

**PC5: Response to Paragraph 5 and 6 of Hearing Panel Direction 7. Prepared in collaboration between Ms Jones and Ms Pascall.**

| TABLE 1 – National, Regional and District Provisions in Support of PC5                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <p>The objectives and policies that support the approval of PC5 are outlined below. Where there are specific elements within the provision that are supportive, these are outlined in bold text.</p> <p>Other provisions of relevance to PC5 are discussed through the Plan Change Request, s42A Report and Planning Evidence.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Relevant National, Regional, District Planning Document                                                                                                                                                                                                                                                                            | Objectives that support PC5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Policies that support PC5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| National Policy Statement Urban Development (NPS-UD)                                                                                                                                                                                                                                                                               | <p>Objective 1 - New Zealand has <b>well-functioning urban environments</b> that enable all people and communities to <b>provide for their social, economic, and cultural wellbeing</b>, and for their <b>health and safety</b>, now and into the future.</p> <p>Objective 2: Planning decisions <b>improve housing affordability</b> by supporting competitive land and development markets.</p> <p>Objective 3: Regional policy statements and district plans <b>enable more people to live in</b>, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</p> <ul style="list-style-type: none"> <li>(a) the area is in or <b>near a centre zone or other area with many employment opportunities</b></li> <li>(b) the area is <b>well-serviced by existing or planned public transport</b></li> <li>(c) there is <b>high demand for housing</b> or for business land in the area, relative to other areas within the urban environment.</li> </ul> <p>Objective 4 - New Zealand’s urban environments, including their amenity values, develop and change over time in <b>response to the diverse and changing needs of people, communities, and future generations</b></p> <p>Objective 6 - Urban-development decisions are integrated with infrastructure planning and funding, strategic and long-term, and <b>responsive, particularly to proposals supplying significant development capacity</b>.</p> | <p>Policy 1 - Planning decisions contribute to <b>well-functioning urban environments</b>, including through <b>housing choice, accessibility, emissions reduction and resilience</b>.</p> <p>Policy 2 - Tier 1 authorities must, at all times, provide <b>at least sufficient development capacity</b> to meet expected housing and business demand.</p> <p>Policy 6 - Decision-makers must have particular regard to the planned urban form, <b>benefits of urban development</b>, benefits of development capacity, emissions and infrastructure effects.</p> <p>Policy 8 - Councils must be responsive to plan changes adding significant development capacity and contributing to a well-functioning urban environment, <b>even if unanticipated or out-of-sequence</b>.</p> <p>Subpart 2 – <b>Responsive Planning</b> (3.8 (1)(2) and (3))</p> <p>Policy 10 - Councils should <b>work together with infrastructure providers and the development sector</b>.</p> |
| National Policy Statement for Highly Productive Land (NPS-HPL)                                                                                                                                                                                                                                                                     | Objective 1 - <b>Highly productive land is protected</b> for use in land-based primary production, both now and for future generations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Policy 5 - The urban rezoning of highly productive land is avoided, <b>except as provided in this National Policy Statement</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| National Policy Statement for Freshwater Management 2020 (NPS-FM)                                                                                                                                                                                                                                                                  | <p>Objective 1 - The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:</p> <ul style="list-style-type: none"> <li>(a) first, the <b>health and well-being of water bodies and freshwater ecosystems</b>;</li> <li>(b) second, the health needs of people (such as drinking water);</li> <li>(c) third, the ability of <b>people and communities to provide for their social, economic, and cultural well-being</b>, now and in the future.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Policy 6 — <b>no further loss</b> of natural inland wetland extent, <b>protection of wetland values</b> and <b>promotion of restoration</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)                                                                                                                                                                                                                                                                | <p>Objective 1</p> <ul style="list-style-type: none"> <li>(a) – to maintain indigenous biodiversity across Aotearoa New Zealand so that <b>there is at least no overall loss in indigenous biodiversity</b> after the commencement date; and</li> <li>(b) - to achieve this: <ul style="list-style-type: none"> <li>(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Policy 1: Indigenous biodiversity is managed in a way that gives effect to the decision making principles and takes into account the <b>principles of the Treaty of Waitangi</b>.</p> <p>Policy 8: The importance of <b>maintaining indigenous biodiversity outside SNAs</b> is recognised and provided for.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|                                                            | <p>(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</p> <p>(iii) by <b>protecting and restoring indigenous biodiversity as necessary</b> to achieve the overall maintenance of indigenous biodiversity; and</p> <p>(iv) while <b>providing for the social, economic, and cultural wellbeing of people and communities now and in the future</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Policy 10: <b>Activities that contribute to New Zealand’s social, economic, cultural, and environmental wellbeing are recognised and provided for</b> as set out in this National Policy Statement.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| National Policy Statement on Natural Hazards 2025 (NPS-NH) | <p>Objective 1 - manage natural-hazard risk to people and property using a <b>risk-based, proportionate approach</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Policy 3 — avoid subdivision, use or development where natural-hazard risk is very high.</p> <p>Policy 4 — <b>avoid or proportionately mitigate new or increased natural-hazard risks to other sites</b>.</p> <p>Policy 5 — use the <b>best available information</b>, including consideration of climate-change effects over at least 100 years.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| RPS Change 1 (Appeals Version)<br>September 2025           | <p>Objective 22 – Regional form, design and function - seeks a <b>compact, well-designed, climate-resilient, accessible and environmentally responsive regional form, including sufficient development capacity, housing choice, appropriate development locations, integrated transport, infrastructure sequencing and retention of the productive capacity of rural land</b>.</p> <p>Objective 12 - The mana of the Region’s <b>waterbodies and freshwater ecosystems is restored and protected</b> by ongoing management of land and water that:</p> <p>a) returns the Region’s water bodies and freshwater ecosystems to, and thereafter maintains them, in a state of tūhauora/good health; and</p> <p>b) improves the health and wellbeing of the Region’s degraded waterbodies and freshwater ecosystems; and</p> <p>c) applies the Te Mana o te Wai hierarchy of obligations by prioritising:</p> <p>(i) first, the health and wellbeing of waterbodies and freshwater ecosystems,</p> <p>(ii) second, the health needs of people</p> <p>(iii) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future; and</p> <p>d) recognises and provides for the individual natural characteristics and processes of waterbodies including their natural form, and their associated ecosystems; and</p> <p>e) incorporates and protects mātauranga Māori and acknowledges and provides for the connections and relationships of mana whenua / tangata whenua with freshwater; and</p> <p>f) provides for the ability of mana whenua / tangata whenua to safely undertake their cultural and spiritual practices associated with freshwater, including mahinga kai; and</p> <p>g) actively involves mana whenua / tangata whenua in decision- making in relation to the Region’s waterbodies; and</p> <p>h) includes engagement with communities, stakeholders, and territorial authorities; and</p> | <p>Policy 55: Managing greenfield development to contribute to <b>well-functioning urban areas</b> and rural areas, maintaining a compact, well designed and sustainable regional form – consideration</p> <p>Policy 56: Managing development in rural areas – consideration</p> <p>Policy UD.3: Plan changes that provide for <b>significant development capacity</b> – consideration</p> <p>Policy UD.4: Achieving a <b>compact regional form</b> – district and regional plans</p> <p>Policy UD.5: Contributing to <b>well-functioning urban areas</b> – consideration</p> <p>Policy CC.1: <b>Reducing greenhouse gas emissions</b> associated with transport demand and infrastructure – district and regional plans</p> <p>Policy 57: <b>Integrating land use and transportation</b> – consideration...(a) locating development in areas near centres and <b>well-serviced</b> by existing or planned public transport, to <b>minimise private vehicle travel</b> and trip length and <b>maximise mode shift to public transport</b> or active modes.</p> <p>Policy 54: <b>Achieving the region’s urban design principles</b> – consideration</p> <p>Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration...all infrastructure required to serve new development <b>is available or is able to be delivered in a timeframe appropriate to service the development, and this may require timing or staging development accordingly</b>.</p> |

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|                                   | <p><i>i) supports the wellbeing and safety of the community, by providing for the ability to carry out recreational activities, in and around freshwater environments; and</i></p> <p><i>j) supports and protects an abundance and diversity of freshwater habitats for indigenous freshwater species and, where appropriate, the habitat of trout and salmon; and</i></p> <p><i>k) supports the reasonable, sustainable and efficient use of water for activities that benefit the Region's economy, including primary production activities, innovation and tourism.</i></p> <p><b>Objective 13 - The region's rivers, lakes and <b>wetlands support healthy functioning ecosystems.</b></b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Natural Resources Plan (NRP)      | <p><i>Objective O14 - The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is <b>preserved and protected</b> from inappropriate use and development.</i></p> <p><i>Objective O2 - The importance and contribution of air, land, water and ecosystems to the <b>social, economic and cultural well-being and health of people and the community</b> are recognised in the management of those resources.</i></p> <p><i>Objective O4 - The <b>intrinsic values of fresh water</b> and marine ecosystems are <b>recognised</b> and the life supporting capacity of air, water, soil and ecosystems is <b>safeguarded</b>.</i></p> <p><i>Objective O21 - <b>Vegetated riparian margins are established, maintained or restored</b> to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, <b>natural wetlands</b> and the coastal marine area.</i></p> <p><i>Objective O22 The <b>extent of natural wetlands is maintained or increased, their values are protected, and their condition is restored.</b> Where the values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.</i></p> <p><i>Objective O34 - The adverse effects on soil and water from land use activities are minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.</i></p> | <p><i>Policy P1(e) – Air, land, fresh water bodies and the coastal marine area will be managed recognising ki uta ki tai by using the principles of integrated catchment management. These principles include:...(e) recognizing links between <b>environmental, social, cultural and economic sustainability</b> of the catchment.</i></p> <p><i>Policy P6(j) - The cultural, social and economic benefits of using land and water for:...(j) <b>enabling urban development where it maintains the quality of the natural environment.</b></i></p> <p><i>Policy P34: Values of wetlands - Activities in and adjacent to natural wetlands shall be <b>managed to maintain and, where appropriate, restore</b> their condition and their values</i></p> <p><i>Policy P29 – Natural Buffers – <b>Provide for the restoration or enhancement of natural features</b> such as beaches, dunes or wetlands that buffer development from natural hazards and ensure the adverse effects of use and development on them are avoided, remedied, or mitigated.</i></p> <p><i>Policy P83 - The <b>adverse effects of stormwater discharges shall be minimised</b>, including by:...(c) implementing <b>water sensitive urban design</b> in new subdivision and Development.</i></p> |
| Operative KCDC District Plan 2021 | <p><i>DO-O1 - To work in partnership with the tangata whenua of the District in order to <b>maintain kaitiakitanga</b> of the District's resources and ensure that decisions affecting the natural environment in the District are made in accordance with the <b>principles of Te Tiriti o Waitangi</b> (Treaty of Waitangi).</i></p> <p><i>DO-O2 - Ecology and Biodiversity - To <b>improve indigenous biological diversity and ecological resilience</b> through:</i></p> <p><i>1. Protecting areas of significant indigenous vegetation, and significant habitats of indigenous fauna;</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><i>UFD – P1 - New urban development for residential activities will only be located within <b>existing urban areas</b>, identified growth areas, and areas that can be <b>efficiently serviced and integrated with existing urban areas</b>, and will be undertaken in a manner which....</i></p> <p><i>UFD-P3 – Managing Intensification - The effects of residential intensification on character and amenity values will be assessed where provided for in the District Plan, while <b>recognising that character and amenity values may develop and change over time</b> in response to the diverse and changing needs of people, communities and future generations.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|  | <p>2. Encouraging restoration of the ecological integrity of indigenous ecosystems;<br/> 3. <b>Enhancing the health of terrestrial and aquatic ecosystems</b>; and<br/> 4. Enhancing the mauri of waterbodies.</p> <p>DO-O3 – Development Management - To maintain a <b>consolidated urban form</b> within existing urban areas and a limited number of identified growth areas, and to <b>provide for the development of new urban areas</b> where these can be efficiently serviced and integrated with existing townships, delivering:</p> <ol style="list-style-type: none"> <li>1) urban areas which maximise the <b>efficient end use of energy</b> and <b>integration with infrastructure</b>;</li> <li>2) a variety of living and working areas in a manner which <b>reinforces the function and vitality of centres</b>;</li> <li>3) an urban environment that <b>enables more people</b> to live in, and more businesses and community services to be located in, parts of the urban environment: <ol style="list-style-type: none"> <li>a) that are in or near a Centre Zone or other area with many <b>employment opportunities</b>; or</li> <li>b) that are <b>well serviced by existing or planned public or active transport</b>; or</li> <li>c) where there is <b>high demand for housing</b> or for business land relative to other areas within the urban environment;</li> </ol> <p>while <b>accommodating identified qualifying matters</b> that constrain development;</p> </li> <li>4) resilient communities where development <b>does not result in an increase in risk to life</b> or severity of damage to property from natural hazard events;</li> <li>5) higher residential densities in locations that are <b>close to centres and public open spaces, with good access to public transport</b>;</li> <li>6) management of development in areas of special character or amenity in a manner that has regard to those special values;</li> <li>7) <b>sustainable natural processes</b> including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;</li> <li>8) an <b>adequate supply of housing</b> and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;</li> <li>9) management of the location and effects of potentially incompatible land uses including any interface between such uses; and</li> <li>10) urban environments that support reductions in greenhouse gas emissions and are <b>resilient to the current and future effects of climate change</b>.</li> </ol> | <p><b>UFD-P11 Amenity Values</b></p> <p>1. New subdivision, land use and development within reserves and areas identified in the District Plan as having significant scenic, ecological, cultural, scientific and national importance will provide for the amenity values of these areas, including (but not limited to) values associated with:</p> <ol style="list-style-type: none"> <li>a. a sense of openness and visual relief from more intensive urban areas;</li> <li>b. indigenous vegetation (excluding planted vegetation);</li> <li>c. significant landforms; and</li> <li>d. natural character.</li> </ol> <p>2. New subdivision, use and development of land outside of the areas identified in (1.) above will be undertaken in a manner that considers effects on the amenity values of those areas while recognising that the District's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.</p> <p>NH-P2 - Risk Based Approach - A <b>risk based, all hazards approach</b> will be taken to subdivision, land use, and development within areas subject to the following natural hazards...flood hazards.</p> <p><b>NH-P3 - Managing Activities in Natural Hazard Prone Areas</b><br/> In areas identified on the District Plan Maps, new subdivision, use and development will be managed in a way that avoids increasing risks from natural hazards. Subdivision, use and development will be allowed only <b>where it can be shown that any potential increase in risk exposure on or beyond the land itself has been avoided, remedied or mitigated.</b></p> <p>NH-FLOOD-P11 – Flood Risk Level <b>A higher level of control</b> on subdivision, use and development will be applied within river corridors, <b>stream corridors</b>, overflow paths and <b>residual overflow paths</b> areas. A generally lesser level of restriction on subdivision, use and development will be applied in ponding, residual ponding, shallow surface flow, flood storage and fill control areas.</p> <p>NH-FLOOD-P13 - <b>Ponding</b>, Residual Ponding, Shallow Surface Flow, Flood Storage and Fill Control Areas. - When assessing applications for subdivision, the use or development within a ponding, residual ponding, shallow surface flow, flood storage or fill control area, shall consider the following...</p> <p>NH-FLOOD-P10 – Flood and Erosion Free Building Areas All new allotments must have a <b>flood and erosion-free building (excluding minor buildings) areas based on 1% AEP flood</b> modelling.</p> <p>NE-P1 - Protection - <b>Protect areas</b> of significant indigenous vegetation, and significant habitats of indigenous fauna (<b>including ecological sites identified in Schedule 1</b>, key indigenous tree species in ECO-Table 1, key indigenous trees in Schedule 2, and rare and threatened vegetation species in Schedule 3 of this Plan).</p> |
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|  | <p>DO-O11 - Character and Amenity Values - To recognise the unique character and amenity values of the District's distinct communities, while providing for character and amenity values to <b>develop and change over time in response to the diverse and changing needs of people, communities and future generations</b>, resulting in:</p> <p>DO-O12 – <b>Housing Choice and Affordability</b> - meet diverse community needs by increasing the amount of housing that:</p> <ol style="list-style-type: none"> <li>1) is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in <b>suitable urban and rural locations</b>;</li> <li>2) is <b>affordable</b> and adequate for lower income households; and</li> <li>3) can <b>respond to the changing needs of residents</b>, regardless of age, mobility, health or lifestyle preference;</li> </ol> <p>while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular resource, water and energy efficiency.</p> <p>DO-O20 – Well Functioning Urban Environments<br/>A <b>well-functioning urban environment</b> that enables all people and communities to provide for their <b>social, economic, and cultural wellbeing, and for their health and safety</b>, now and into the future.</p> <p>DO-O21 - Relevant residential zones provide for a variety of housing types and sizes that respond to:</p> <ol style="list-style-type: none"> <li>1. <b>Housing needs and demand</b>; and</li> <li>2. The neighbourhood's planned urban built character, including 3-storey buildings.</li> </ol> <p>DO-O22 - Higher Density Housing in Residential Zones<br/>Relevant residential zones provide for higher density housing types and sizes that respond to:</p> <ol style="list-style-type: none"> <li>1. <b>Housing needs</b> and demand;</li> <li>2. The <b>proximity of the area</b> to the Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone;</li> <li>3. <b>Accessibility to and from the area by active or public transport</b>; and</li> <li>4. The <b>neighbourhood's planned urban built character</b></li> </ol> <p>DO-O23 - Provision of housing for an <b>aging population</b><br/>Provide for a <b>diverse range of housing</b> and care options that are <b>suitable for the particular needs and characteristics of older persons</b> in the General Residential Zone and High Density Residential Zone, such as retirement villages.</p> <p>DO-O8 - <b>Strong Communities</b></p> | <p>GRZ-P21 - Medium Density Residential Standards – <b>Apply the MDRS</b> across all relevant residential zones in the district plan <b>except in circumstances where a qualifying matter is relevant</b> (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga).</p> <p>EW-P1 – Earthworks - Earthworks activities excluding extractive industries, the removal and replacement of underground storage tanks, and earthworks defined in and regulated by the NESPF will....4. Be managed to <b>ensure adverse effects on natural landforms, residential amenity values and rural character values are remedied or mitigated</b>.</p> <p>INF-MENU-P17 - <b>Hydraulic Neutrality</b> Stormwater<br/>Subdivision and development will be designed to ensure that the <b>stormwater runoff from all new impermeable surfaces will be disposed of or stored onsite</b> and released at a rate that does not exceed the peak stormwater runoff when compared to the predevelopment situation.</p> <p>INF-MENU-P20 – Water Supply - All new subdivision, land use or development will have an <b>adequate supply of water in terms of volume and quality</b> for the anticipated end uses, including fire fighting supply. Where a new connection to the reticulated network is proposed, <b>evidence may be required to support its viability</b>.</p> <p>INF-MENU-P21 – Wastewater - Subdivision, land use and development will <b>ensure that the treatment and disposal of wastewater will be adequate</b> for the anticipated end uses appropriate to the location. The treatment and disposal of wastewater will be undertaken in a manner that avoids, remedies or mitigates adverse effects on the environment and maintains public health and safety. Where a new connection to the reticulated network is proposed, <b>evidence may be required to support its viability</b>.</p> <p>ECO-P4 - Enhancement - Where a subdivision or development is undertaken on land containing rare and threatened vegetation species, or an <b>ecological site, enhancement of the ecological site</b> or rare and threatened vegetation species <b>will be encouraged</b>.</p> <p>ECO-P3 - Maintenance of indigenous biodiversity - Subdivision, land use and development shall be undertaken in a manner to <b>maintain indigenous biodiversity within large areas of contiguous indigenous vegetation</b> and riparian and coastal vegetation.</p> <p>ECO-P5 - Tangata Whenua - To enable tangata whenua to maintain and enhance their traditional relationship with the natural environment, while: 1. Supporting the enhancement of the <b>mauri of aquatic environments</b>; and 2. Having particular <b>regard to the exercise of kaitiakitanga</b> by tangata whenua in the management of the District's resources.</p> <p>GRZ-P20 – Medium Density Residential Standards – Policy 1<br/><b>Enable a variety of housing typologies with a mix of densities</b> within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments</p> <p>GRZ-P24 – Medium Density Residential Standards – Policy 5</p> |
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|  | <p><i>To support a cohesive and inclusive community where people:</i></p> <ol style="list-style-type: none"> <li>1. have <b>easy access and connectivity to quality and attractive public places and local social and community services and facilities;</b></li> <li>2. have increased access to locally produced food, energy and other products and resources;</li> <li>3. have improved health outcomes through <b>opportunities for active living or access to health services;</b> and</li> <li>4. have a strong sense of safety and security in public and private spaces.</li> </ol> <p><i>DO-O4 - Coastal Environment - To have a coastal environment where:<br/>...<b>Inappropriate development does not result in further loss of coastal dunes</b> in the area mapped as the coastal environment.</i></p> <p><i>DO-O7 – Historic Heritage<br/>To <b>protect historic heritage in the District</b> for the social, cultural and economic wellbeing of the Kāpiti Coast community and future generations</i></p> <p><i>DO-O5 - Natural Hazards<br/>To ensure the safety and resilience of people and communities by <b>avoiding exposure to increased levels of risk from natural hazards</b>, while recognising the importance of natural processes and systems.</i></p> | <p><b>Provide for developments</b> not meeting permitted activity status, while encouraging high-quality developments.</p> |
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**TABLE 2 – Relevant Provisions Relevant to Future Resource Consent Process**

Future consent on this land will likely fall to a bundled **Discretionary Activity** as *Rule SUB-DW-R16* of the KCDC District Plan applies to the residual overflow path.

Future consent on this land will likely fall to a bundled **Discretionary Activity** under *Rule 107* of the Natural Resources Plan as the site is likely to exceed 3000m<sup>2</sup> of bulk earthworks. Future consent on this land is likely to require a **Restricted Discretionary Activity** under *Regulation 45C* of the National Environmental Standards – Freshwater.

As a Discretionary Activity, all effects can be considered, and resource consent can be approved or declined. If approved, it is likely that the consent will be subject to consent conditions.

Link to KCDC District Plan: <https://eplan.kapiticoast.govt.nz/eplan/rules/0/181/0/0/0/260>

Link to KCDC Land Development Minimum Requirements: <https://www.kapiticoast.govt.nz/media/ihxjqmqf/land-development-minimum-requirements-april-2022.pdf>

| Topics (Incorporating FODRA Table 1 Matters) | Relevant Objectives/Policies of ODP (refer to Table 1) | Relevant Rules/Standards of the ODP | Specific Standard                                                              | Specific Matter of Control or Discretion    | Specific Land Development Minimum Requirement (LDMR)                        | New provisions proposed through s42A and Addendum | Additional provisions proposed through post hearing conferencing |
|----------------------------------------------|--------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------|
| Flooding                                     | DO-O3 – Development Management                         | SUB-DW-R7                           | SUB-RES-R33 (4)<br>“Each vacant allotment must have a flood free building area | NH-FLOOD-R10 Matter of Discretion (1 and 2) | LDMR Part 2 (C)<br>“To meet the requirements of Section 106 of the RMA, the | N/A                                               | N/A                                                              |

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|                                 | <p>DO-O5 – Natural Hazards</p> <p>NH-FLOOD-P10</p> <p>NH-FLOOD-P11</p> <p>NH-FLOOD-P12</p> <p>NH-FLOOD-P13</p> <p>NH-P2</p> <p>NH-P3</p> | <p>SUB-RES-R33 (4) and Matters of Control (4) and (8)</p> <p>SUB-DW-R16</p> <p>NH-FLOOD-R3</p> <p>NH-FLOOD-R4</p> <p>NH-FLOOD-R10</p> <p>LDMR (Part 2 (C) and (G))</p> <p><i>NB: Section 106 and 106A RMA and NPS-NH</i></p> | <p>above the estimated 1% Annual Exceedance Probability flood event.”</p> <p>SUB-DW-R7 (Standards 1-4)<br/>“Each vacant allotment shall have a building area located outside any river or stream corridor, overflow path or residual overflow path. The building area for each vacant allotment shall be located above the estimated 1% AEP flood event level. Formed vehicle access does not adversely affect the 1% AEP flood hazard risk on other properties in the same flood catchment.”<br/>Compliance with all other relevant subdivision rules and standards in other chapters.</p> | <p>“The effect of the earthworks on the effective functioning of the overflow path, residual overflow path or ponding or shallow surface flow area; and The avoidance or mitigation of adverse effects on the effective functioning of residual overflow path or ponding”</p> <p>SUB-RES-R33 Matters of Control (8)<br/>“The location of any associated building area(s) relative to any identified natural hazards, natural wetland, historic heritage feature, place or area of significance to Māori, notable tree, ecological site, key indigenous tree, rare and threatened vegetation species, geological feature, outstanding natural feature and landscape or area of high natural character.”</p> <p>SUB-RES-R33 Matters of Control (4)<br/>“The imposition of conditions in accordance with Council’s Land Development Minimum Requirements.”</p> <p>SUB-DW-R7 Matter of Discretion (4)<br/>“The location of any building platform or area relative to the natural hazards, historic heritage features, ecological sites, outstanding natural features and landscapes, and geological sites.”</p> | <p>Council needs to consider in any subdivision application the implications of flooding or inundation and any coastal hazards. Building sites within subdivisions are required to be above the flood level of the 1 percent annual exceedance probability (AEP) storm event plus an approved freeboard.”</p> <p>LDMR Part 2 (G)(ii)<br/>“Where the site is subjected to hazards including, but not limited to flooding, coastal erosion, earthquake fault lines, liquefaction and land slips, then the applicant shall have appropriate investigations undertaken by an independently qualified person.”</p> |     |                                                                                                      |
| Stormwater/Hydraulic Neutrality | <p>INF-MENU-P17 - Hydraulic Neutrality Stormwater</p> <p>INF-MENU-P18 Stormwater Quantity and Quality</p>                                | <p>SUB-DW-R25 (1 and 2)</p> <p>SUB-RES-R33 (6) and Matter of Control (4)</p> <p>LDMR (Part 2 (C) and Part 3 (E)(v) and (vi))</p>                                                                                             | <p>SUB-DW-R25 (1 and 2)<br/>“Stormwater systems must be designed to ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the</p>                                                                                                                                                                                                                                                                                                               | <p>SUB-DW-R25 Matter of Control (3) - Stormwater</p> <p>“The provision of grassed swales to direct road-run-off (instead of concrete kerb and channel) where grassed swales would be functional and in keeping with the surrounding environment.”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>LDMR Part 3 E(v)<br/>“Achieve hydraulic neutrality so that peak flows into the receiving bodies for the 1 in 2-year, 1 in 5-year, 1 in 10-year, 1 in 50-year and 1 in 100-year design rainfall events shall not exceed the pre-development peak flows</p>                                                                                                                                                                                                                                                                                                                                                  | N/A | Development setback from the northwestern boundary to allow for stormwater management – refer to the |

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|                                                     |                                                                                    | NB: Developers need to consider the matters contained in the Stormwater Management Strategy. | <p>pre-development situation for the 50%, 20%, 10% and 1% Annual Exceedance Probability flood events.</p> <p>Existing waterbodies and stormwater detention areas must be retained.”</p> <p>SUB-RES-R33(6)<br/>“Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council’s Land Development Minimum Requirements.”</p> | SUB-RES-R33 Matter of control 4<br>The imposition of conditions in accordance with Council’s Land Development Minimum Requirements.    | <p>for the same design rainfall events.”</p> <p>LDMR Part 3, E (vi)(3)(a)<br/>“achieve hydraulic neutrality such that post-development peak flows do not exceed pre-development peak flows”</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |     | JWS dated 29 September 2026 <sup>1</sup> .                                               |
| Groundwater (Including installation of piezometers) | <p>DO-O3 – Development Management</p> <p>NH-EQ-P17<br/>Liquefaction Prone Land</p> | <p>SUB-RES-R33 (Matter of Control (4)</p> <p>LDMR Part 2 (C) and Part 3 (C)</p>              |                                                                                                                                                                                                                                                                                                                                                                                                                             | SUB-RES-R33 Matter of Control (4)<br>“The imposition of conditions in accordance with Council’s Land Development Minimum Requirements” | <p>LDMR Part 2 (C)(ix)<br/>“<i>An applicant is required to assess how prone any proposed development is to flooding through direct liaison with the authority responsible for administering the area’s watercourses. The assessment should also include possible effects the proposed development may have on groundwater levels and the possible impact of groundwater on the proposed development. It should identify any measures proposed to mitigate any adverse effects arising from possible changes in groundwater levels, including those resulting from the development itself and those projected because of climate change.</i>”</p> | N/A | N/A. The Flood Assessment Report would require Piezometers to assess groundwater levels. |

<sup>1</sup> <https://www.kapiticoast.govt.nz/media/qplpvrz3/jws-planning-landscape-and-infrastructure-29-september.pdf>

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|                                     |                                                                                                                                     |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                   | LDMR Part 3 (C)(iii)(h)<br>“control surface and groundwater flows both during and after construction”                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                     |                                                                                                           |
| Geotechnical/<br>Earthworks         | DO-O3 – Development Management<br><br>DO-O5 – Natural Hazards<br><br>NH-EQ-P17<br>Liquefaction Prone Land<br><br>EW-P1 – Earthworks | EW-R2 (Standard 1 and 2 in particular)<br><br>SUB-DW-R7<br><br>SUB-DW-R16<br><br>LDMR Part 2 (G)<br><br><i>NB: NRP Earthwork Provisions – Rule 107 controls bulk earthworks over 3000m<sup>2</sup>.<br/><br/>NB: Liquefaction addressed under the Building Act. S106 and 106A are relevant.</i> | EW-R2 (2)(a)<br>“earthworks must not disturb more than 50m <sup>3</sup> of land per subject site in residential zones”<br><br>EW-R2 (2)(c)<br>“earthworks must not alter the original ground level by more than 1 metre, measured vertically” | SUB-RES-R33 Matter of Control (1)<br><i>“The design and layout of the subdivision (excluding allotment size, shape, or other size-related subdivision requirements) and any associated earthworks.”</i><br><br>SUB-DW-R7 Matter of Discretion (6)<br>“The extent and effects of earthworks.”                                      | LDMR Part 2 (C)(ii) – Geotechnical Appraisal and Design<br><i>“Geotechnical appraisal and design may be required: (a) before detailed planning, which usually involves some form of subsurface Investigation”.</i><br><br><i>LDMR Part 2 (G)(ii)<br/>“Where the site is subjected to hazards including, but not limited to flooding, coastal erosion, earthquake fault lines, liquefaction and land slips, then the applicant shall have appropriate investigations undertaken by an independently qualified person. A report by the independently qualified person shall be provided with the resource consent application outlining the extent of the hazard and recommendations on how to deal with the hazards identified. Section 106 of the RMA may apply to the hazardous situation.”</i> | N/A                                                                 | N/A                                                                                                       |
| Ecological<br>Site/Wetland Function | DO-O3 – Development Management<br><br>ECO-P4                                                                                        | SUB-DW-R6<br><br>SUB-DW-R7<br><br>EW-R1(b)<br><br><i>NB: NES-F Regulation 45C</i>                                                                                                                                                                                                               | EW-R1(b)<br>“Earthworks must not be undertaken within 20m of a waterbody, including wetlands and coastal water”<br><br>NES-F (Reg 45C) - 10 m setback for earthworks/land disturbance around natural inland wetlands                          | SUB-RES-R33 Matter of Control (8)<br>“The location of any associated building area(s) relative to any identified natural hazards, <u>natural wetland</u> , historic heritage feature, place or area of significance to Māori, notable tree, <u>ecological site</u> , key indigenous tree, rare and threatened vegetation species, |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Wetland buffer policy and rule and setback within a structure plan. | Wetland planting will be considered through the consent process as set out in the provisions suggested in |

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|                                                                                                               |                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                          | geological feature, outstanding natural feature and landscape or area of high natural character.”<br><br>SUB-DW-R6 Matters of Discretion (2)<br>“Potential adverse or positive effects of subsequent development on <u>ecological sites</u> and geological features and on the values of outstanding natural features and landscapes identified in Schedule 4.” |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                    | the JWS dated 6 October 2026 <sup>2</sup> . |
| Transport (including Te Moana interchange capacity, site access arrangements/pedestrian/cycling connections); | DO-O3 – Development Management<br><br>DO-O14 – Access and Transport<br><br>TR-P1 - Integrated Transport and Urban Form<br><br>TR-P2 - Sustainable Transport and Maximising Mode Choice<br><br>TR-P5 - Effects of Land use on Transport<br><br>TR-P6 – Safety<br><br>TR-P7 - Cycling, Walking and Bridleway Links and Safety | TR-R2 (2) – Vehicle Movements<br><br>TR-R3 – Site Access<br><br>TR-R10 – Vehicle Movements that do not meet TR-R2<br><br>SUB-RES-R33 (3, 7, 8) and Matter of Control (4, 6 and 7)<br><br>LDMR Part 2 (C & E) and Part 3 (D) | TR-R2 (2):<br>“Any activity must not generate more than 100 vpd”<br><br>TR-R10 (2) – applies when TR-R2 cannot be met:<br>“A Transport Assessment and a Travel Plan must be prepared by a suitably qualified person and submitted to Council with the application for resource consent.” | SUB-RES-R33 Matter of Control 6<br>“Vehicle access points onto legal road including the State Highway network and any transport effects.”<br><br>TR-R10 Matters of Discretion (2)<br>“Consistency with Council’s Land Development Minimum Requirements.”                                                                                                        | LDMR Part 2 (C)<br>“An application (particularly for subdivisions) should include a transport assessment, including cycleways, walkways and bridleways provision”<br><br>LDMR Part 2 (E)(ii)(k)<br>“Public roads, private ways, service lanes, access ways and cycleway, walkway and bridleway networks shall be laid out to fit in with the general roading requirements of the locality in which they are situated. They shall provide for connectivity within the proposed development and, where applicable, to adjoining land, and meet any requirements arising from road safety audits.”<br><br>LDMR Part 3 (D)(iii)<br>performance criteria (including) - provide linkages and connectivity; provide good connections for | Three new policies are introduced and agreed - JWS Planning dated 15 September 2026 <sup>3</sup> . | N/A                                         |

<sup>2</sup> <https://www.kapiticoast.govt.nz/media/zcrjiam2/ppc5-100-and-110-te-moana-road-jws-wetland-buffer-planning-and-ecology.pdf>

<sup>3</sup> <https://www.kapiticoast.govt.nz/media/qplpvrz3/jws-planning-landscape-and-infrastructure-29-september.pdf>

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|                       |                                                                          |                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  | <p>promotion of sustainable transport modes; provide safe roads with safe and appropriate operating speeds</p> <p>LDMR Part 3 (D) (vi) Road Safety Audits - All applications for consents or planning approval that have a roading component shall follow the most up-to-date Waka Kotahi New Zealand Transport Agency's Road Safety Audit Procedures for Projects Guideline and Austroads.</p> |                                               |     |
| Water Supply/Capacity | <p>DO-O3 – Development Management</p> <p>INF-MENU-P20 - Water Supply</p> | <p>SUB-DW-R25 (4);</p> <p>SUB-RES-R33 (6) and Matter of Control (4)</p> <p>INF-MENU-R27</p> <p>LDMR Part 2 (C) and Part 3 (G)</p> | <p>SUB-DW-R25(4)</p> <p>“All new allotments, other than allotments for access, roads, utilities or reserves, where the allotments are in or adjoining areas which are served with a Council reticulated water supply, must be provided with a connection to the Council reticulated water supply laid to the boundary of the allotment.”</p> <p>SUB-RES-R33 (6)</p> <p>“Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council's Land Development Minimum Requirements.”</p> <p>INF-MENU-R27</p> <p>“Development must be undertaken in accordance with the Council's Land Development Minimum Requirements.”</p> |  | <p>LDMR (G)(i)</p> <p>“Where the Council's potable water supply network is available to service developments, then each lot shall be provided with an individual connection from the main to the property boundary. Each development shall be provided a piped, water supply system connecting to the Council's system, unless alternatives are approved by the Council.”</p>                   | <p>N/A</p> <p>*Subdivision can be staged.</p> | N/A |
| Wastewater Capacity   | DO-O3 – Development Management                                           | SUB-DW-R25 (5);                                                                                                                   | SUB-DW-R25(5)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  | LDMR Part 3 (F)(i)                                                                                                                                                                                                                                                                                                                                                                              | N/A                                           | N/A |

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|                                     | INF-MENU-P21 - Wastewater                                                                                                                                                                                                                                                             | SUB-RES-R33 (6) and (10) and Matter of Control (4)<br><br>INF-MENU-R27<br><br>LDMR Part 2 (C) and Part 3 (G)                                                                                                                                  | <p>“All new allotments, other than allotments for access, roads, utilities or reserves, where the allotments are in or adjoining areas which are served by the public wastewater reticulation and treatment system must be provided with a piped sewage outfall for disposing of sanitary sewage to a reticulated system, laid to the boundary of each allotment.”</p> <p>SUB-RES-R33 (6)<br/>“Access, water supply, wastewater and stormwater drainage systems, and underground power and telecommunications must be provided in accordance with the Council’s Land Development Minimum Requirements.”</p> <p>INF-MENU-R27<br/><br/>“Development must be undertaken in accordance with the Council’s Land Development Minimum Requirements.”</p> |                                                                                                                                                                                                                                                    | Where the Council’s wastewater network is available to service developments then each lot shall be provided with a connection and each development shall be provided a piped wastewater system connecting to the Council’s system, unless alternatives are approved by the Council.                                                                                       | *Subdivision can be staged.        |                                                                                                                                                              |
| Landscape/Amenity/Natural Character | <p><i>DO-O4 - Coastal Environment</i></p> <p><i>DO-O11 - Character and Amenity Values</i></p> <p><i>UFD-P3 – Managing Intensification</i></p> <p><i>UFD – P1 - New urban development for residential activities</i></p> <p><i>EW-P1 – Earthworks</i></p> <p><i>GRZ-P24 - MDRS</i></p> | <p>SUB-RES-R33 – Matter of Control (2)</p> <p>GRZ-R33 – Standard 1, 2, 3, 4, 5, 10 and 11</p> <p>GRZ-R37</p> <p>EW-R2 (Standard 1 and 2 in particular)</p> <p>Residential Design Guide within APP24 of the ODP</p> <p>LDMR (Part 2 and 3)</p> | <p>EW-R2 (2)(a)<br/>“earthworks must not disturb more than 50m3 of land per subject site in residential zones”</p> <p>EW-R2 (2)(a)<br/>“earthworks must not alter the original ground level by more than 1 metre, measured vertically”</p> <p>EW-R1(a) &amp; (b)<br/>“Earthworks must not be undertaken on slopes of more than 28 degrees” or (b) within</p>                                                                                                                                                                                                                                                                                                                                                                                      | <p>SUB-RES-R33 Matter of Control (2)<br/>“The imposition of conditions to manage character and amenity effects.”</p> <p>GRZ-R37 Matters of Discretion (1)<br/>“The relevant matters contained in the Residential Design Guide in Appendix 24.”</p> | <p>LDMR Part 2 (ii)(i)<br/>“Landscape plans and schedules showing all landscape works proposed, including for all open space, road reserve and low (environmental) impact urban drainage design structures.”</p> <p>LDMR Part 3 (H)(ii)<br/>“Developers shall provide appropriate protection to both existing vegetation during the development period as well as all</p> | Policy under DEV4-P1 recommended . | Change to structure plan proposed and new provisions in conjunction with the stormwater management area required on the northwestern boundary <sup>4</sup> . |

<sup>4</sup> [jws-planning-landscape-and-infrastructure-29-september.pdf](#)

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|  | <i>GRZ-P20 – MDRS</i><br><br><i>GRZ-P21 - MDRS</i> | <i>NB: NRP – Rule 101 and 107 controls bulk earthworks over 3000m².</i> | 20m of a waterbody, including wetlands and coastal water”<br><br>GRZ-33 Standards (summarised):<br>“1m side yard setback”<br>“11m height” limit<br>“60° recession plane measured from a point 4m vertically above ground level”<br>“not exceed 50% building coverage of the net site area”<br>“a landscaped area of a minimum of 20% of a developed site”<br>“the landscaped area may be located on any part of the development site” |  | vegetation, including new plantings, during the landscaping maintenance period in accordance with clause 7.3.3 of NZS4404:2010 and AS4970:2009 Protection of Trees on Development Sites.” |  |  |
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