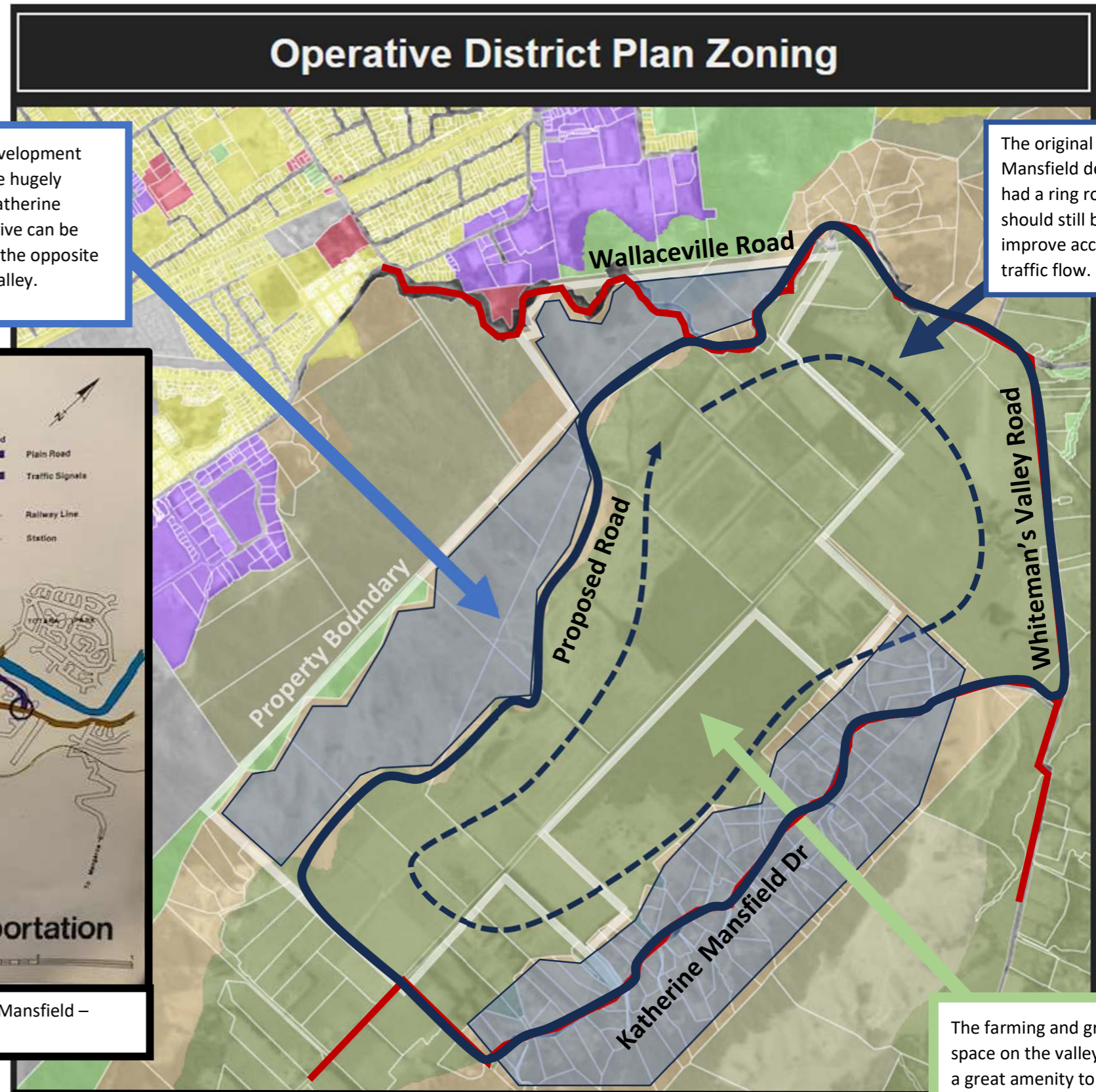


Figure F – Loop road and mirroring Katherine Mansfield Drive to fit in to surroundings.



A similar development mirroring the hugely successful Katherine Mansfield drive can be achieved on the opposite side of the valley.

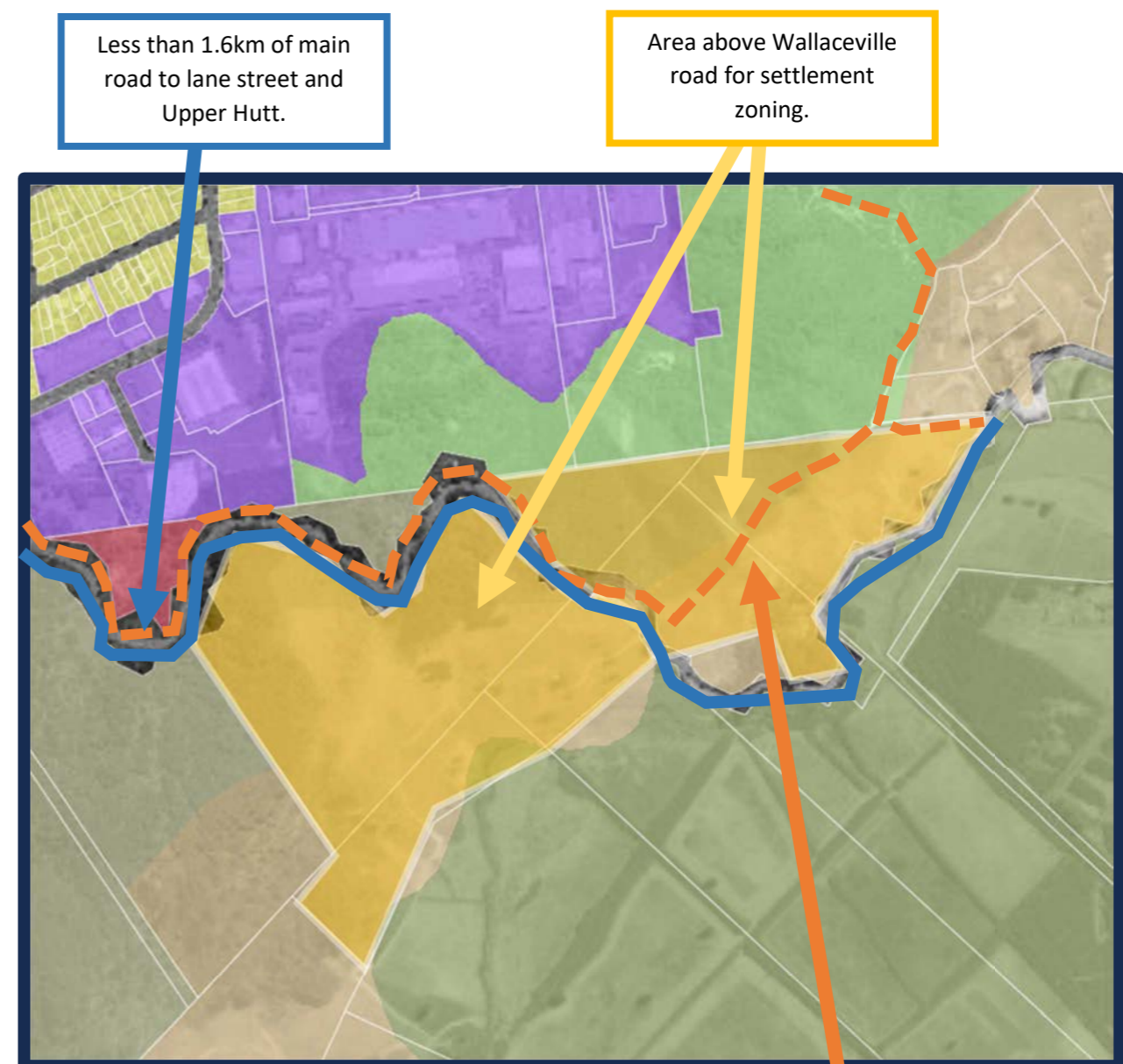
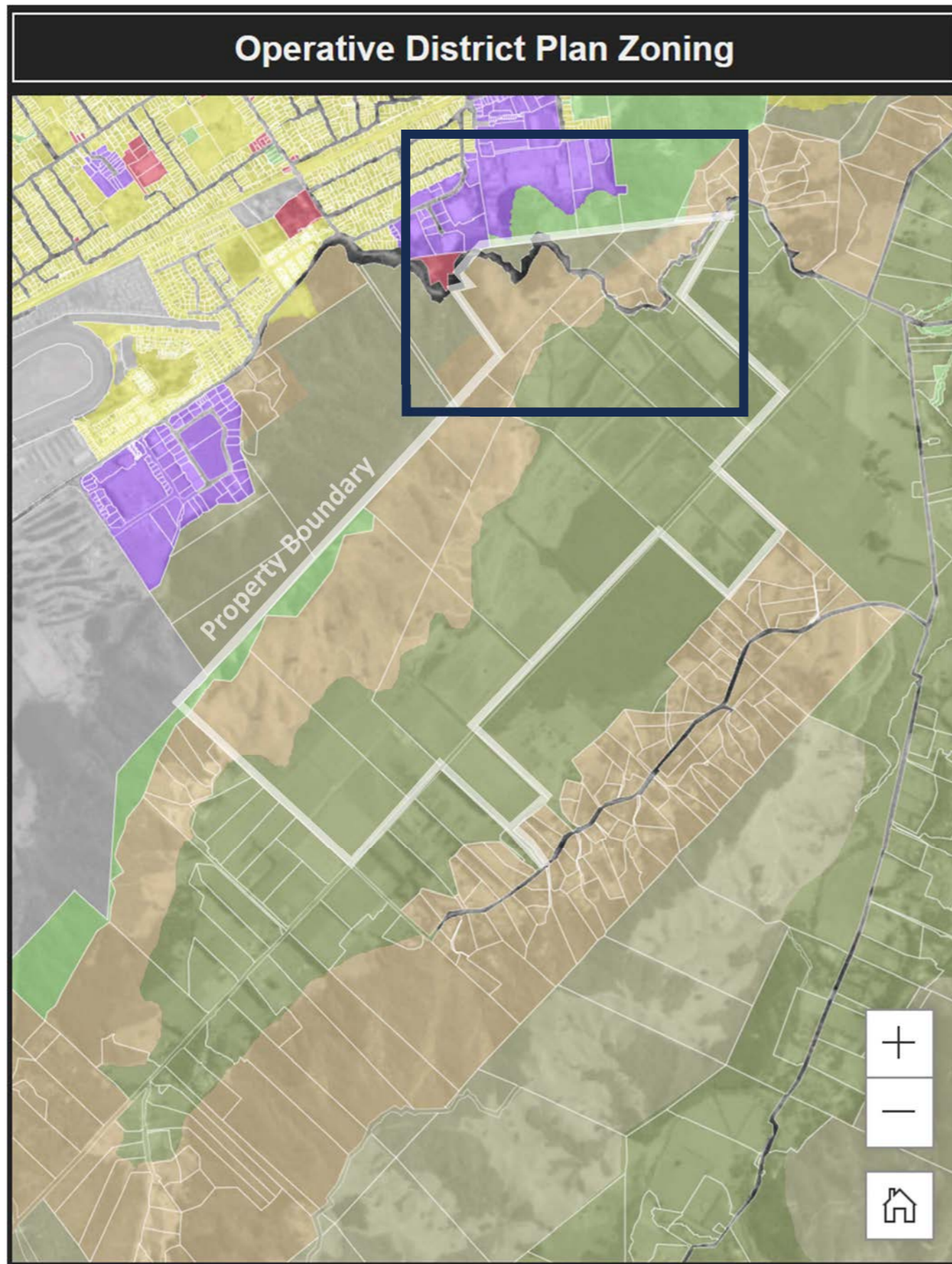
The original Plan for Mansfield development had a ring road, which should still be achieved to improve access and help traffic flow.



Figure above showing original Mansfield development plan and ring road. (Reference: Mansfield – Developers Crest Properties Limited. A copy can be seen Upper Hutt City Library.)

The farming and green space on the valley floor is a great amenity to balance the lifestyle properties each side.

Figure G - Proposal for settlement housing on plateau on top of Wallaceville with incredible access to Upper Hutt.



- Very easy walking, biking and car access to:
- City centre
 - Transport (train, bus, taxi, cycle paths etc)
 - Swimming pool
 - Brewtown
 - Movie Studio
 - CIT Sporting Facility

Potential walking tracks and access to Maidstone Park.

Figure H – Illustration of settlement zoning in relation to overall farm.

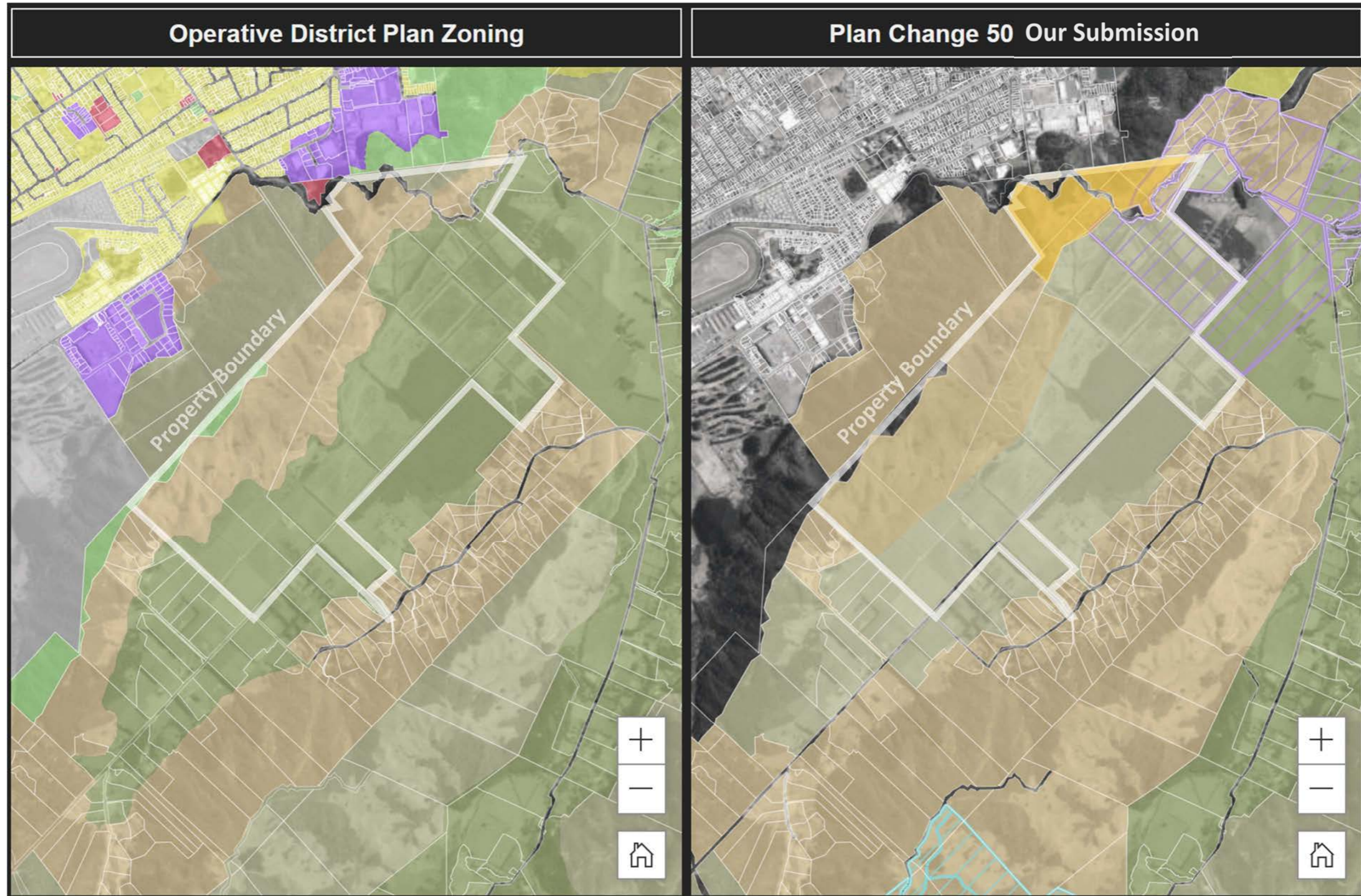


Figure I - Examples of where the Proposed Zoning contradicts the methodology of single zone properties.

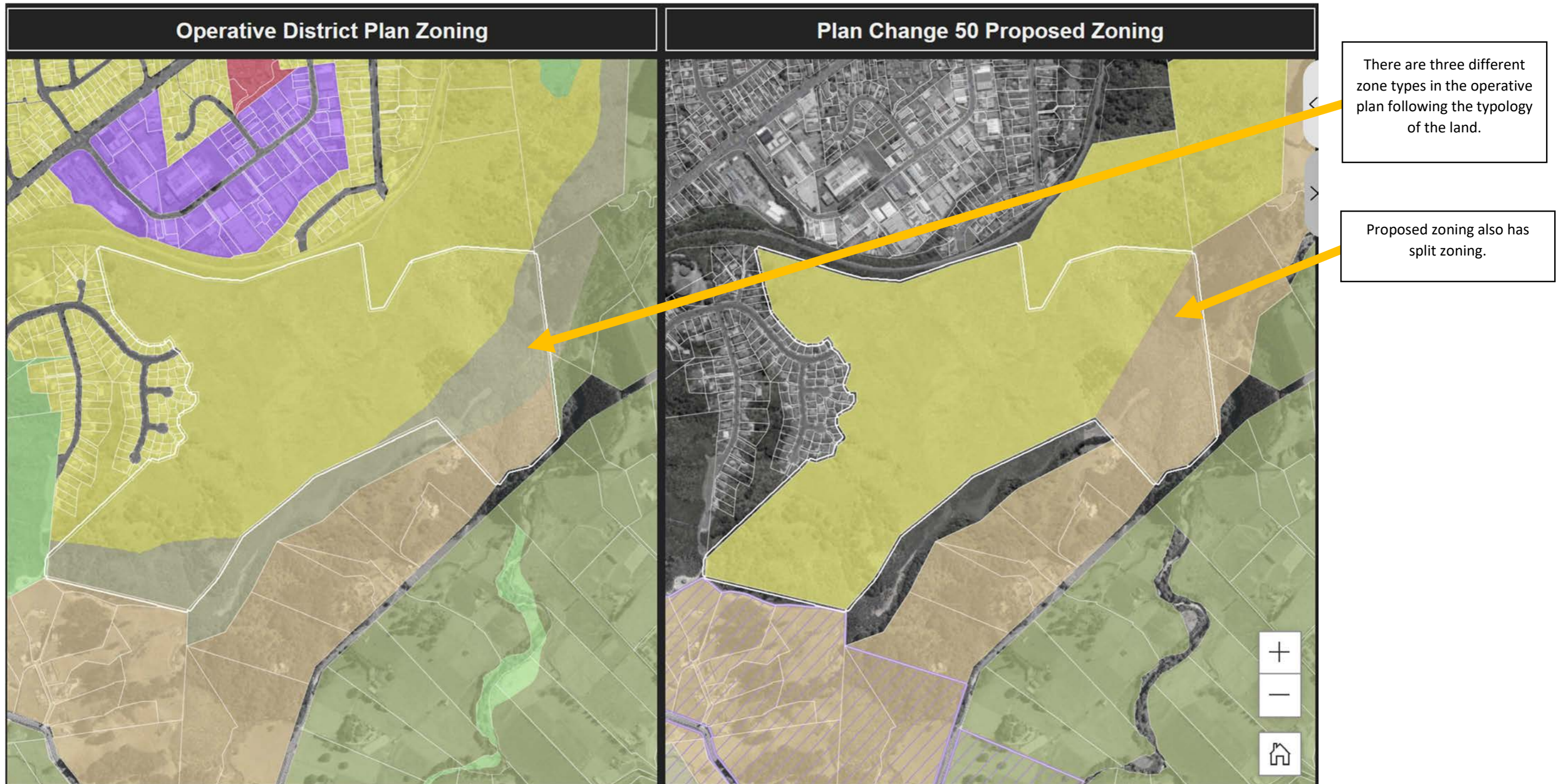


Figure J - Example of where the Proposed Zoning contradicts the methodology of a single zone property but correctly identifies physical boundaries.

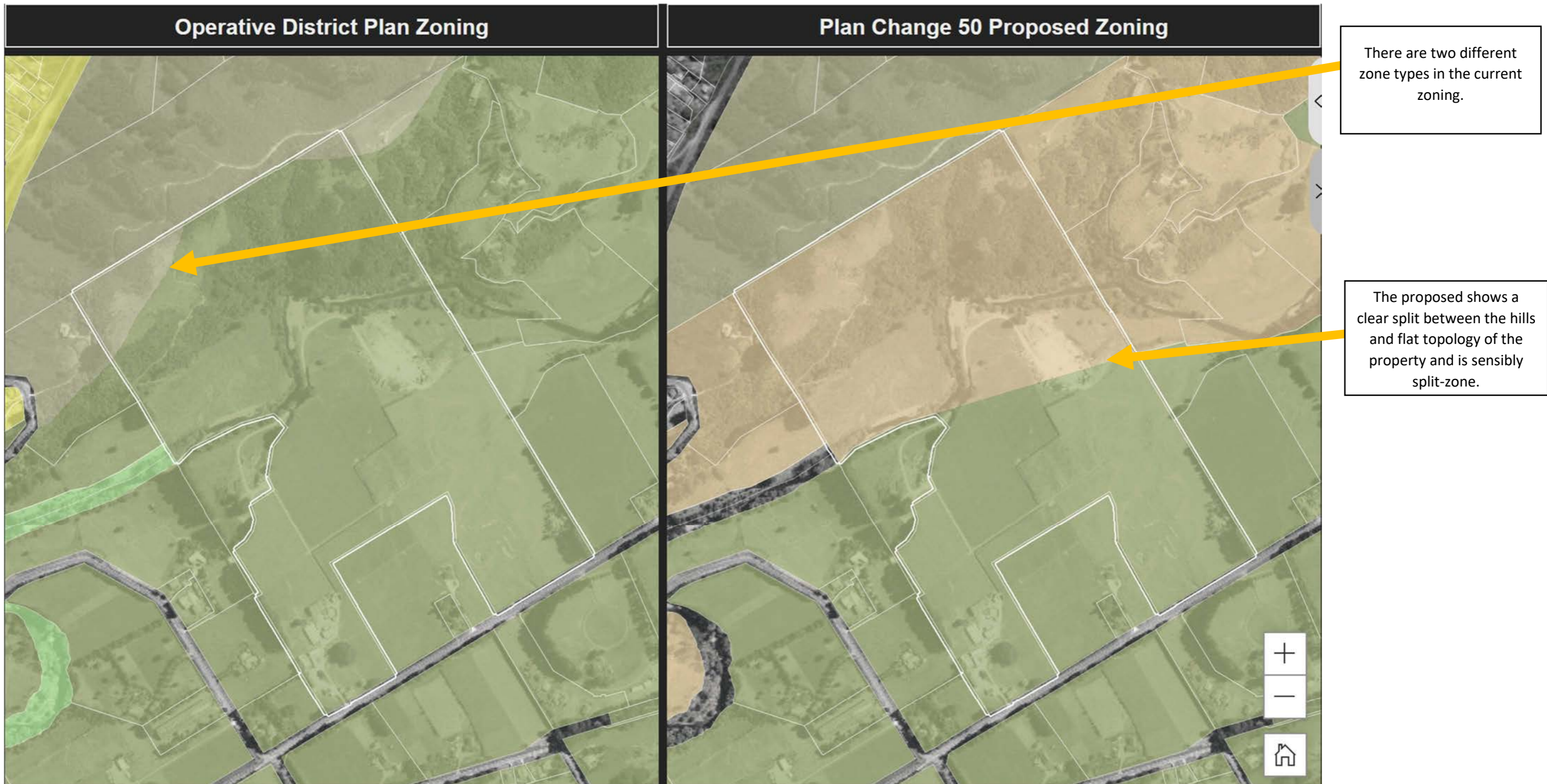
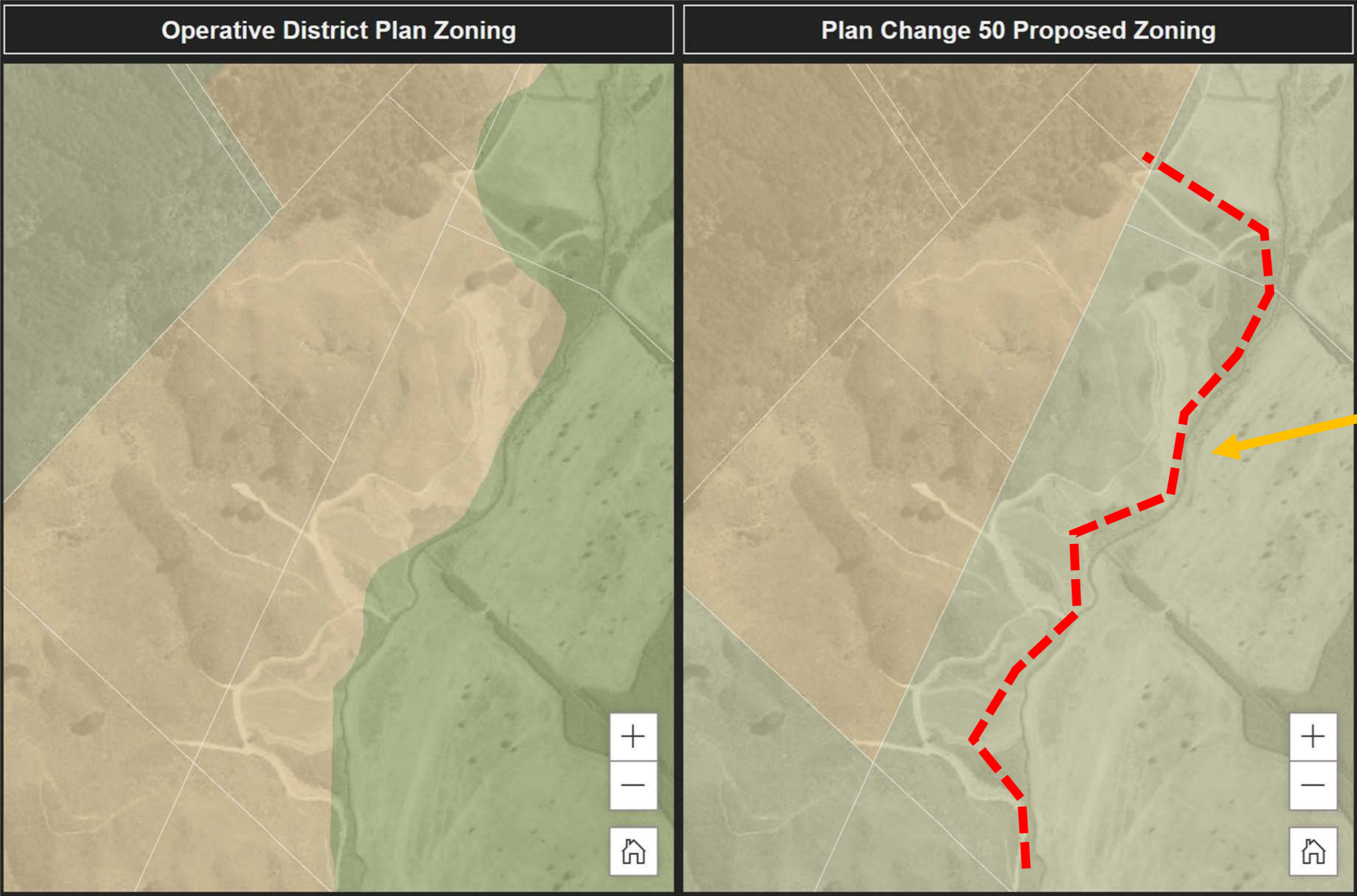


Figure K - Example of where the Proposed Zoning correctly matches physical character.

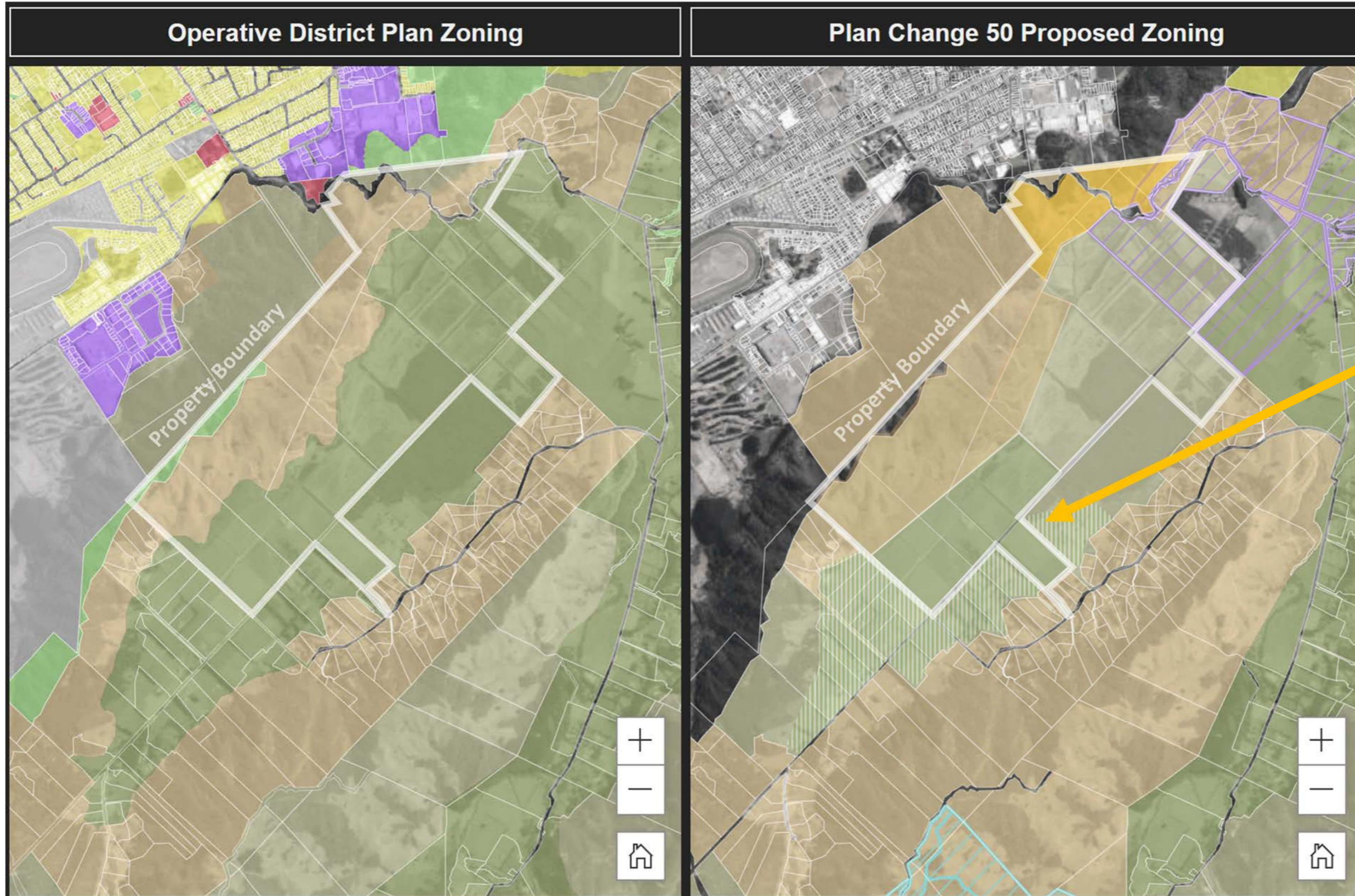


Figure L - Example of our property where the Proposed Zoning contradicts the previous examples completely.



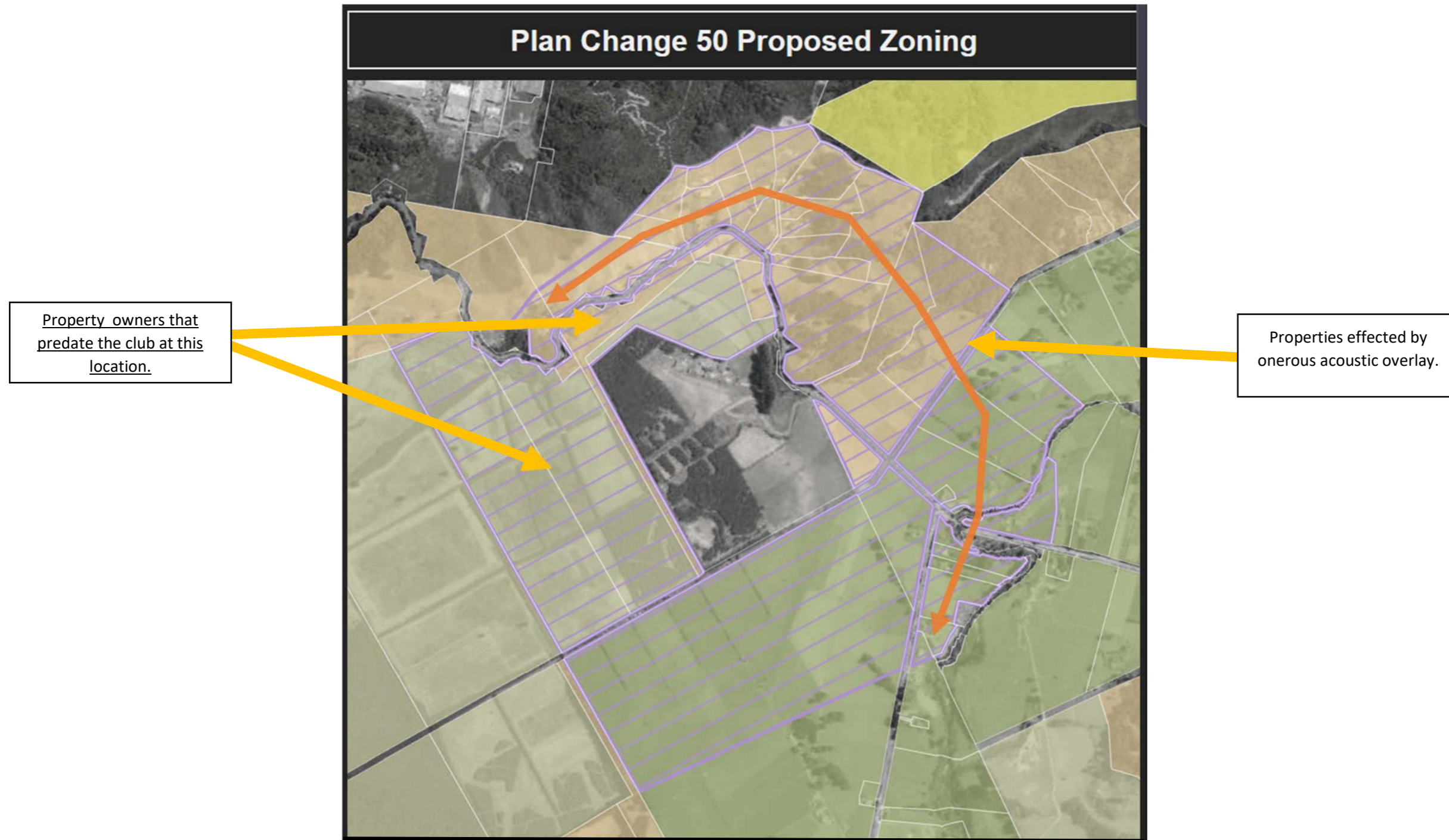
The proposed zoning has changed completely and doesn't follow the physical characteristics of the land at all.

Figure M - Example of our property where the Proposed Zoning contradicts the previous examples completely.



Flats have been changed from Rural Production to General Rural. This area and surrounding properties (hatched lines) are the same high-quality land.

Figure N – The acoustic overlay proposed puts onerous restrictions on landowners without reasonable justification. The acoustic impact is no more than a school, motorway, or sports ground, and is limited to 80 days per year. Shooting, motorbikes, tractors and loud noises are not unusual in a rural area and an overlay is not required.



Supporting excerpts from council evaluation document

Throughout the document 'RMA SECTION 32 EVALUATIONS, Plan Change 50 — Rural Review' there are justifications for decisions made in plan change 50 regarding rezoning.

In the zoning section there is **several mentions of split zoning and a need to align with the physical attributes of a property and having a consistent zoning pattern.**

Excerpt from page 279:

“A number of the properties currently have more than one zoning, and Council made a strategic decision to avoid a single property having a split zone unless there was a compelling reason to.”

4. The following sites are proposed to be rezoned. A full list of the addresses with the ODP and proposed PC50 zones is contained in Appendix 1. A number of the properties currently have more than one zoning, and Council made a strategic decision to avoid a single property having a split zone unless there was a compelling reason to.

Operative District Plan zone	PC50 zone	Number of properties
Split zoning	Single rural zone	271

Excerpt from page 280:

“To align the zone pattern with the physical characteristics of the site.

To develop a more coherent and consistent zoning pattern.”

Criteria	Summary of effects	Evaluation
		(1 is low and 5 is high)
Reason for change	To align the zone pattern with the physical characteristics of the site To develop a more coherent and consistent zoning pattern.	2

Excerpt from page 282:

“In addition, a number of properties have more than one zone which makes it hard to manage. This option would retain split zones for those properties.”

There is no explanation as to why split-zoning is hard to manage, or any alternative method of zoning for physical attributes without using split zoning.

11. The following broad options have been identified and assessed with regard to zoning:

- Option 1 – Retain current zone pattern**

This option would mean that each property retains its current zoning as appears under the ODP. This option does not give effect to the National Policy Statement for Highly Productive Land (NPS-HPL) as it means that a number of properties with LUC 2 and 3 soils would be zoned in a way that does not protect the soils. In addition, a number of properties have more than one zone which makes it hard to manage. This option would retain split zones for those properties.

Excerpt from page 283:

“This approach would mean that discrete properties are rezoned depending on their physical characteristics and location.”

- Option 3 – Refine the pattern of zoning**

This approach would mean that discrete properties are rezoned depending on their physical characteristics and location.

Excerpt also from page 283:

“The preferred option is Option 3 because this aligns the physical characteristics of the sites with the purpose of each zone. It allows a nuanced zone pattern and consistent management of the land within each zone.”

13. The preferred option is Option 3 because this aligns the physical characteristics of the sites with the purpose of each zone. It allows a nuanced zone pattern and consistent management of the land within each zone.

Key takeaways from the report excerpts indicate a desire to prioritise zoning to physical characteristics.