

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of an application to Kapiti Coast
District Council for non-complying
resource consent for a proposed 53 lot
subdivision¹ (including earthworks and
infrastructure) at Otaihanga, Kapiti
Coast

**SECOND SUPPLEMENTARY STATEMENT OF EVIDENCE OF
CHRISTOPHER ADRIAN HANSEN ON BEHALF OF THE APPLICANT**

1. INTRODUCTION

- 1.1 My full name is Christopher Adrian Hansen. My qualifications and experience are outlined in my evidence in chief dated 20 July 2022.
- 1.2 This second supplementary evidence provides a response to questions in Minute #2 and Minute #3 regarding the Planning Policy Framework – paragraph 5 a. – e. of Minute #2 and paragraph 6 of Minute #3;

2. POLICY PLANNING FRAMEWORK

Background

- 2.1 Paragraph 5 (Page 1) of Minute #2 directed the Applicant and the Council to provide the Hearing Commissioners with a clear summary and expert planning analysis of the a number of matters relating to the following planning instruments:
- a. The National Policy Statement on Urban Development (NPS-UD);
 - b. Te Tupu Pai;
 - c. KCDC's proposed Plan Change 2 – Intensification (proposed PC2-1);

¹ The original application was for a 56 lot subdivision – 49 residential lots and 7 lots infrastructure.

- d. Objective DO-03 and Policies UFD-P1; UFD-P4; RLZ-P2; RLZ-P9; and INF-GEN-P7 of the KCDC's operative District Plan; and
- e. Policies 55 and 56; RPS definition of "urban areas"; proposed new definition of "urban environment"; proposed amendment to RPS definition of "rural areas"; and any other related matters in general, or the proposed plan change in particular, of the GWRC's proposed Plan Change 1 to the RPS.

2.2 The intent of the request is to provide an integrated and overall opinion about the relevance of the matters identified in in Minutes #2 and #3 in these planning instruments with regard to the application site as a whole, and to the site's southern residential area in particular.

3. THE NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT (NPS-UD)

3.1 Paragraph 5 a. of Minute #2 sought a summary and expert planning analysis of the following matters:

NPS-UD provisions that refer to well-functioning urban environments

3.2 I have reviewed the NPS-UD (May 2022) and have identified the following provisions refer to *well-functioning urban environments*:

- Objective 1
- Policy 1
- Policy 6
- 3.8 Unanticipated or out-of-sequence developments
- 3.11 Using evidence and analysis
- 3.13 Purpose and Content of FDS

3.3 The full wording of these provisions is included in **Annexure 1** to this supplementary statement. The key points to note regarding these provisions are:

- **Objective 1** reflects the *sustainable management* purpose of the RMA and identifies *well-functioning urban environments* as those enabling all people and communities to provide for their social, economic and cultural well-being and for their health and safety for people now and in the future. Objective 1 is supported by Objectives 3, 4 and 6 that have enabling requirements for urban development

- **Policy 1** requires planning decisions to contribute to *well-functioning urban environments*, and identifies as a minimum the attributes of such an urban environment. These minimums reflect the enabling outcomes of Objective 1 and relate to (amongst other things) housing variety that meet the needs in terms of type, price, and location, of different households and enable Māori to express their cultural traditions and norms. Other matters include enabling a variety of sites for business sectors; good accessibility for all people between housing, jobs, community services, natural and open spaces by public or active transport; reduction of GHG and reliance to climate change.
- **Policy 6** identifies a number of matters a decision-maker should have 'particular regard to' when making planning decisions that affect the urban environments. Key matters decision-makers 'have particular regard to' include:
 - The planned built environment anticipated by those RMA planning documents that give effect to the NPS-UD;
 - That the planned urban built form may involve significant changes to an area (including detracting from amenity values) that are not, in themselves, an adverse effect;
 - The benefits of urban development consistent with *well-functioning urban environments*;
 - Any relevant contribution to meeting the requirements of the NPS-UD or realise development capacity; and
 - Likely current and future effects of climate change.
- **3.8 Unanticipated or out-of-sequence developments** (Subpart 2 – Responsive Planning) relates to plan changes that provide for significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release and how (amongst other things) this development capacity contributes to *well-functioning urban environments*.
- **3.11 Using evidence and analysis** (Subpart 3 – Evidence-based decision-making) relates to plan changes that affect the development of urban environments and the need for evidence to assess regulatory and non-regulatory options and their contribution to *well-functioning urban environments*.

- **3.13 Purpose and Content of FDS:** the purpose of a Future Development Strategy (FDS) is, amongst other things, to promote long-term strategic planning by setting out how a local authority intends to achieve *well-functioning urban environments* in its existing and future urban areas.

3.4 Analysis: In terms of Objective 1, I note this is essentially the same outcome required under Part 2 of the RMA to determine if the sustainable management purpose of the Act is met. In paragraph 14.5 of my evidence in chief I note that the s42A Report provides an assessment of the proposal under Part 2 of the RMA and determines it is consistent with the sustainable management purpose of the RMA. I generally agreed with this assessment (subject to a typo that was subsequently corrected by the Council Officer).

3.5 Building on this Part 2 assessment, I conclude that the proposal will achieve the *well-functioning urban environments* outcome intended by Objective 1 as it assists in enabling all people and communities to provide for their social, economic and cultural well-being and for their health and safety for people now and in the future. I consider this conclusion is supported by a number of outcomes included in other NPS-UD Objectives including Objective 3 (the proposal enables more people to live in areas of an urban environment (Otaihanga) that is near a centre zone and other areas with many employment opportunities), Objective 4 (that anticipates changes in the urban environment in response to changing needs), and Objective 6 (integrated with infrastructure planning; strategic over the medium term; responsive in that it would provide significant development capacity).

The NPS-UD definitions of an urban environment and a tier 1 urban environment (if different)

3.6 **NPS-UD: urban environment** means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- i. is, or is intended to be, predominantly urban in character; and
- ii. is, or is intended to be, part of a housing and labour market of at least 10,000 people

3.7 **NPS-UD: tier 1 urban environment** means an urban environment listed on column 1 of table 1 in the Appendix.

- 3.8 Analysis: The NPS-UD definition of ‘urban environment’ is broad and general in nature. The intent of the definition is clearly to have a holistic and all-encompassing approach to the urban environment that is not limited by size of area or jurisdictional boundaries. The two ‘qualifiers’ are also intended to capture the current and future opportunities in the urban environment. The term ‘predominantly urban in character’ in the first qualifier does not exclude areas not currently urban. The prerequisite in the second qualifier is that the urban environment should be part of a housing and labour market greater than 10,000 people.
- 3.9 The NPS-UD includes Wellington as a Tier 1 urban environment and identifies the KCDC as a Tier 1 local authority. This classification recognises that Kapiti is predominantly urban in nature, even though it has a mix of rural, open space and natural areas, and meets the housing and labour market greater than 10,000 people threshold. In my opinion, the classification of the Kapiti District as a Tier 1 urban environment provides a useful context for considering the proposed subdivision (including earthworks and infrastructure) against the objectives and policies of NPS-UD.
- 3.10 I also note Mr Foy in his Addendum to his evidence in chief emphasises the importance of the need to differentiate between the terms ‘urban environment’ and ‘urban area’². In particular Mr Foy notes that an ‘urban environment’ is able to include multiple areas, and does not need to be a contiguous land area.

The implications of NPS-UD Policy 6 in relation to planning decisions

- 3.11 The full wording of Policy 6 is included in **Annexure 1**. Policy 6 applies when making planning decisions that affect urban environments. Decision-makers are to ‘have particular regard to’ matters in (a) – (e) of Policy 6. I note no specific weight is given to any of these matters, and the matters are not contiguous (i.e. the matters are not linked by ‘and’). The decision-maker therefore has to give equal weight to each matter, and has the discretion to disregard the matter once they ‘have particular regard to’ it.
- 3.12 In terms of clauses (a) & (b), I note:

² Paragraphs 10 - 12 of Mr. Foy’s Addendum

- (a) The Wellington RPS, proposed NRP and operative District Plan are RMA planning documents (as defined by the NPS-UD) that have general provisions that would give effect to the NPS-UD – the relevance of the provisions in these planning instruments to the proposal have been assessed in the s.42A Report and subsequent expert evidence; and
- (b) Proposed PC1 to the Wellington RPS and proposed PC2-I to the operative District Plan are RMA planning document with specific provisions that implement the NPS-UD – the relevance of the provisions in these planning instruments to the proposal are discussed below.

3.13 In terms of clause (c), I note the benefits of the proposed subdivision (including earthworks and infrastructure) that contribute to well-functioning urban environment as described in Policy 1 include:

- (a) The proposal will enable a variety of 45 new homes with a mix of types – rural-residential (22) and medium density urban (23); and the potential for medium density homes that are affordable and in a location with good connectivity to Paraparaumu and Waikanae and a variety of section sizes will provide for a range of different households (Policy 1; sub-clause (a)(i));
- (b) The applicant is working with iwi for the identity of Ātiawa to be reflected in the subdivision (Policy 1; sub-clause (a)(ii));
- (c) The location of the application site provides good accessibility through existing roads to Paraparaumu township and further south via the Kapiti Expressway, and to Waikanae and further north via the old State Highway 1; existing walking and cycling routes also provide access to Waikanae (via Otaihanga) and Paraparaumu, and to the Kapiti Expressway, and the subdivision includes a walking and cycling link between the northern and southern access roads; existing natural and open spaces include along the Kapiti Expressway, and the Otaihanga reserve and Waikanae River trails, and a new community park is included in the proposed subdivision; currently Otaihanga is not serviced by any public transport (Policy 1; clause (c));

- (d) The proposed subdivision (including earthworks and infrastructure) supports the housing needs of the Kapiti District and sustainably manages a rural resource that is of poor quality soils and is no longer viable due to being severed by the Kapiti Expressway (Policy 1; clause (d));
- (e) The location of the application site being close to Paraparaumu and Waikanae will encourage walking and cycling and minimise the use of motor vehicles; there is also potential for the development in increase the viability of public transport links to Otaihanga in the future (Policy 1; clause (e));
- (f) The proposed subdivision (including earthworks and infrastructure) manages stormwater and flooding effects, including climate change predictions relating to a 1:100 AEP flood event (Policy 1; clause (f)).

3.14 In terms of clause (d), the proposal contributes to development capacity in the Kapiti District, particularly with a mix of rural-residential lots (22) and medium density urban (23) in close proximity to the District's two main centres – Paraparaumu and Waikanae.

3.15 In terms of clause (e), likely current and future effects of climate change have been factored into the stormwater and wastewater infrastructure, and ensuring flood hazards on the application site are managed to accommodate a 1% AEP flood event.

4. TE TUPU PAI (MARCH 2022)

4.1 Paragraph 5 b. of Minute #2 sought a summary and expert planning analysis of the following matters:

Whether it is a Future Development Strategy (FDS) as mandated by sub-part 4 of the NPS-UD; or

4.2 Analysis: I understand Ms Rydon has discussed this matter with the appropriate people in Council, and has confirmed Te Tupu Pai is not a FDS for the purposes of part 4 of the NPS-UD. As per section 4.1 of the NPS-UD, a Tier 1 local authority has to have FDS prepared in time to inform the 2024 long-term plan. In this context, the FDS is not a statutory document.

Whether it is intended as a step in progress towards a FDS; and

- 4.3 Analysis: I note Section 1 Overview of Te Tupu Pai states: “*The growth strategy applies Government direction and new laws – notably the requirements for greater intensification in the National Policy Statement on Urban Development. It takes account of planning for development of the region and our contribution to the Wellington Regional Growth Framework and its impact on our district*”. While Ms Rydon will be able to provide a confirmation regarding whether Te Tupu Pai is intended to be a step in progress towards a FDS, in my opinion the growth strategy has been prepared in the context of the NPS-UD (2020), and provides clear direction to the implementation of the intensification requirements of Policies 3 and 4 through proposed PC2-I.

The implications of the relationship between Te Tupu Pai and the proposed development

- 4.4 Analysis: While not a statutory document, Te Tupu Pai does provide a possible future context to consider the proposed development in. In particular, it includes the following:
- (a) The proposal is consistent with a number of the priorities and aspirations included in “Our Vision for growing well³”, and in particular improving walkability, neighbourhoods and well-being; achieving climate neutral living, and enabling the possibility of affordable and efficient urban form;
 - (b) The proposal is consistent with the main elements of the Council’s approach⁴ that includes “growing both up and out, with an emphasis on intensification and opening up some greenfields progressively over time, and our greenfields also being denser and more connected to public transport”;
 - (c) Delivering the strategy includes working with developers to achieve the growth objectives⁵; part of this work with developers is making sure sufficient infrastructure is in pace to enable developers (and others) to explore development opportunities⁶;

³ Page 6 of Te Tupu Pai

⁴ Page 8 of Te Tupu Pai

⁵ Page 8 of Te Tupu Pai

⁶ Page 9 of Te Tupu Pai

- (d) The strategy recognises that Kapiti still has space to develop – within the existing urban centres and on their edges⁷;
- (e) Cycleways, walkways and bridleways network will be important for ensuring greenfield developments can make use of alternative transport options⁸;
- (f) A flexible approach is adopted – if growth is faster or slower than expected, development can be brought forward or pushed further back⁹;
- (g) Otaihanga is shown as a medium-priority greenfield growth area on the approach to sustainable growth plan¹⁰ and included in the list in the "how we will grow summary"¹¹; the reason for this is because all of the identified greenfield areas require further investigation to assess constraints and infrastructure needs – how quickly and cost effectively an area could be developed is heavily dependent on the level of infrastructure required to support growth¹²;
- (h) Key activities in delivering the growth strategy indicate an urban development plan change – greenfields focus being prepared from the end of the first quarter of 2023 through to the end of 2024 and possibly beyond.

4.5 In my opinion, the above matters provide a reasonable level of confidence that greenfield development, and in particular the Otaihanga area, are intended to address the District's housing requirements going forward, along with intensification provisions. As I noted at the hearing, the two key reasons for identifying medium-priority greenfield development related to an assessment of constraints, and the need to provide sufficient infrastructure.

4.6 In the case of the proposed subdivision (including earthworks and infrastructure), the constraints of the application site have been identified and assessed through the technical assessments undertaken, and

⁷ Page 10 of Te Tupu Pai

⁸ Page 11 of Te Tupu Pai

⁹ Page 12 of Te Tupu Pai

¹⁰ Page 16 of Te Tupu Pai

¹¹ Page 17 of Te Tupu Pai

¹² Page 17 of Te Tupu Pai

managed through the design of the subdivision (including earthworks and infrastructure) and the conditions proposed, and the infrastructure is already available to service the proposed development. I therefore consider the proposal can be appropriately considered now as a high-priority area in terms of Te Tupu Pai, as is able to be developed sooner rather than later.

- 4.7 My opinion is further supported by the amendments to the provisions of RPS through proposed PC1 which establishes an interim period before a FDS is released, as discussed in Section 7 below.

5. THE COUNCIL'S PROPOSED INTENSIFICATION PLAN CHANGE (DRAFT PLAN CHANGE 2), DUE FOR PUBLIC NOTIFICATION ON 18 AUGUST

- 5.1 Paragraph 5 c. of Minute #2 sought a summary and expert planning analysis of the following matters:

The continued zoning of the application site as Rural Lifestyle Zone

- 5.2 Analysis: Proposed PC2-I has now been notified with submissions closing 5pm Thursday 15 September. The focus of proposed PC2-I is to incorporate Medium Density Residential Standards (MDRS) into the operative District Plan as required by the NPS-UD. Proposed PC2-I applies to most sites in the General Residential Zone, and rezones some smaller areas adjacent to existing urban areas to General Residential Zone. Proposed PC2-I also introduces 'qualifying matters' as provided for in the NPS-UD.
- 5.3 The Applicant provided informal comment (i.e. this was not part of the formal statutory process) on the draft proposed PC2-I that requested the application site (i.e. the Mansell farm west of the Kapiti Expressway) be rezoned General Residential Zone on Planning Map 09, and to include reference to the Mansell farm in any relevant provisions subject to proposed PC2-I. The Applicant also offered to meet and discuss with Council officers any specific provisions that may relevant to meeting its request. This offer was not taken up by Council's officers.
- 5.4 Council did prepare a summary of the feedback to the informal consultation undertaken, and a response to the matters raised. The

Council officers made the following response to the Applicant's comments:

"The area is part of a larger "medium priority greenfield growth area" identified in Te Tupu Pai (The District Growth Strategy). If urban development is considered to be appropriate in this area, the area is of a sufficient size and complexity to require structure planning in order to enable cohesive future urban development. It would be more appropriate to consider this area through a future urban development plan change, rather than as part of PC2".

- 5.5 The response recorded the submission as being noted, and no changes made. Interestingly, the section 32 Report accompanying proposed PC2-I includes a large number of appendices, including a 'Kapiti Coast Urban Development Greenfield Assessment'¹³ that identifies a number of 'future study area' including OH-01 that incorporate the subject site. I have included a copy of this plan in **Annexure 2**.
- 5.6 In my opinion, the Commissioners can have some level of confidence that the application site will be investigated in the future to be part of a greenfield development assessment and plan change. What the outcome of such an investigation cannot be certain. However, it is likely that any future greenfield development will provide for more intensification that the Otaihanga Estates project proposes. From this perspective, granting consent for the subdivision (including earthworks and infrastructure) proposal before you now will not impede or inhibit any future plan change or structure plan process as the proposal is serviced by existing infrastructure, provides its own internal roads and connections to the existing roading network, and manages any future climate change flood events on-site. The proposed subdivision also has lot sizes that may be able to subdivided further in the future, should further intensification of this area be considered appropriate.

No identification of the application site, in whole or part, as a site by Appendix "A" of the plan change, being a range of sites proposed to be added to the General Residential Zone as part of incorporating the MDRS into the District Plan, or giving effect to policy 3 of the NPS-UD

¹³ 7 July 2022 prepared by Boffa Miskell

5.7 Analysis: Currently, the application site is not included in those sites that are to be rezoned General Residential Zone and have the MDRS applied to them. Following on from the informal comment made by the Applicant to the draft proposed PC2-I (outlined above), the applicant has subsequently filed a submission with the Council seeking the application site to be included in proposed PC2-I. As part of the submission, the Applicant has assessed the application site against the assessment criteria included in the s.32 Report (and appendices) to demonstrate why the site should be included in proposed PC2-I. Whether the Applicant's submission will be successful will not be known for some time.

6. THE FOLLOWING OBJECTIVE AND POLICIES FROM THE OPERATIVE DISTRICT PLAN AND, WHERE RELEVANT, ANY DISTRICT PLAN EXPLANATIONS THAT SUPPORT THOSE PROVISIONS

6.1 Paragraph 5 d. of Minute #2 sought a summary and expert planning analysis of the following objectives and policies and, where relevant, explanations (the full text of these provisions are included in **Annexure 1**):

DO-O3 Development Management: including in relation to the terms "existing urban areas" and "identified growth areas".

6.2 Analysis: This Objective focuses on maintaining a consolidated urban form within existing 'urban areas' (as opposed to the 'urban environment' which is the focus of the NPS-UD) and identified growth areas which can be efficiently serviced and integrated with existing townships. The Objective also lists a number of deliverables which would represent good urban form.

6.3 I note the term 'urban areas' is not specifically defined in the operative District Plan, but a common definition would be a built-up area where there is a higher population density and infrastructure for a built environment¹⁴. Part of the urban area can include open spaces, natural environment and non-urban areas (i.e. rural zoned land can be present in an 'urban area').

6.4 An 'identified growth area' is defined in the operative District Plan as: *"means the areas shown on the District Plan Maps as Ngārara*

¹⁴ Wikipedia

Development Area, Waikanae North Development Area, and Future Urban Zone.”

- 6.5 The explanation includes relevant commentary on local issues, and the local resource management challenges with respect to managing and accommodating growth and development. Of relevance is the need for new growth and development to make efficient use of the significant infrastructure investment supporting existing settlements, and the proposal achieves this outcome. The approach to managing challenges in achieving urban form that balances the need to meet many housing needs of the District’s residents with the preservation of the valued character and infrastructure efficiencies includes (amongst other things) providing for selected greenfield development areas in a way that reinforces overall compact urban form.
- 6.6 This Objective reflects the Council’s approach taken to urban form when the PDP was prepared prior to 2012, as over a decade old. The Objective does not reflect Te Tupu Pai or assessments undertaken as part of appendices in to s32 Report for proposed PC2-I, or the NPS-UD 2019 or NPS-UD May 2022 update, or the relevant amendments to the RMA. While not part of the narrow ‘identified growth areas’ identified in the operative District Plan, in my opinion the proposal does deliver a number of the outcomes sought by Objective DO-03, and is overall not inconsistent with the intent of the Objective.
- 6.7 Amendments are proposed to Objective DO-3 in proposed PC2-I (refer to **Annexure 1**). I note these amendments introduce the term ‘urban environment’ which is more consistent with the NPS-UD, and the consideration of urban form within a wider context that ‘urban areas’. I also note there are amendments to the local issues part of the explanatory statement that recognises the need to manage change in sensitive areas. In other words, the interpretation of Objective DO-03 going forward will change if proposed PC2-I is adopted.

UFD-P1 Growth Management: particularly in relation to part (d) of the policy

- 6.8 Analysis: Policy UFD-P1 is intended to implement Objective DO-03 in relation to new urban development and requires residential activities to only be located within existing urban areas and identified growth areas.

The narrow focus of the Policy reflects the Council's position when the PDP was prepared prior to 2012, as discussed above. I note there is no reference to or provision for greenfield sites or the intention of the Policy to restrict growth. In my opinion the Policy is therefore now not consistent with the NPS-UD or Te Tupu Pai growth strategy that has been developed since the Policy was prepared. Not surprisingly it is also not consistent with the new MDRS directives included in the NPS-UD, and is proposed to be amended in proposed PC2-I (refer to **Annexure 1**).

- 6.9 I note Policy UFD-P1 does not have a part (d) so I have presumed the Commissioners are interested in the matters raised in Clause 4 relating to avoiding urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlement. The assessment of effects of the proposed subdivision (including earthworks and infrastructure) has determined that any adverse amenity and landscape effects can be managed to acceptable levels with the mitigations proposed. Furthermore, I note Policy 6 (b) of the NPS-UD addresses significant changes to an area that may come from planned urban built form that may detract from amenity values, and determines these are not of themselves, adverse effects. The proposed subdivision (including earthworks and infrastructure) is consistent with clause 5 that intends to make efficient use of existing capacity of public services and strategic infrastructure. I note Proposed PC2-I does propose changes to Policy UFD-P1, but these changes do not give effect to the NPS-UD and are not consistent with other changes proposed to other operative District Plan Provisions. Also, the Policy continues to only apply to existing urban areas and identified growth areas (as defined in the Plan, and this is not consistent with proposed PC2-I that introduces new areas for intensification.

- 6.10 There are no explanations that would help with the interpretation of the Policy.

UFD-P4 Residential Density: particularly in relation to part (7) of the policy

- 6.11 Analysis: The intent of Policy UFD-P4 is to manage the density of subdivision (including earthworks and infrastructure) through an area-specific approach. Clause 7 intends for low densities will apply in Low

Density Housing Precinct areas that are identified on the Planning Maps and listed in the Note following the Policy. The Otaihangā area is not listed as a low density area.

6.12 My comments above regarding the Policy reflects the Council's position when the PDP was prepared prior to 2012 also apply. I note proposed PC2-I proposes to delete clause 7 (refer to **Annexure 1**), and the supporting Note, and make other changes to align the Policy with the NPS-UD. In my opinion little weight can be put on this Policy when making a decision on the proposed subdivision (including earthworks and infrastructure).

6.13 There are no explanations that would help with the interpretation of the Policy.

RLZ-P2 Rural Character: including in relation to parts (a) and (c) of the policy

6.14 Analysis: Policy RLZ-P2 requires subdivision, use and development in the Rural Zones to maintain or enhance the District's rural character, as identified in clauses a. – d.. In particular clause a. refers to the general sense of openness, and clause c. to overall low density of development.

6.15 I note the operative District Plan rules that support Policy RLZ-P2 are intended to achieve these outcomes, but does not prohibit subdivision and development that may change the rural lifestyle character. I also note proposed PC1-I does not change this Policy.

6.16 As per my comments above, Policy RLZ-P2 reflects Council's position on the rural lifestyle character of the District when the PDP was prepared prior to 2012, and in particular the overall low density of development in the RLZ. Policy 6 (b) of the NPS-UD reflects the change that can be anticipated by the directives it provides, and the amendments to Objective DO-03 through proposed PC2-I also anticipates this change over time. In my opinion little weight can be put on this Policy when making a decision on the proposed subdivision (including earthworks and infrastructure).

6.17 There are no explanations that would help with the interpretation of the Policy.

RLZ-P9 Rural Lifestyle Zone: particularly in relation to part (d) of the policy

- 6.18 Analysis: The Policy makes provision for rural lifestyle living in identified locations zoned accordingly. Clause d. intends for rural lifestyle living to be at a scale and in locations that avoid creating or expanding urban settlements. I note the operative District Plan rules that support Policy RLZ-P9 are intended to achieve these outcomes, but does not prohibit subdivision (including earthworks and infrastructure) that may change the rural lifestyle character. I also note proposed PC1-I does not change this Policy.
- 6.19 As per my comments above, the Policy reflects the Council's position when the PDP was prepared prior to 2012 when consolidation of urban areas was a focus, and prior to the NPS-UD. Policy 6 (b) of the NPS-UD reflects the change that can be anticipated by the directives it provides, and the amendments to Objective DO-03 through proposed PC2-I also anticipates this change over time. In my opinion little weight can be put on this Policy when making a decision on the proposed subdivision (including earthworks and infrastructure).
- 6.20 There are no explanations that would help with the interpretation of the Policy.

INF-GEN-P7: particularly in relation to part (f) of the policy, and in relation to the focus of intensification being in "existing urban areas" as defined by the District Plan

- 6.21 Analysis: Policy INF-GEN-P7 intends for subdivision, use and development of land for urban growth and intensification will be focused on particular areas (i.e. in existing urban areas). I note there is no clause (f) in the Policy, and I presume the Commissioners are referring to clause 6. that requires the avoidance of areas that would lead to further growth pressures and demand for infrastructure investment ahead of the community's or infrastructure provider's ability to fund, or its desired funding programme.
- 6.22 As discussed in my evidence in chief, the proposed subdivision (including earthworks and infrastructure) will provide the on-site infrastructure to service rural residential activities in the northern area of the site, and residential activities in the southern area. The Council's

current stormwater and wastewater infrastructure has capacity to service the proposed subdivision (including earthworks and infrastructure). The area is therefore suitable for the proposed subdivision (including earthworks and infrastructure) and would not lead to further growth pressures and demand for infrastructure investment.

- 6.23 There are no explanations that would help with the interpretation of the Policy.

7. PROPOSED PLAN CHANGE 1 TO THE WELLINGTON RPS

- 7.1 Paragraph 6 of Minute #3 sought an additional analysis of the following provisions from proposed Plan Change 1 (PC1) to the RPS and, where relevant, and RPS explanation and section 32 analysis to support the provisions (the full text of these provisions are included in **Annexure 1**):

Policy 55

- 7.2 Analysis: The focus of Policy 55 is proposed to be amended by proposed PC1 from maintaining a compact, well designed and sustainable regional form (as a consideration), to providing for appropriate urban expansion (as a consideration). Proposed PC1 also amends the matters that shall be given particular regard to when considering an application for a resource consent or a change, variation or review of a district plan for urban development beyond the regional's 'urban areas', which include:

- (a) The urban development contributes to establishing or maintaining the qualities of a well-functioning urban environment (relating to connectivity and the management and protection of values or resources identified in the RPS as listed in Clause (ii) 1. – 8.);
- (b) The urban development is consistent with any Future Development Strategy (FDS), or the regional or local strategic growth and/or development framework or strategy that describes where and how future urban development should occur in that district or region, should the Future Development Strategy be yet to be released;
- (c) A Structure Plan has been prepared; and/or

- (d) Any urban development that would provide for significant development capacity (in this case in the context of the Otaihanga area), regardless of if the development was out of sequence or unanticipated by growth or development strategies.

- 7.3 The explanation to the amended Policy 55 specifies that clause (b) provides an interim period where the FDS is in development. What is confusing is the explanation only references the need to consider the regional strategic growth strategy and/or development strategy which is the currently the Wellington Regional Growth Framework, and not the local strategic growth strategy and/or development strategy referenced in the amended Policy. In my opinion this is an error in the Explanation, as it does not accurately reflect the wording proposed in Policy 55. I also note Policy 56 (discussed below) is amended to also refer to local strategic growth and/or development framework or strategy. The implications for the consideration of resource consent for the proposed subdivision (including earthworks and infrastructure) is that the Commissioners can rightly consider the Te Tupu Pai district growth strategy in the context of the interim period where KCDC is yet to complete a FDS.
- 7.4 For completeness of my analysis, I consider the proposed subdivision (including earthworks and infrastructure) contributes to a well-functioning urban environment as described in clause (a) (i) and (ii), and is consistent with the proposed new clause (d) as it provides significant development capacity regardless of whether the development is out of sequence or unanticipated by growth or development strategies – this clause implements Policy 8 of the NPS-UD. In my opinion the proposed changes to Policy 55 provide important guidance to the Commissioners when making a decision on the resource consent application.

Policy 56 – particularly the implications of 56(d)

- 7.5 Analysis: Policy 56 intends to manage development in rural areas and lists particular matters that shall be given regard to when considering an application for a resource consent or a change, variation or review of a district plan in rural areas. Clause (d) is amended by referring to whether the proposal is consistent with any FDS or regional or local strategic growth and/or development framework or strategy that addresses future rural development, should the FDS be yet to be released. The

explanation states that Policy 56 recognises the tension that exists between urban and rural development on the fringe of urban areas and seeks to manage this tension such that well-functioning urban environments and urban areas are established and maintained.

- 7.6 The implications of the amendments proposed to Policy 56 are the same as for Policy 55 above. In my opinion the proposed changes to Policy 56 provide important guidance to the Commissioners when making a decision on the resource consent application.

The proposed amendment to the RPS definition of “urban areas”

- 7.7 Analysis: The proposed amendments to the definition of ‘urban areas’ appear to be grammatical, and simply update the references to zones and the name of Hutt City. In my opinion the amendments provide no further guidance to the Commissioners when considering the resource consent application for the proposal.

- 7.8 There are no explanations accompanying the amendment to the definition of ‘urban area’.

The proposed new definition of “urban environment”

- 7.9 Analysis: The new definition proposed adopts the definition of ‘urban environment’ included in the NPS-UD. This definition has been discussed above in Section 3.

- 7.10 There are no explanations accompanying the proposed new definition of ‘urban environment’.

The proposed amendment to the RPS definition of “rural areas”

- 7.11 Analysis: The proposed amendments to the definition of ‘rural areas’ provide clarity to what the definition is referring to – the earlier definition is unhelpful. In my opinion the amendments provide no further guidance to the Commissioners when considering the resource consent application for the proposal.

- 7.12 There are no explanations accompanying the amendment to the definition of ‘rural areas’.

Any other related or relevant matters in the RPS in general, or the proposed plan change in particular

- 7.13 Analysis: The main focus of proposed PC1 is to implement and support the NPS-UD, amongst other things. I note the following additional matters relevant to the consideration of the resource consent application:
- (a) Increasing pressure on housing and infrastructure capacity is included as a new overarching resource management issue for the Wellington Region;
 - (b) A considerable amount of commentary relating to well-functioning urban environments and the need to address resource management issues is included in the Introduction to Chapter 3.9;
 - (c) A new Objective 22B is introduced that requires that: *“Development in the Wellington Region’s rural area is strategically planned and impacts on significant values and features identified in this RPS are managed effectively.”* This new Objective is implemented by amended Policies FW 7 – Water attenuation and retention – non-regulatory; and Policy 56 – Managing development in rural area – consideration (discussed above)
- 7.14 The above provisions are consistent with and ancillary to the matters addressed above that are directly relevant to the other provisions of Proposed PC1 assessed above.

8. AN INTEGRATED AND OVERALL OPINION

- 8.1 Paragraph 5 e. of Minute #2 and paragraph 7 of Minute #3 sought an integrated and overall approach about the relevance of all the above matters with regard to the application site as a whole, and to the site’s southern residential area in particular.
- 8.2 Analysis: Base on the above analysis of the various planning instruments included in Minutes #2 and #3, and the questions posed by the Commissioners, a summary of the relevance of these to the proposed site as a whole is:
- (a) The **NPS-UD** provides guidance to the Commissioners when making a decision on the proposed subdivision (including

earthworks and infrastructure) resource consent application, and in particular:

- i. Objective 1 requires a similar assessment of the proposal as Part 2 of the RMA from a sustainable management perspective;
 - ii. Policy 1 assists in ensuring planning decisions contribute to well-functioning urban environments;
 - iii. Policy 6 provides useful guidance on matters that should be given particular regard to when making planning decisions, including changes to an area that can be expected in the planned built environment, and these changes are not, in themselves, and adverse effect;
 - iv. The definition of 'urban environment' provides context for the consideration of the proposal in a rural residential zone.
- (b) **Te Tupu Pai** is a local growth strategy that provides a context for implementing the MDRS requirements of the NPS-UD, and guidance for further addressing the housing requirements of the District, with the development of greenfield sites a key component of the strategy. While Te Tupu Pai is not a FDS in terms of Subpart 4 of the NPS-UD, amendments proposed to the Wellington RPS allow the Commissioners to give it weight when considering the proposed subdivision (including earthworks and infrastructure) as a greenfield development in the interim. In my opinion, the application site meets the reasons for classifying a greenfield site as a medium-priority that should be the subject of a future urban development plan change, and instead should be a high-priority site.
- (c) **Proposed PC2-I** to the operative District Plan implements the MDSR requirements of the NPS-UD, which (amongst other things) includes rezoning a number of sites adjacent to urban areas to General Residential Zone. Supporting this plan change is an Urban Development Greenfields Assessment that identifies 'avoidance' criteria for selecting future greenfield sites, and identifies a large area in Otaihanga listed OH-01 (refer to Annexure 2). The application site is within this OH-01 area. In

my opinion, the application site can be included in proposed PC2-I as it meets the assessment criteria, and the Applicant has lodged a submission seeking this outcome.

- (d) The Objectives and Policies of the operative District Plan reflects the Council's consolidation approach taken to urban form/areas when the PDP was prepared prior to 2012. In my opinion this approach is no longer appropriate a broader urban environment approach is now required to address the housing challenges facing the District, and the requirements of the NPS-UD. Overall, in my opinion, while the proposed subdivision (including earthworks and infrastructure) is not contrary to the Objectives and Policies when taking a Part 2 assessment, they are unhelpful and little weight can be given to them in the changing policy framework that now exists. I acknowledge proposed PC2-I does propose some amendments that assist with this wider approach.
- (e) **Proposed PC1** to the RPS provides some useful guidance to the Commissioners considering the application for the proposal, and in particular by introducing an interim period where local growth strategies can be considered should a FDS not be released. Proposed PC1 also provides for urban development that provides significant development capacity (in this case in the context of the Otaihanga area) regardless whether the development is out of sequence or unanticipated by growth or development strategies.

- 8.3 Overall, after assessing the various planning instruments and provisions identified in Minute #2 and Minute #3, my opinion is that the proposed subdivision (including earthworks and infrastructure) meets the s.104 and Part 2 requirements of the RMA, and consent can be granted imposing the conditions agreed to in the Planner's conferencing
- 8.4 Furthermore, consideration of these matters should relate to the entire site, and there should not be separate consideration of their relevance to the northern area and southern area. The entire proposal requires a non-complying resource consent application, as the average and minimum lot sizes in the operative District Plan for subdivision in the Rural Residential Zone are not met.

A handwritten signature in blue ink, appearing to read "A. Hansen", is enclosed in a light gray rectangular box.

Christopher Adrian Hansen
2 September 2022

ANNEXURE 1 – Full Wording of Planning Provisions

NPS-UD provisions that refer to well-functioning urban environments

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

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

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

Objective 4: New Zealand'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.

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

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

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

- (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
- (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.

3.8 Unanticipated or out-of-sequence developments

- (1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.
- (2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:
 - (a) would contribute to a well-functioning urban environment; and
 - (b) is well-connected along transport corridors; and
 - (c) meets the criteria set under subclause (3).
- (3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

3.11 Using evidence and analysis

- (1) When making plans, or when changing plans in ways that affect the development of urban environments, local authorities must:
 - (a) clearly identify the resource management issues being managed; and
 - (b) use evidence, particularly any relevant HBAs, about land and development markets, and the results of the monitoring required by this National Policy Statement, to assess the impact of different regulatory and non-regulatory options for urban development and their contribution to:
 - (i) achieving well-functioning urban environments; and
 - (ii) meeting the requirements to provide at least sufficient development capacity.
- (2) Local authorities must include the matters referred to in subclause (1)(a) and (b) in relevant evaluation reports and further evaluation reports prepared under sections 32 and 32AA of the Act.

3.13 Purpose and Content of FDS:

- (1) The purpose of an FDS is:

- (a) to promote long-term strategic planning by setting out how a local authority intends to:
 - (i) achieve well-functioning urban environments in its existing and future urban areas; and
 - (ii) provide at least sufficient development capacity, as required by clauses 3.2 and 3.3, over the next 30 years to meet expected demand; and
 - (b) assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.
- (2) Every FDS must spatially identify:
- (a) the broad locations in which development capacity will be provided over the long term, in both existing and future urban areas, to meet the requirements of clauses 3.2 and 3.3; and
 - (b) the development infrastructure and additional infrastructure required to support or service that development capacity, along with the general location of the corridors and other sites required to provide it; and
 - (c) any constraints on development.
- (3) Every FDS must include a clear statement of hapū and iwi values and aspirations for urban development.

Operative District Plan Provisions

DO-O3 - Development Management

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas which can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;
3. resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
4. higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
5. management of development in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;
6. sustainable natural processes 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;
7. an adequate supply of housing 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; and
8. management of the location and effects of potentially incompatible land uses including any interface between such uses

UFD-P1 - Growth Management

New urban *development for residential activities* will only be located within *existing urban areas* and *identified growth areas*, and will be undertaken in a manner which:

1. supports the District's consolidated urban form;
2. maintains the integrity of the urban edge north of Waikanae and Ōtaki;
3. manages residential densities by:
 1. enabling *medium density housing* and focused *infill* housing in identified precinct areas that are close to *centres*, public *open spaces*, and public transport nodes;
 2. retaining a predominantly low residential density in the *Residential Zones*;
 3. avoiding any significant adverse *effects* of *subdivision* and *development* in special character areas identified in GRZ-P3;
4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural *environment* between and around settlements;
5. can be sustained within and makes efficient use of existing capacity of public services and strategic *infrastructure*; and
6. promotes the efficient use of energy and water.

UFD-P4 - Residential Density

The density of *subdivision* and *development* will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below:

1. the highest densities, including apartments as part of mixed use developments, will be located within and in immediate proximity to *centres*;
2. *medium density housing* will be limited to specific precinct areas within walking distance of *centres*;
3. *focused infill* will be encouraged in specific areas where there is good access to *shops* and services;
4. within the *Neighbourhood Development Areas* identified in the Ngārara Development Area Structure Plan in Appendix 7, the provision of affordable housing will be encouraged at appropriate locations with good access to *shops* and services;
5. traditional low density residential *subdivision* will be allowed within the *general residential area*;
6. overall existing low densities will be maintained in special character areas identified in GRZ- P3;
7. especially low densities will be applied in Low Density Housing Precinct areas (identified on the District Plan Maps) as transitions between rural and urban environments); and
8. in areas where *infrastructure* constraints exist (such as water, *wastewater* or roading), densities will reflect those constraints.

RLZ-P2 - Rural Character

Subdivision, use and *development* in the Rural Zones will be undertaken in a manner that maintains or enhances the District's rural character, including:

- a. the general sense of openness;
- b. natural landforms;
- c. overall low density of *development*; and
- d. the predominance of *primary production activities*.

RLZ-P9 - Rural Lifestyle Zone

Rural lifestyle living will be provided for in identified locations zoned Rural Lifestyle which:

1. can be efficiently accessed and are close to urban settlements;
2. are characterised by *land* with relatively low *productive potential*;
3. avoid potential *reverse sensitivity effects* on adjacent *primary production* activities and other lawfully established rural uses; and
4. are at a scale and in locations that avoid creating or expanding urban settlements.

INF-GEN-P7 – Infrastructure and Growth Management

Subdivision, use and *development of land* for urban growth and intensification will be focused on certain areas (i.e. in existing *urban areas*).

Subdivision, use and *development* will be avoided in areas where it:

1. is unable to be efficiently integrated with existing *infrastructure*, or be serviced by new *infrastructure* in an efficient and cost-effective manner;
2. does not promote the efficient end use of energy, including energy use associated with private vehicular transport, and efficient use of water;
3. does not align with Council's *infrastructure* asset management planning;
4. would lead to inefficient or unduly high operation and maintenance costs for public *infrastructure*;
5. is unable to make the most efficient use of the *transport network*; and
6. would lead to further growth pressures and demand for *infrastructure* investment ahead of the community's or *infrastructure* provider's ability to fund, or its desired funding programme.

Proposed Plan Change 2-I to the Operative District Plan Objectives and Policies

Proposed PC2-I amends the following operative District Plan provisions discussed in this Second Supplementary Statement:

DO-O3 - Development Management

To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, ~~which~~ and to provide for the *development of new urban areas where these* can be efficiently serviced and integrated with existing townships, delivering:

1. urban areas which maximise the efficient end use of energy and integration with infrastructure;
2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;

3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:
 1. that are in or near a Centre Zone or other area with many employment opportunities; or
 2. that are well serviced by existing or planned public transport; or
 3. where there is high demand for housing or for business land relative to other areas within the urban environment;
4. ~~3.~~ resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;
5. ~~4.~~ higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;
6. ~~5.~~ management of development in areas of special character or amenity so as to maintain, and where practicable, enhance in a manner that has regard to those special values;
7. ~~6.~~ sustainable natural processes 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;
8. ~~7.~~ an adequate supply of housing 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; ~~and~~
9. ~~8.~~ management of the location and effects of potentially incompatible land uses including any interface between such uses; ~~and~~
10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.

Change to Local Issues explanation:

The approach to managing these challenges is to:

- ~~maintain the predominant low density character that defines the District's many communities, while targeting specific areas for either increased character protection, and (conversely) increased residential intensity (indicatively represented in DO Figure 1);~~
- enable more people to live within Kāpiti's existing urban environments, particularly where these are well connected to transport, *infrastructure*, *commercial activities* and community services;
- recognise that some parts of the urban environment contain aspects of valued character that may be sensitive to change, and where appropriate include provisions that seek to help manage this change; and
- provide for selected greenfields development areas in a way that also reinforces overall compact urban form.

UFD-P1 - Growth Management

New urban *development for residential activities* will only be located within *existing urban areas* and *identified growth areas*, and will be undertaken in a manner which:

1. supports the District's consolidated urban form;

2. maintains the integrity of the urban edge north of Waikanae and Ōtaki;
3. manages residential densities by:
 - ~~(a) enabling medium density housing and focused infill housing in identified precinct areas that are close to centres, public open spaces, and public transport nodes;~~
 - ~~(b) retaining a predominantly low residential density in the Residential Zones;~~
 - ~~(c) avoiding any significant adverse effects of subdivision and development in special character areas identified in GRZ-P3;~~
 - a. providing for a variety of housing types and densities in the General Residential Zone;
 - b. enabling increased housing densities:
 - i. in, and within a walkable catchment of the Metropolitan Centre Zone;
 - ii. within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and
 - iii. in and adjacent to the Town Centre Zone and Local Centre Zone;
4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements;
5. can be sustained within and makes efficient use of existing capacity of public services and ~~strategic infrastructure~~, or is integrated with the planned capacity of public services and infrastructure; and
6. promotes the efficient use of energy and water.

UFD-P4 - Residential Density

The density of *subdivision* and *development* will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below:

1. the highest densities, including apartments as part of mixed use developments, will be located within and in immediate proximity to centres;
2. ~~medium density housing will be limited to specific precinct areas within walking distance of centres~~ higher density development, including multi-storey apartments, will be provided for within a walkable catchment of the Metropolitan Centre Zone, train stations at Paekākāriki, Paraparaumu and Waikanae, and adjacent to the Town Centre Zone and Local Centre Zone;
3. ~~focused infill will be encouraged in specific areas where there is good access to shops and services~~ a variety of densities will be provided for in the General Residential Zone;
4. within the *Neighbourhood Development Areas* identified in the Ngārara Development Area Structure Plan in Appendix 7, the provision of affordable housing will be encouraged at appropriate locations with good access to shops and services; and
5. ~~traditional low density residential subdivision will be allowed within the general residential area;~~
6. ~~overall existing low densities will be maintained in special character areas identified in GRZ-P3;~~

7. ~~especially low densities will be applied in Low Density Housing Precinct areas (identified on the District Plan Maps) as transitions between rural and urban environments); and~~
8. ~~5. in areas where *infrastructure* constraints exist (such as water, wastewater or roading), densities will reflect these constraints residential densities will be integrated with existing or planned *infrastructure* capacity.~~

Proposed Plan Change 1 to the Wellington RPS

Policy 55: Providing for appropriate urban expansion ~~Maintaining a compact, well designed and sustainable regional form~~ — consideration

When considering an application for a resource consent, or a change, variation or review of a district plan for *urban* development beyond the region's *urban areas* (as at ~~March 2009~~ August 2022), particular regard shall be given to whether:

- (a) ~~the *urban* proposed development is the most appropriate option to achieve Objective 22~~ contributes to establishing or maintaining the qualities of a well-functioning *urban environment*, including:
- (i) the *urban development* will be well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors;
 - (ii) the location, design and layout of the proposed development shall apply the specific management or protection for values or resources identified by this RPS, including:
 1. Avoiding inappropriate subdivision, use and development in areas at risk from natural hazards as required by Policy 29,
 2. Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23,
 3. Protecting outstanding natural features and landscape values as identified by Policy 25,
 4. Protecting historic heritage values as identified by Policy 22,
 5. Integrates *Te Mana o Te Wai* consistent with Policy 42,
 6. Provides for climate resilience and supports a low or zero carbon transport network consistent with Policies CC.1, CC.4, CC.10 and CC17.
 7. Recognises and provides for values of significance to *mana whenua / tangata whenua*,
 8. Protecting *Regionally Significant Infrastructure* as identified by Policy 8; and
- (b) ~~the proposed *urban development* is consistent with any *Future Development Strategy*, or the Council's regional or local strategic growth and/or development framework or strategy that describes where and how future urban development should occur in that district or region, should the *Future Development Strategy* be yet to be released; and/or~~
- (c) a structure plan has been prepared; and/or

- (d) Any urban development that would provide for significant development capacity, regardless of if the development was out of sequence or unanticipated by growth or development strategies.

Explanation

Policy 55 gives direction to the matters that must be considered in any proposal that will result in urban development occurring beyond the region's existing urban areas. This includes ensuring that the qualities and characteristics of a well-functioning urban environment are provided for through clause (a), which includes recognising values or resources identified elsewhere in the RPS.

Clause (b) requires consideration to be given to the consistency of the development with the Future Development Strategy which will look to deliver well-functioning urban environments through a regional spatial plan. To provide for the interim period where the Future Development Strategy is in development, clause (b) also requires consideration to be given to the consistency with any regional strategic growth and/or development framework which is currently the Wellington Regional Growth Framework.

Clause (c) requires consideration to be given to whether a structure plan has been provided. A structure plan is a framework to guide the development or redevelopment of an area by defining the future development and land use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features and constraints that influence how the effects of development are to be managed.

Clause (d) requires consideration of any proposal that would add significantly to development capacity, regardless of whether it is out of sequence or unanticipated by growth or development strategies. This clause gives effect to Policy 8 of the National Policy Statement on Urban Development. Clause (d) should be considered in conjunction with Policy UD.3.

Policy 56: Managing development in rural areas - consideration

When considering an application for a resource consent or a change, variation or review of a district plan, in *rural areas* (as at ~~March 2009~~ August 2022), particular regard shall be given to whether:

- (a) the proposal will result in a loss of productive capability of the rural area, including cumulative impacts that would reduce the potential for food and other primary production and reverse sensitivity issues for existing production activities, including extraction and distribution of *aggregate* minerals;
- (b) the proposal will reduce aesthetic and open space values in *rural areas* between and around settlements;
- (c) the proposals location, design or density will minimise demand for non-renewable energy resources; and
- (d) the proposal is consistent with *any Future Development Strategy*, or the ~~city or district~~ regional or local strategic growth and/or development framework or strategy that addresses future rural development, should the Future Development Strategy be yet to be released; or
- (e) in the absence of such a framework or strategy, the proposal will increase pressure for public services and infrastructure beyond existing infrastructure capacity.

Explanation

Policy 56 recognises the tension that exists between urban and rural development on the fringe of urban areas and seeks to manage this tension such that well-functioning *urban environments* and urban areas are established and maintained.

Definition of “urban areas”

The region’s urban areas ~~(as at February 2009)~~ include residential zones, commercial, mixed use zones urban, residential, suburban, town centre, commercial, community, business and industrial zones identified in the Wellington city, Porirua city, Lower Hutt city, Upper Hutt city, Kāpiti coast and Wairarapa combined district plans.

New definition of “urban environment”

Has the same meaning as in subpart 1.4 of the National Policy Statement for Urban Development 2020:

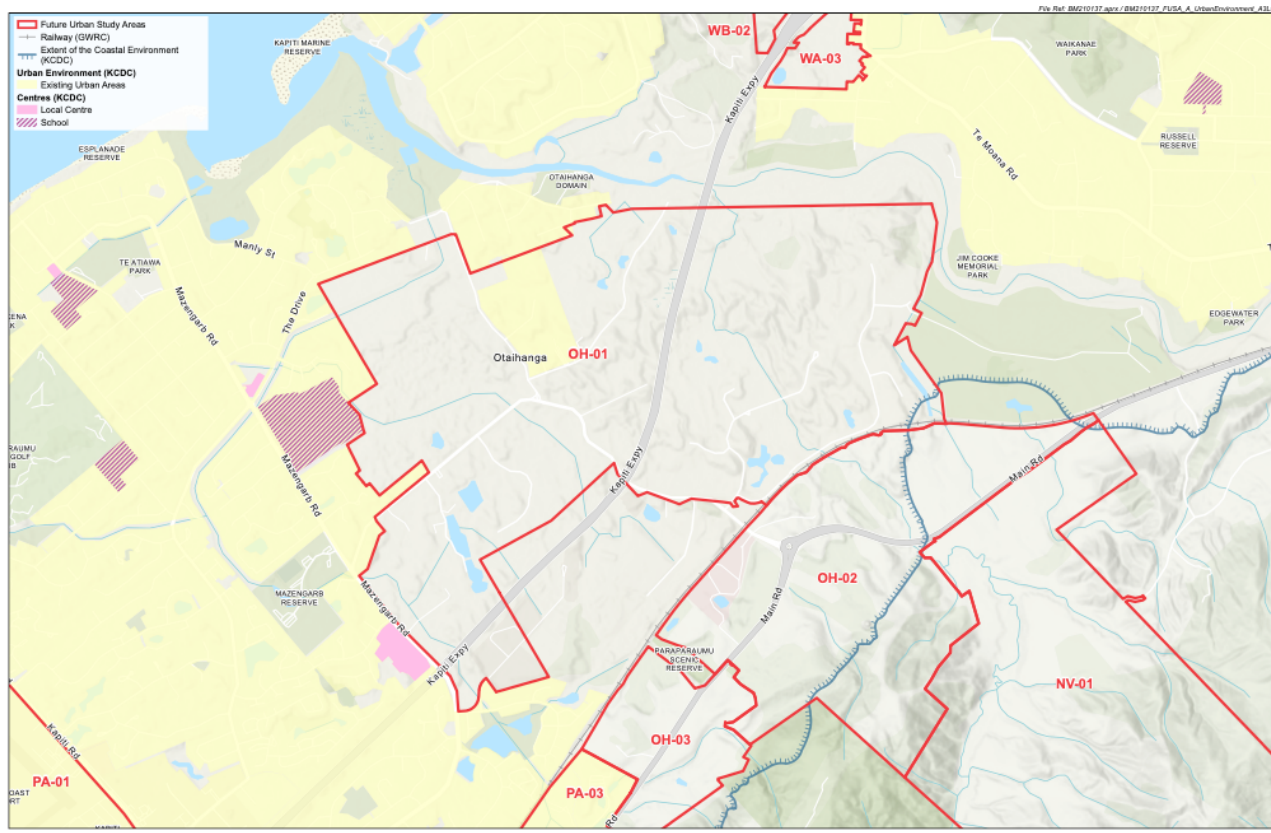
means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- (a) is, or is intended to be, predominantly urban in character; and
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.

Amendment to definition of “rural areas”

The region’s ~~r~~Rural areas ~~(as at March 2009)~~ include all areas not identified in the region’s urban areas ~~(as at March 2009)~~ rural zones identified in the Wellington city, Porirua city, Hutt city, Upper Hutt city, Kāpiti coast and Wairarapa combined district plans.

ANNEXURE 2 – Plan OH-01 showing future study area - Otaihanga



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This plan has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. We do not accept any liability or responsibility for any errors or omissions in the plan that may arise from inaccurate information provided by the Client or any external source.

Scale: 1:15,000 @ A3
Data Sources: KDCDC, BM, Aerial/Borealis Imagery, Eagle Technology, LINZ, GeoBNC, NIWA, Natural Earth, OpenStreetMap contributors, LINZ, Eagle Technology, Esri, Community Maps Contributors, LINZ, Open NZ, Eagle Technology, Esri, HERE, Garmin, METRANSA, USGS
Projection: NZGD 2000 New Zealand Transverse Mercator

KAPITI URBAN DEVELOPMENT AND INTENSIFICATION
Urban Environment
Future Urban Study: Otaihanga
Date: 30 July 2021 | Revision: 0
Plan prepared for KDCDC by Boffa Miskell Limited
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FU.8.A