

Proposed Kapiti Coast District Plan

VARIATION 2: Beach Residential Zone at Waikanae Beach

Section 32 Evaluation Report

February 2019



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I PURPOSE AND OVERVIEW

1.1 Purpose of the Variation

The purpose of the variation is to:

1. recognise the special character of the ‘Olde Beach’ area, and to provide for the maintenance of the key characteristics of the area’s special character; and
2. to simplify a confusing and problematic rule managing the front yard setback within the District’s Beach Residential Zone.

1.2 Overview

This Section 32 evaluation report addresses the Kapiti Coast Proposed District Plan (PDP) Variation 2 which proposes to change the zoning of the ‘Olde Beach’ area at Waikanae Beach from Residential Zone to Beach Residential Zone.

Section 32 (1)(b) of the Resource Management Act 1991 (RMA) requires an evaluation of whether the provisions proposed are the most appropriate way to achieve the PDP objectives by reference to other reasonably practicable options and the efficiency and effectiveness of the provisions in achieving the objectives. This report summarises the reasons why the proposed provisions are considered to be the most appropriate way to achieve the PDP objectives, as required by section 32 (1) of the RMA.

The PDP Beach Residential Zone currently covers the three coastal settlements of Ōtaki Beach, Raumati and Paekākāriki. While each of the three settlements has its own ambience and individuality, they share a range of common features that define a low key ‘beach’ character derived from similarities in their coastal location, topography and history of land subdivision, use, and development.

Council has been engaging with the Waikanae Beach community to develop a vision document for the Waikanae Beach area. This was in response to requests from the community to protect the special character of Waikanae Beach from development pressures.

A vision document “Our Future Waikanae Beach” was developed by the community with support from the Council and was published with the endorsement of the Waikanae Community Board in March 2017. Council then commissioned Urban Perspectives Ltd to undertake a Character Study for Waikanae Beach which was completed in October 2017. This study identified what features were key components of the valued character of the ‘Olde Beach’ area at Waikanae Beach. The key features provide for an overall low key ‘beach’ character.

In January 2018, an appeal on the PDP was lodged by some residents of Waikanae Beach seeking rezoning of the area to better protect its special character.

This Section 32 evaluation report examines two related matters:

Zoning of 'Olde Beach' Area:

The report considers the most appropriate way of managing future development within the 'Olde Beach' part of Waikanae Beach and achieving the objectives of the PDP, particularly:

- Objective 2.1 (Tāngata Whenua);
- Objective 2.3 (Development Management);
- Objective 2.11 (Character and amenity values); and
- Objective 2.12 (Housing choice and affordability).

Front Yard Setback Margin:

In addition, this Section 32 evaluation report addresses a variation to the front yard setback provision for the Beach Residential Zone (Rule 5A.1.6 standard 11(b)(i)). The current PDP standard applies a relatively complicated Beach Character Setback Margin calculation. This approach has been identified as problematic and not the most appropriate way to plan for new building location within front yards of the Beach Residential Zone. The proposed amendment is to return to the front yard provision of a 4.5m front yard setback that was in place under the Operative District Plan.

This evaluation report pertains only to the Beach Residential Zone provisions and the rezoning of the 'Olde Beach' area at Waikanae Beach to Beach Residential Zone. In summary, the components of Variation 2 are:

1. Rezoning of the 'Olde Beach' area at Waikanae Beach from Residential Zone to Beach Residential Zone, including:
 - (a) the inclusion of Waikanae Beach specific provisions; and
 - (b) the amendment of provisions for the Beach Residential Zone as a consequence of adding Waikanae Beach to the zone; and
2. Amending the front yard provisions for the Beach Residential Zone.

This report addresses the necessary considerations as follows:

Report Section	Summary
2 Existing Objectives of the PDP	<ul style="list-style-type: none">▪ Variation 2 does not propose any changes to the existing objectives of the PDP and only proposes amending provisions that already exist in the PDP (it is an amending proposal, Section 32(3));▪ The examination under Section 32(1)(b) must therefore relate to the provisions and objectives of the amending proposal; and the existing objectives of the PDP to the extent that those objectives:<ul style="list-style-type: none">○ are relevant to the objectives of the amending proposal; and

	<ul style="list-style-type: none"> ○ would remain if the amending proposal were to take effect. ▪ Section 2 of this report sets out the most relevant objectives in the PDP in relation to Variation 2.
3 Statutory Evaluation	<ul style="list-style-type: none"> ▪ Section 3 of this report summarises the most relevant statutory documents that require consideration for Variation 2. ▪ Because Variation 2 does not propose to change any objectives of the PDP and has relatively minor changes to policy and rule provisions, this evaluation finds Variation 2 is consistent with the higher level national and regional planning documents. Variation 2 is assessed against all relevant higher level national and regional planning documents in Section 4 below.
4 Evaluation of Options	<ul style="list-style-type: none"> ▪ Section 4 of this report identifies reasonably practicable options for achieving the objectives identified in Section 2 in relation to Variation 2. ▪ Section 32(1)(b) requires an examination of the proposed provisions to determine whether they are the most appropriate way to achieve the objectives by (i) identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarising the reasons for deciding on the provisions.
5 Evaluation of the scale and significance of the provisions	<ul style="list-style-type: none"> ▪ Section 32(1)(c) requires that this evaluation contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of Variation 2. ▪ Section 5 of this report considers the scale and significance of Variation 2. This informs the level of detail provided in the evaluation of efficiency and effectiveness of the provisions in achieving the objectives provided in Section 6. ▪ A summary of consultation undertaken for Variation 2 is also provided which helps to inform scale and significance.
6 Evaluation of the efficiency and effectiveness of the provisions	<ul style="list-style-type: none"> ▪ Section 32(1)(b)(ii) requires an assessment of the efficiency and effectiveness of the provisions in achieving the objectives. ▪ Section 6 of this report provides that assessment, considering anticipated benefits and costs of Variation 2 and the matters required under Section 32(2).
7 Summary of reasons for deciding on the provisions	<ul style="list-style-type: none"> ▪ Section 32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions for Variation 2. ▪ Section 7 of this report provides that summary.

The overall findings of this report are:

Rezoning of the 'Olde Beach' area at Waikanae Beach from Residential Zone to Beach Residential Zone	<ul style="list-style-type: none"> ▪ This variation responds to a comprehensive local community engagement process, including the development of a vision document "Our Future Waikanae Beach" and a supporting Character Study by Urban Perspectives Ltd.
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	<ul style="list-style-type: none"> ▪ The Beach Residential Zone with site specific provisions is the most appropriate way to achieve the relevant Objectives of the PDP; ▪ It is a relatively straight-forward variation in that it applies an already existing Beach Residential Zone to an identified appropriate location of the 'Olde Beach' area at Waikanae Beach; ▪ The change from Residential Zone to Beach Residential Zone is not a dramatic change in terms of planning provisions – however the site specific provisions are more appropriate for managing the Special Character Area at Waikanae Beach.
<i>Amending the front yard provisions for primary residential buildings within the Beach Residential zone from the Beach Character Setback Margin provision to a 4.5m setback provision.</i>	<ul style="list-style-type: none"> ▪ This variation responds to problems identified with the interpretation and implementation of the current front yard setback provision. ▪ The certain and clear 4.5m front yard setback is the most appropriate and efficient way to achieve the relevant Objectives of the PDP; ▪ The current Beach Character Setback Margin is problematic in its interpretation and implementation; ▪ Broadly, both front yard provisions will achieve a similar front yard amenity of a generous front yard within the Beach Residential Zone areas. ▪ This variation is relatively straight-forward, reintroducing the 4.5m front yard setback for residential zones from the Operative District Plan 1999 that was in effect up until 22 November 2017. That previous setback has for many years set the front yard residential amenity for the Beach Residential Zone areas. The Variation will apply the 4.5m front yard setback to all <i>buildings</i> on lots within the Beach Residential Zone rather than the current <i>Beach Character Setback Margin</i> which only applies to the <i>primary residential building</i>. All other buildings and above-ground water tanks will continue to have the 4.5m front yard setback requirement.

1.3 Resource Management Issues to be Addressed

There are two main issues associated with the proposed new zoning for Waikanae Beach and the Beach Residential Zone front yard provisions:

Issue 1 statement	Community desire to protect the valued character of the 'Olde Beach' area of Waikanae Beach from inappropriate subdivision and development
Issue 2 statement	Need to provide clear and measurable front yard permitted activity rules and standards for the Beach Residential Zone. There are practical difficulties in implementing the existing overly complex front yard requirements for the Beach Residential Zone.

2 EXISTING OBJECTIVES

Below is a summary of the existing objectives of the PDP that are considered most relevant to Variation 2.

Variation 2 proposes no amendments to the existing objectives of the PDP. The Beach Residential Zone is an existing zone and these overarching objectives are relevant to this proposal without alteration.

Objective 2.1 Tāngata whenua	<i>To work in partnership with the tāngata whenua of the District in order to maintain kaitiakitanga of the District's resources and ensure that decisions affecting the natural environment in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).</i>
Objective 2.3 Development Management	<i>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:</i> <ul style="list-style-type: none"> <i>a) urban areas which maximise the efficient end use of energy and integration with infrastructure;</i> <i>b) a variety of living and working areas in a manner which reinforces the function and vitality of centres;</i> <i>c) resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;</i> <i>d) higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;</i> <i>e) management of development in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;</i> <i>f) 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;</i> <i>g) 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</i> <i>h) management of the location and effects of potentially incompatible land uses including any interface between such uses.</i>
Objective 2.1.1 Character and Amenity values	<i>To maintain and enhance the unique character and amenity values of the District's distinct communities so that residents and visitors enjoy:</i> <ul style="list-style-type: none"> <i>a) relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by the presence of mature vegetation, a variety of built forms, the retention of landforms and unique community identities;</i> <i>b) vibrant, lively town centres supported by higher density residential and mixed use areas;</i> <i>c) neighbourhood centres, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;</i> <i>d) productive rural areas, characterised by openness, natural landforms, areas and corridors of indigenous vegetation, and primary production activities; and</i> <i>e) well managed interfaces between different types of land use areas (e.g.</i>

	<i>between living, working and rural areas and between potentially conflicting land uses, so as to minimise adverse effects.</i>
Objective 2.12 Housing choice and affordability	<i>To meet diverse community needs by increasing the amount of housing that:</i> <ul style="list-style-type: none"> <i>a) is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitable urban and rural locations;</i> <i>b) is affordable and adequate for lower income households; and</i> <i>c) can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;</i> <i>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.</i>

3 STATUTORY EVALUATION

As noted in Section 2 of this report, Variation 2 proposes no amendments to the existing objectives of the PDP. It seeks to apply the existing Beach Residential Zone to the 'Olde Beach' area at Waikanae Beach and to amend the subdivision and development provisions for the rezoned area. The variation also seeks to amend the front yard setback standard for all Beach Residential Zoned properties.

The following higher-level planning documents and legislation have been summarised in this section to provide consideration relevant to the scale and significance of Variation 2.

Under section 75(3) of the RMA, a district plan must give effect to the following:

- (a) any national policy statement; and
- (b) any New Zealand coastal policy statement;
- (ba) a national planning standard; and
- (c) any regional policy statement.

The following national policy statements are in force:

- a) National Policy Statement on Urban Development Capacity (2016);
- b) National Policy Statement for Freshwater Management (as amended 2017);
- c) National Policy Statement for Renewable Electricity Generation (2011); and
- d) National Policy Statement on Electricity Transmission (2008).

The National Policy Statement on Urban Development Capacity (NSPUDC) is of relevance to the variation as the objectives of the NPSUDC apply to all plan making decisions affecting an urban environment.

As the variation applies to land within the coastal environment the New Zealand Coastal Policy Statement (2010) is a relevant consideration.

The Ministry for the Environment is developing National planning standards however there are no national planning standards currently in force.

The following National Environmental Standards are in force:

National Environmental Standards for Air Quality (2004);

- a) National Environmental Standard for Sources of Drinking Water (2007);
- b) National Environmental Standard for Telecommunication Facilities (2016);
- c) National Environmental Standard for Electricity Transmission Activities (2009);
- d) National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011); and
- e) National Environmental Standard for Plantation Forestry (2018).

None of the national environmental standards is relevant to the variation.

The Wellington Regional Policy Statement (2013) is a relevant consideration to the variation.

The following sections provide an analysis of how the variation gives effect to the relevant higher order planning documents and legislation.

3.1 New Zealand Coastal Policy Statement

The purpose of the New Zealand Coastal Policy Statement 2010 (NZCPS) is to state objectives and policies in order to achieve the purpose of the RMA in relation to the protection and enhancement of the coastal environment of New Zealand. The NZCPS 2010 took effect on 3 December 2010.

The NZCPS has relevance because the Waikanae Beach settlement is located within the coastal environment, close to the beach and sea and is part of the wider coastal area. This coastal location is important to the social, economic and cultural well-being of the local community.

The most relevant objectives and policies of the NZCPS in relation to Variation 2 are summarised below:

Table 3-1: Most relevant objectives and policy of the NZCPS

Objective 3	<p><i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</i></p> <ul style="list-style-type: none"> <i>recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i> <i>promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i> <i>incorporating mātauranga Māori into sustainable management practices; and</i> <i>recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i>
Objective 6	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i> <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> <i>the coastal environment contains renewable energy resources of significant value;</i> <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i> <i>historic heritage in the coastal environment is extensive but not fully</i>

	known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.
Policy 2	<p><i>The Treaty of Waitangi, tangata whenua and Māori heritage</i> <i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</i></p> <ul style="list-style-type: none"> (a) <i>recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</i> (b) <i>involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</i> (c) <i>with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori¹ in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</i> (d) <i>provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga², may have knowledge not otherwise available;</i> (e) <i>take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</i> <ul style="list-style-type: none"> (i) <i>where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i> (ii) <i>consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</i> (f) <i>provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</i> <ul style="list-style-type: none"> (i) <i>bringing cultural understanding to monitoring of natural resources;</i> (ii) <i>providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</i> (iii) <i>having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaimai or other non commercial Māori customary fishing; and</i> (g) <i>in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</i> <ul style="list-style-type: none"> (i) <i>recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</i> (ii) <i>provide for the identification, assessment, protection and management of</i>

	<p>areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</p>
Policy 6	<p>Activities in the coastal environment</p> <p>(I) In relation to the coastal environment:</p> <ul style="list-style-type: none"> (a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities; (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment; (c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth; (d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them; consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area; (f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable; (g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations; (h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects; (i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and (j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.
Policy 7	<p>Policy 7 Strategic planning</p> <p>(I) In preparing regional policy statements, and plans:</p> <ul style="list-style-type: none"> (a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and: (b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development: <ul style="list-style-type: none"> (i) are inappropriate; and (ii) may be inappropriate without the consideration of effects

	through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.
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Summary Assessment

Variation 2 proposes no amendments to the existing objectives of the PDP. It simply seeks to apply the existing Beach Residential Zone to the 'Olde Beach' area at Waikanae Beach and amend provisions of that zone. The Beach Residential Zone of the PDP is essentially seeking to achieve the outcomes sought for coastal settlements in the NZCPS by:

- identifying where development that maintains the character of the existing built environment should be encouraged;
- recognising characteristics of the coastal environment that are of special value to tangata whenua; and
- enabling people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits.

3.2 Wellington Regional Policy Statement

The Operative Wellington Regional Policy Statement 2013 (WRPS) provides an overview of the resource management issues in the Wellington region, and the ways in which integrated management of the region's natural and physical resources will be achieved. A large number of the issues, objectives and policies of the WRPS are relevant to the development of urban areas to some degree, but the most relevant to Variation 2 are summarised below.

Table 3-2: Most relevant objectives and policy of the WRPS

Objective 22 in particular clauses (e), (g), and (i)	A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and: (e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form; (g) a range of housing (including affordable housing); (i) integrated land use and transportation;
Policy 54	When considering a change, variation or review of a district plan, for development, particular regard shall be given to achieving the region's urban design principles. The region's urban design principles seek to ensure developments, including <i>infrastructure</i> , consider the following design elements: <ul style="list-style-type: none"> • Context • Character • Choice

	<ul style="list-style-type: none"> • Connections • Creativity • Custodianship • Collaboration
Objective 23	The region's iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.
Objective 28	The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other sites is maintained.
Policy 49	Recognising and providing for matters of significance to tangata whenua.

Summary Assessment

Variation 2 is consistent with the relevant objectives and policies of the WRPS because it proposes to apply an appropriate existing Beach Residential Zone to the identified 'Olde Beach' residential area at Waikanae Beach, and to improve the front yard setback provisions for that zone. The variation recognises the context and character of the 'Olde Beach' area, consistent with Objective 22 and Policy 54.

Variation 2 also introduces a new policy for consideration in the resource consent process which recognises the importance to Iwi of remnant dune landforms in the 'Olde Beach' area; therefore, recognising their cultural relationship to their ancestral lands.

The collaborative approach to working with Iwi which resulted in the new policy is consistent with Objective 23, while the content of the new policy is consistent with Objective 28 and Policy 49 by recognising and providing for matters of significance to tangata whenua.

3.3 The National Policy Statement on Urban Development Capacity 2016 (NPSUDC)

The NPSUDC aims to ensure that planning decisions enable the supply of housing needed to meet demand. It requires the Council, in recognising the national significance of well-functioning urban environments, to have a particular focus on ensuring that the district plan:

- enables urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- provides enough space for their populations to happily live and work. This can be both through allowing development to go "up" by intensifying existing urban areas, and "out" by releasing land in greenfield areas.

The relevant objectives of the NPSUDC are:

OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

The relevant policies of the NPSUDC are:

PA3: When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

- a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;*
- b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and*
- c) Limiting as much as possible adverse impacts on the competitive operation of land and development markets.*

At the time of preparing this analysis the Council is still finalising the residential supply and demand data required under the NSPUDS to determine future land supply for housing.

The future land supply for projected housing demand within the district is currently provided for within existing areas zoned for residential and mixed-use development, but not yet fully developed (e.g. Ngarara Zone, Waikanae North Development Zone), and town centres. The district plan also identifies future urban development areas for future rezoning to provide additional land for housing to be rezoned if/when it is needed. Any additional land required for housing to provide for projected demand (once this information is known) will be identified and provided for via district plan changes.

The 'Olde Beach' area is within an established and developed residential area. The variation may reduce the overall residential density potential of the 'Olde Beach' area which could result from infill subdivision. However even if a small amount of potential infill subdivision and development is taken into account, the 'Olde Beach' area does not form a significant part of the district's future land supply for housing. The variation will therefore not materially affect the overall housing supply in the District to need projected demand.

The proposed rezoning is intended to provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations by helping to preserve the existing character and amenity of the 'Olde Beach' area, and the existing housing type within it. It is considered the rezoning will result in the efficient use of urban land, and is therefore consistent with the relevant objectives and policies of the NSPUDC.

3.4 Our Future Waikanae Beach

Section 74 of the RMA requires the Council to have regard to management plans and strategies prepared under other Acts when preparing or changing its district plan.

The document *Our Future Waikanae Beach Community vision and action plan for Waikanae Beach* was developed with the community under the Local Government Act. This vision document has led to this variation which was developed by the Waikanae Beach community from 2015 to 2017 with the involvement of Council staff, the Waikanae Community Board and Iwi.

Our Futures Waikanae Beach – Community vision and action plan for Waikanae Beach was endorsed by the Waikanae Community Board in March 2017, and noted and acknowledged by the Strategy and Policy Committee on 17 May 2017. Our Future Waikanae Beach is a community document which expresses a community desire to protect the relaxed beach character of the settlement, maintain a low density low rise built form and a relaxed way of life.

Although this is a non-statutory document, it has been important in informing the provisions of the variation because the variation has been developed in response to this document and the considerable amount of community engagement that informed it.

The four principles of Our Future Waikanae Beach are summarised below:

Waahi Tapu	Protect our heritage, environment, river, estuaries, dunes, beach and mahinga kai, as well as our open recreational spaces.
Ukaipōtanga	Encourage a slow pace and transport options that help us get around safely, while enjoying our environment.
Whakapapa	Preserve our eclectic character and history and explore ways to connect these stories for residents and visitors to the area.
Kaitiakitanga	Build resilience as a community and encourage and nurture connections between us.

The Whakapapa principle has a number of specific matters relevant to Variation 2. It states:

We want to maintain the nostalgic atmosphere of a seaside village, where people can pursue their particular interests without impacting on others.

It is important that we:

- keep our low-rise building environment and rule out high-rise development

- *support planning that favours low-key, small-scale businesses which cater to residents and visitors*
- *encourage planning that clusters businesses in the traditionally defined areas*
- *support local businesses*
- *recognise and respect our culture and history and how it has shaped Waikanae Beach.*

As a priority action, it seeks to create clear rules on development for each neighbourhood in Waikanae Beach, in keeping with the special character of that neighbourhood.

Summary Assessment

Variation 2 has been developed in response to this document and the community engagement that informed it. Rezoning of the 'Olde Beach' area at Waikanae Beach from Residential Zone to Beach Residential Zone is entirely consistent with Our Future Waikanae Beach. Equally, amending the front yard provisions for the Beach Residential Zone to make the rule standard clearer is actioning that document as generous front yard setbacks form an important part of the character of most of the Beach Residential Zone.

3.5 Entries in the Historic Places Register

Section 74(2)(b) requires the Council to have regard to any relevant entry in the Historic Places Register.

Although there are two buildings within the 'Olde Beach' area of Waikanae, and two buildings in the Beach Residential Zone at Paekakariki which are listed in the PDP's heritage register, these buildings are not listed with Heritage New Zealand.

Although there are no known Heritage New Zealand listed sites, buildings, areas or features affected by Variation 2 it is noted the PDP manages heritage via specific provisions which are unaffected by the variation.

3.6 Planning Documents Recognised by an Iwi Authority

Section 74(2A) of the RMA requires the Council to take into account any relevant planning document recognised by an Iwi authority. There are three documents recognised by iwi authorities in the Kapiti Coast District. These comprise:

- Proposed Ngāti Raukawa Ōtaki River and Catchment Iwi Management Plan 2000;
- Nga Korero Kaupapa mo Te Taiao: Policy Statement Manual for Kapakapanui: Te Runanga O Ati Awa ki Whakarongotai Inc; and
- Te Haerenga Whakamua – A Review of the District Plan Provisions for Māori: A Vision to the Future for the Kāpiti Coast District Council District Plan Review 2009-12 – 2012.

Waikanae Beach is within the rohe of Te Runanga O Ati Awa ki Whakarongotai Inc., therefore the documents Nga Korero Kaupapa, and Te Haerenga Whakamua are of particular relevance to the variation.

The proposed Ngāti Raukawa Ōtaki River and Catchment Iwi Management Plan 2000 does not address matters relevant to Variation 2.

Nga Korero Kaupapa mo Te Taiao

The document outlines the vision, intent and objectives for compliance with tikanga standards for the protection and management of the environment as determined by Te Runanga O Ati Awa ki Whakarongotai Inc with respect to the following topics:

- Disposal and treatment of effluent;
- Stormwater and runoff;
- Heritage protection and management; and
- Representation.

With respect Te Ati Awa ki Whakatongotai Inc.'s views regarding heritage, Policies 8 and 9 of Objective 4 state:

- To manage heritage in a landscape context, providing for associative values and connections (i.e. not as isolated sites); and
- To actively protect the connection between the conservation of natural and cultural heritage (i.e. respect and preserve the links between occupation places and values and biodiversity, geological features, geodiversity, and ancient landforms).

Te Haerenga Whakamua

Input from tangata whenua was an important part of developing the PDP, with 23 meetings held from December 2010 through October 2012 between Council staff and a Tangata Whenua working party nominated by Te Whakaminenga o Kāpiti.

The Tāngata Whenua Working Party was established in 2010 as a mechanism for iwi to participate in the review of the District Plan and to represent the District's three iwi (Te Āti Awa ki Whakarongotai, Ngāti Raukawa and Ngāti Toa Rangatira).

The mandate for the working party was to review all aspects of the District Plan on behalf of Te Whakaminenga o Kāpiti and recommend to this forum the direction for iwi policy and Māori world view within this process.

This process resulted in the document Te Haerenga Whakamua being approved by Te Whakaminenga o Kāpiti in March 2012 and endorsed by Council on 27 September 2012.

Relevant provisions include:

- Tikanga 2.2.4 – Tangata whenua values and wāhi tapu/taonga are recognised and provided for in planning and decision making regarding urban settlement

patterns and transport systems.

Variation 2 is consistent with both these documents. In particular, proposed Policy 5.5A seeks to ensure subdivision, use and development within the rezoned area respects and recognises the cultural context and history of the area.

3.7 Regional Plan and Proposed Regional Plan

Operative Regional Plans

Section 75(4) of the RMA requires the Variation to not be inconsistent with the operative Regional Plan for any of the matters listed in RMA Section 30(1) – Functions of Regional Councils. The operative regional plans within the Wellington Region comprise:

- Regional Air Quality Management Plan;
- Regional Coastal Plan;
- Regional Freshwater Plan;
- Regional Soil Plan; and
- Regional Plan for Discharges to Land.

The Variation is not inconsistent with any of the matters listed in Section 30(1) contained within these operative regional plans.

Proposed Natural Resources Plan

Section 74(2)(a)(ii) of the RMA requires the Council to have regard to any proposed regional plan on any matter of regional significance.

The Proposed Natural Resource Plan for the Wellington Region (PNRP) was notified on 31 July 2015. Hearings were completed in July 2018, and the hearings panel is set to notify the Regional Council on its decisions on submissions by 31 July 2019.

Regionally significant matters are identified in the PNRP¹ as follows:

- Outstanding water bodies and their significant values;
- Sites with Significant mana whenua values;
- Significant historic heritage values;
- Ecosystems and habitats with significant indigenous biodiversity values;
- Significant geological features;
- Significant surf breaks; and
- Identified special amenity landscapes.

None of these significant matters are relevant to Variation 2.

¹ PNRP, Section 3.7 – Objectives for Sites with Significant Values; and Section 4.6 – Policies for Sites with Significant Values.

3.8 District Plans and Proposed District Plans of Adjacent Territorial Authorities

Section 74(2)(c) requires the Council to have regard to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

Variation 2 addresses zoning and specific provisions which apply to existing residential areas within the District which are unique to Kāpiti. Therefore the variation does not raise issues of comparability with the plans or proposed plans of adjoining territorial authorities.

4 EVALUATION OF OPTIONS

Section 32(1)(b)(i) requires an examination of the proposed provisions to determine whether they are the most appropriate way to achieve the objectives by identifying other reasonably practicable options for achieving the objectives.

There are two main issues associated with the proposed new zoning for Waikanae Beach and the Beach Residential Zone front yard provisions:

Issue 1 statement	Community desire to protect the valued character of the ‘Olde Beach’ area of Waikanae Beach from inappropriate subdivision and development
Issue 2 statement	Need to provide clear and measurable front yard permitted activity rules and standards for the Beach Residential Zone. There is practical difficulty in implementing the existing overly complex front yard requirements for the Beach Residential Zone.

In this Section, reasonably practicable options for achieving the objectives in relation to these two issues are evaluated. Given the limited scale and significance of Variation 2, the following options are considered to be reasonably practicable options appropriate for review:

Table 4-1: Reasonably practicable options appropriate for review

Issue 1: Waikanae Beach Rezoning	Option 1 - Status quo – retain existing PDP Residential Zone for Waikanae Beach.
	Option 2 – Rezone Waikanae Beach (‘Olde Beach’ area) to Beach Residential Zone and adopt those existing provisions in full.
	Option 3 – Rezone Waikanae Beach (‘Olde Beach’ area) to Beach Residential Zone and adopt site specific provisions for Waikanae Beach.
	Option 4 – Rezone Waikanae Beach (‘Olde Beach’ area) to Beach Residential Zone and adopt a strict requirement that all new development requires a resource consent (i.e. no permitted activity provisions). The Special Character Area Guidelines would provide the matters of discretion.
Issue 2: Front yard setback	Option 1 - Status quo – retain the existing PDP Beach Residential Zone provision, Beach Character Setback Margin.
	Option 2 – Revise the existing PDP Beach Residential Zone provision, Beach Character Setback Margin to try to overcome the identified implementation problems such as how to take measurements from neighbouring properties, and introducing additional scenarios into the definition.
	Option 3 – Apply a set distance for a front yard setback for all buildings. 4.5m has played an important historical role in setting the character of residential areas in the district, and is therefore a logical option.

Table 4-2: Reasonably Practicable Options for Achieving Objectives summarised in Section 2

Options	Description (brief)	Relevance	Feasibility	Acceptability	Recommendation
Approach to achieve objective(s)	Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	How effective provisions are in achieving the objective(s).	Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Discard or evaluate further (with brief explanation).
Issue 1: Waikanae Beach Option 1 - Status quo – retain existing PDP Residential Zone for Waikanae Beach.	<p>The Residential Zone would continue to apply across the Waikanae Beach area.</p> <p>There is no recognition in the policies or rules to maintain and enhance amenity values and recognise the special character of Waikanae Beach (Olde /Beach area)</p>	<p>This approach would be partially effective in achieving Objectives 2.3 – Development Management, 2.11 - Character and Amenity Values and 2.12 – Housing Choice and Affordability, but it will not achieve the purpose of the variation as stated in 1.1 above.</p> <p>The Residential Zone would provide a degree of protection for residential amenity, however not to a level that would fully provide for the special character of Waikanae Beach</p>	<p>This approach is feasible – effectively retaining the status quo.</p>	<p>This approach has a low acceptability.</p> <p>Council has engaged with the Waikanae Community to develop a vision document to retain the low key beach character of Waikanae Beach. An appeal has been lodged by some residents to support a rezoning. Retaining the current Residential Zone would be unacceptable to the community.</p>	<p>Discard</p> <p>This approach is not the most effective way to achieve the objectives.</p> <p>It would have a low degree of acceptability and would not appropriately achieve Objective 2.3(e).</p>

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
		('Olde Beach' area). Objective 2.3(e) which seeks to manage development in special character areas so as to maintain, and where practicable enhance those special values would not be achieved.			

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Issue 1: Waikanae Beach Option 2 – Rezone Waikanae Beach ('Olde Beach' area) to Beach Residential Zone and adopt those existing provisions in full.	<p>Waikanae Beach ('Olde Beach' area) is rezoned to Beach Residential Zone and those existing provisions are adopted in full – meaning there is no site specific provisions for Waikanae Beach that will protect the unique aspects of its character.</p> <p>This option was requested via submissions on the PDP. Rezoning of the 'Olde Beach' Area was requested to make the area subject to the existing Beach Residential Zone provisions.</p>	<p>This approach would be partially effective in achieving Objectives 2.3, 2.11 and 2.12. This will partially achieve the purpose of the variation as specified in section 1.1 above.</p> <p>This approach would be more effective than Option 1 above, in that the Beach Residential Zone provides for a low key beach character, however some unique character features of Waikanae Beach, such as low front fences would not be provided for.</p>	<p>This approach is feasible – effectively applying the existing Beach Residential Zone in full to Waikanae Beach. A variation is required.</p>	<p>This approach would be partially acceptable, going a long way to better providing for the special character of Waikanae Beach, but not fully providing for the identified special character of the 'Olde Beach' area.</p>	<p>Discard</p> <p>This approach is not the most effective way to achieve the objectives.</p> <p>It would partially achieve Objective 2.3(e).</p> <p>It is more appropriate than Option 1, however it will not fully provide for the identified special character of Waikanae Beach. For that reason, it would likely be less acceptable than Option 3.</p>

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Issue 1: Waikanae Beach Option 3 – Rezone Waikanae Beach ('Olde Beach' area) to Beach Residential Zone and adopt site specific provisions for Waikanae Beach.	Waikanae Beach ('Olde Beach' area) is rezoned to Beach Residential Zone and Waikanae Beach-specific provisions are included in response to Our Future Waikanae Beach March 2017, the Urban Perspectives Ltd Character Study October 2017, and the feedback provided by affected property owners during consultation on the draft provisions in June/July 2018.	This would be fully effective in achieving all the identified objectives, and would fully achieve the purpose of the variation as described in section 1.1 above.	This approach is feasible – effectively applying the existing Beach Residential Zone with some site specific provisions for Waikanae Beach.	Based on the community feedback received to date this would be the most acceptable approach to the community. It fully responds to Our Future Waikanae Beach March 2017 and Urban Perspectives Ltd Character Study October 2017, and reflects the feedback received from affected residents on the draft rezoning and provisions.	Retain This approach is the most effective way to achieve the objectives. It would fully achieve Objective 2.3(e). It will likely be highly acceptable to the community.
Issue 2: Front yard setback Option 1 - Status quo	Retain the existing PDP Beach Residential Zone provision, Beach Character Setback	This approach would be partially effective in achieving Objectives 2.3, 2.11 and 2.12. This	This is not a feasible option. Council has identified significant problems with the	This Option has a low acceptability for both Council in having to apply, monitor and	Discard This approach is not the most effective way to

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
– retain the existing PDP Beach Residential Zone provision, Beach Character Setback Margin.	Margin. Applicants and Council would be required to undertake the setback calculation and/or apply for resource consent if the situation was unclear.	option would fail to achieve the variation purpose as described in section 1.1 above. In some cases, the provision would likely be properly calculated and applied. However, there is no certainty of this and recent examples have shown the provision is unclear, complex, and problematic.	implementation, clarity, and applicability of the Beach Character Setback Margin that it is not feasible to continue with this approach.	enforce it and Beach Residential Zone, and property owners having to apply it to front yard developments involving the <i>primary residential building</i> .	achieve the objectives.
Issue 2: Front yard setback Option 2 – revise the existing PDP Beach Residential Zone provision, Beach Character Setback	Revise the existing PDP Beach Residential Zone provision, Beach Character Setback Margin. Attempt to cover all scenarios where the rule might	This approach would be partially effective in achieving Objectives 2.3, 2.11 and 2.12. This option may partially achieve the purpose of the variation as specified	This is not a feasible option. Any revisions to the provision to try to resolve the identified problems would likely result in an even more complex rule as other	This Option has a low acceptability.	Discard This approach is not the most effective way to achieve the objectives.

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Margin to try to fix the identified problems.	apply to different lot shapes and developments.	<p>in section I.I above, however it is unlikely to resolve the confusing and complicated nature of the provisions.</p> <p>It would likely result in an even more complicated and unclear provision, with the definition needing to be expanded. It may continue to fail to anticipate and provide for all scenarios.</p> <p>It would still require the need to access private neighbouring properties to make the setback calculation in some circumstances.</p>	<p>scenarios are added for averaging setback calculations.</p> <p>It would not resolve the matter of needing to access private property to make setback calculations.</p>		

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Issue 2: Front yard setback Option 3 – apply a 4.5m front yard setback.	Apply a simple and clear 4.5m front yard setback for all buildings in the Beach Residential Zone – effectively reintroducing the 4.5m setback provision from the Operative District Plan.	<p>This would result in a generous setback being provided for in the Beach Residential Zone – appropriate for the identified general front yard amenity and character of the Beach Residential Zone areas as identified in the character assessment.</p> <p>It would be effective in achieving Objectives 2.3, 2.11 and 2.12. This option would fully achieve the purpose of the variation as described in section 1.1 above.</p>	This approach is feasible – effectively applying the previous Operative District Plan front yard setback of 4.5m for all buildings.	<p>This approach has a high level of acceptability. It will result in a clear and simple rule that will achieve a generous front yard amenity appropriate for a low key beach character.</p> <p>There will be some properties disadvantaged in no longer being able to locate up to 3m from the road frontage where the Beach Character Setback Margin allows. However the identified front yard amenity of most of the Beach Residential Zone areas is a generous front yard (for example Waikanae</p>	Retain This approach is the most effective way to achieve the objectives.

Options Approach to achieve objective(s)	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
				Beach at about 5m generally).	

5 EVALUATION OF SCALE AND SIGNIFICANCE OF THE PROVISIONS

Section 32(1)(c) requires that this evaluation contains a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of Variation 2.

The options selected in Section 4 as the most appropriate to achieve the objectives are:

1. rezone Waikanae Beach ('Olde Beach' area) to Beach Residential Zone and adopt site specific provisions for Waikanae Beach; and
2. apply a 4.5m front yard setback to Beach Residential Zone.

This Section considers the scale and significance of Variation 2. It considers consultation undertaken by Council, the Iwi Authority advice received and the Council's decision-making process to date.

A detailed consideration of the scale and significance of the proposed provisions is provided below.

5.1 Consultation Undertaken for Variation 2

Council has been collating feedback on the proposed variation since July 2018. The feedback is summarised in Table 5-1 below.

A public open day was held on 14 July 2018 at Waikanae Beach providing the opportunity for affected landowners to look at the proposed provisions in detail, ask questions and provide feedback to staff.

A letter was sent to the Waikanae Beach residents within the area proposed to be included within the Beach Residential zone.

A separate letter was also sent to all the Beach Residential Zone landowners seeking feedback on the Variation 2 proposal to amend the front yard standard.

Table 5-1: Feedback from community consultation

Date	Group	Subject Matter	Feedback
14 July 2018	Affected landowners-who attended the open day at Waikanae Beach on 14 July	Review of the draft variation provisions	<p>The residents who attended identified the following as being key matters with respect to proposed Waikanae Beach Variation provisions:</p> <ul style="list-style-type: none">• Predominantly there was overall support for the proposed Beach Residential zoning and specific provisions;• Concern about site coverage of 30% proposed;• Concern about restricting fence heights if

Date	Group	Subject Matter	Feedback
			<ul style="list-style-type: none"> not 50% visually permeable; Suggestions to amend the zone boundary to add areas (to the east and north); Suggestions to remove areas (southern edge); Suggestions to rezone other areas of land to other zonings e.g. local centre for existing shops and restaurants; Suggestions to reduce and enlarge the minimum lot size; Suggestion to create a commercial zone; Seek immediate legal effect for the rules; Seek limitations on new commercial activities; and Opposition to a 6m driveway crossing.
1 July 2018	Affected landowners-letter	Review of the draft variation provisions for Waikanae Beach	<ul style="list-style-type: none"> Support for the proposed beach Residential zoning; Support for rezoning with suggested amendments to the provisions; One respondent opposed to rezoning provisions; Concern that a 30% site coverage is too small and may result in more two storey housing; Suggestion to reduce coverage to 20% or 25%; Suggestion to increase coverage to 35% or 40%; Concern about restricting fence heights; Suggestions to amend the zone boundary to add areas (to the east and north); Suggestions to remove areas (southern edge); Suggestions to rezone other areas of land to other zonings e.g. local centre for existing shops and restaurants; Suggestion to create a commercial zone around some existing businesses; Seek immediate legal effect for the rules; Seek limitations on new commercial activities; and Opposition to a 6m driveway crossing.
1 August 2018	Statutory parties-letter sent to: <ul style="list-style-type: none"> Ministry for the Environment; Ngati Raukawa; Te Ātiawa ki Whakarongotai; and Ngāti Toa Rangitira. 	Review of the draft variation provisions	<ul style="list-style-type: none"> Te Ati Awa ki Whakarongotai requested a new policy to recognise the cultural and historic values of the area. No concerns were raised by Ngati Raukawa or Ngati Toa Rangitira. No response was received from the Ministry for the Environment.
1 July 2018	Landowners affected by <i>Beach Character Setback Margin</i> provisions -letter	Review of the draft variation provisions for the Beach Residential Zone	<ul style="list-style-type: none"> Support changes- more permissive; Would support the language and setback of Rule 5A.1.6 standard 11(a)(i) being used instead of the creation of proposed standard 11(b)(i);

Date	Group	Subject Matter	Feedback
			<ul style="list-style-type: none"> significant impact due to shape and size of property and new prescribed setbacks; 4.5 metres may be too large of a front yard setback - a lot of development towards the end of wellington road is located within 4.5m of front; already constricted by rules relating to no build zone, relocation zone and topography of land; and questioning extent of rule application to individual site - use of existing use rights for rebuilding.

5.2 Iwi Authority Advice

Council has a partnership approach with iwi for resource management matters. Te Whakaminenga o Kāpiti is one of the longest lasting partnerships between tāngata whenua and Local Government in New Zealand. The partners are the Kāpiti Coast District Council and the mana whenua (people with 'authority over the land') on the Kāpiti Coast: Te Āti Awa ki Whakarongotai, Ngāti Raukawa, and Ngāti Toa Rangitira.

The 'Olde Beach' area at Waikanae Beach is located within the rohe of Te Āti Awa ki Whakarongotai. This iwi has a special cultural connection to the Waikanae Beach area.

Clause 4A of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities before notifying a proposed plan. Clause 4A(b) requires Council to have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities. This section sets out the advice received from those iwi authorities relevant to Variation 2 and the consideration of that advice.

Table 5-2: Consideration of advice received from Iwi Authorities:

Date	Iwi Authority	Advice Received	Consideration of Advice
14/8/2018	Ngati Toa Rangitira	No concerns with the proposal	Recommended no amendments:
31/8/2018	Te Ati Awa ki Whakarongotai	Consider adding a cultural heritage recognition policy for Waikanae Beach.	Advantages: <i>Recognises/gives effect to:</i> <ul style="list-style-type: none"> PDP Objective 2.1 – Tangata Whenua; Section 8 of the RMA; Objective 3 & Policy 2 of the NZCPS; Objective 28 & Policy 49 of the Regional Policy Statement; Policies 8 & 9 of

Date	Iwi Authority	Advice Received	Consideration of Advice
			<p>Objective 4 of Nga Korero Kaupapa mo Te Taiao; and</p> <ul style="list-style-type: none"> • Tikanga 2.2.4 of Te Haerenga Whakamua. <p>Provides direction for a more comprehensive assessment.</p> <p>Disadvantages: Not consistent with other urban areas located within the Beach Residential Zone – it would add a specific cultural heritage policy to the PDP for Waikanae Beach. Other Beach Residential Zone areas rely on less area-specific policies located within Chapters 3, 5, and 10.</p> <p>Recommended amendments: Add a specific policy for Waikanae Beach.</p> <p>Reasons: Variation 2 is applying the Beach Residential Zone to the “Olde Beach” area at Waikanae Beach and in the process also applying site specific provisions that reflect the unique context and character of that area. Te Ati Awa ki Whakarongotai has requested a specific policy to respect and recognise the cultural context and history of the area through restricting development in line with the overall principles of Our Future Waikanae Beach. This is consistent with the higher level planning documents and the documents recognised by Iwi listed above.</p> <p>The policy recommended for inclusion is consistent with other policy direction in the Plan and gives effect to the tangata whenua Objective 2.1 of the PDP.</p>

5.3 Council Decision-making Process

The development of the proposed provisions for Waikanae Beach began with requests from the community to protect Waikanae Beach from development pressures, including those that may potentially occur as a result of the new expressway interchange providing more efficient access to the area.

A vision document “Our Future Waikanae Beach” was developed by the community with support from the Council and was published in March 2017. In 2017 Council commissioned Urban Perspectives to undertake a Character Study for Waikanae Beach which was completed in October 2017. The recommendations of the character study have informed the development of Variation 2.

In January 2018 an appeal on the Proposed District Plan was lodged by some residents of Waikanae Beach seeking rezoning of the ‘Olde Beach’ area.

On 14 June 2018 the Strategy & Policy Committee authorised officers to undertake initial consultation on a draft variation with affected parties and statutory parties.

Table 5-3: Summary of decision-making processes

Meeting / Feedback	Document	Decision/direction
14/6/2018 Council report initial consultation on provisions.	<ul style="list-style-type: none">SP-15-515 Variations to the Proposed District Plan as a result of appeals.	Approval to undertake initial consultation on the variation.

5.4 Evaluation of the provisions

This section evaluates in detail the scale and significance of the provisions proposed. The proposed provisions are:

1. rezone Waikanae Beach (‘Olde Beach’ area) to Beach Residential Zone and adopt site specific provisions for Waikanae Beach; and
2. apply a 4.5m front yard setback to Beach Residential Zone.

The scale and significance assessment considered the environmental, economic, social and cultural effects of the provisions. An overview assessment is made firstly and then a more detailed assessment of the provisions (policies and rules) is provided in the table which follows (Table 5.4 *Scale and significance assessment of proposed provisions*).

Waikanae Beach Residential Zone

This topic is significant in that it has been requested by the Waikanae Beach community as a result of a community visioning process which resulted in the publication of “Our Future Waikanae Beach” a community vision and action plan.

One of the key characteristics identified in this document is that the existing residential development in this area is generally characterised by smaller dwellings on larger sections. There is also a strong desire from the community to “*preserve our eclectic character and history*”, and “*keep our low-rise building environment and rule out high rise development*”.

Another key consideration is that Waikanae Beach is now located close to the recently constructed expressway interchange and residents are concerned that the increased access may result in an increase of residential development with the possibility of residential infill subdivision and redevelopment occurring which would significantly change the character of the ‘Olde Beach’ area.

Therefore, in terms of local community engagement and response this variation is important.

In terms of structural and strategic change to the PDP itself and planning provisions, this plan change is less significant. Firstly, the Beach Residential Zone is already in place, designed to apply to the low key ‘beach’ character areas along the Kapiti Coast – of which the ‘Olde Beach’ area at Waikanae Beach certainly fits. There are no amendments proposed to the PDP objectives as part of this variation as the Beach Residential Zone is an existing residential zone and relevant overarching objectives remain appropriate to this variation without alteration.

Secondly, the change from Residential Zone to Beach Residential Zone is not a dramatic change. Many of the Residential Zone provisions are similar to the Beach Residential Zone, for example number of buildings per lot, side and rear yard rules, and maximum height of buildings. Both provide for a residential character.

Thirdly, the Waikanae Beach Zone will apply to the identified discrete location of the ‘Olde Beach’ area at Waikanae Beach. This is the low key ‘beach’ character area identified in the “Our Future Waikanae Beach” community document. Within the ‘Olde Beach’ area about 440 properties will have a change to the subdivision and development potential of those lots with a focus on the retention and enhancement of the existing beach character.

There are several site specific provisions for Waikanae Beach that will apply a slightly more restrictive requirement and/or specific requirement that seeks to provide for the identified special character of the ‘Olde Beach’ area. One of the most substantial of these is the proposed maximum site coverage of 35% at Waikanae Beach which is slightly less than the 40% which currently applies to the ‘Olde Beach’ area. Another important change is the increase in minimum lot size for subdivision, going up from a minimum lot area of 450m² (inclusive of access); to 550m² exclusive of access. Again, the scale and significance of these changes are limited and they have been proposed to reflect the existing character of the ‘Olde Beach’ area.

Affected property owners who responded to consultation on the draft generally supported Variation 2, which stems from the Waikanae community’s document *Our Future Waikanae Beach*. This variation does not apply to the rest of the residential areas of Waikanae, which provide for a range of other housing choices and affordability.

The front yard provisions of the Beach Residential Zone

This topic is of some significance in terms of improving the clarity and implementation of the Beach Residential Zone front yard provisions. Problems with the *beach character setback margin* provisions have been identified early by Council in implementing the PDP and acted on promptly through this variation.

The actual change from a complicated front yard standard to a simple setback of 4.5m is relatively minor. That is because the change will reintroduce the 4.5m front yard setback from the Operative Kapiti Coast District Council District Plan 1999 that was in effect up until 1 November 2017. That previous setback has for many years set the front yard residential amenity for the Beach Residential Zone areas (which were zoned Residential under the Operative District Plan).

The PDP Appendix 5.2 Design Guidelines for the Beach Residential Zone areas describes the amenity of existing front yards as:

Except for some garages, most buildings have generous front yards enhanced by lawns and gardens. Shallow frontage setbacks, while present along parts of some streets, are not a recurring character feature in any of the local areas.

In further detail, the Urban Perspectives Ltd Character Study for Waikanae Beach, October 2017, describes the amenity of existing front yards as:

Most buildings are located parallel to their street boundary. Frontage setbacks are variable and influenced by the topography, but overall they are generous. As a general pattern, except for some garages and a relatively small number of dwellings built close to the street boundary, frontage setbacks are most often approximately 5m.

As a broad observation, whether the more complicated *beach character setback margin* as described below is used, or a simpler 4.5m setback, a similar front yard outcome should be achieved in most cases across the Beach Residential Zone. The outcome should be a relatively generous front yard of a similar setback distance (in the case of Waikanae Beach a setback of between 4.5-5m between the two different provisions).

There will of course be some exceptions. For example, in instances where the Beach Character Setback Margin standard would have allowed a primary residential dwelling to be located as close as 3.0 metres from a front boundary where neighbouring buildings provide that setback.

As the 'Olde Beach' area is currently zoned Residential the PDP currently provides for the primary residential building to be located up to 3.0 metres from the front yard excluding any part of the building which is a garage, carport or other covered vehicle storage area. All other buildings and parts of the primary residential building used which is a garage, carport or covered vehicle storage must be set back a minimum of 4.5m from the front boundary. The Waikanae Beach character assessment identifies generous front yard setbacks of approximately 5.0 metres as an important feature in the character of the 'Olde Beach' area. Therefore, a setback less than 4.5 metres within the 'Olde Beach' area is not considered a reasonably practicable option

The below points summarise the identified problems with the current front yard provisions for the Beach Residential Zone:

- (a) The provisions set a *beach character setback margin* to be calculated for each site by surveying four surrounding sites front yard setbacks from the corresponding front façade of the primary residential building and using the average setback distance of these to determine the front yard setback for the primary residential building on the application site. The front façade of all new primary residential buildings, or additions to primary residential buildings must be within the *beach character setback margin*, and no closer than 3 metres from the legal road boundary.
- (b) Some of the more substantial problems identified in the relatively short implementation period so far have been:
 - (i) In many instances the ability to demonstrate compliance with the *beach character setback margin* requires approval of third parties to access private properties (adjacent properties) to take measurements;
 - (ii) The definition for *beach character setback margin* does not provide for all scenarios (lot shapes, layout and existing on-site building development) which results in interpretation gaps and uncertainty in the application of the standard. This failure to recognise and provide for all scenarios has resulted in six resource consents applications to date, some for minor additions to existing primary residential buildings.

The proposed amendments will affect about 2330 properties in the Beach Residential Zone. These properties are located within parts of Ōtaki Beach, Waikanae Beach (proposed rezoned area), Raumati, and the majority of Paekākāriki. The impact on these property owners will be generally positive as the front yard provisions will be more certain and development will likely be less costly because there will be fewer resource consents required for front yard developments with associated costs.



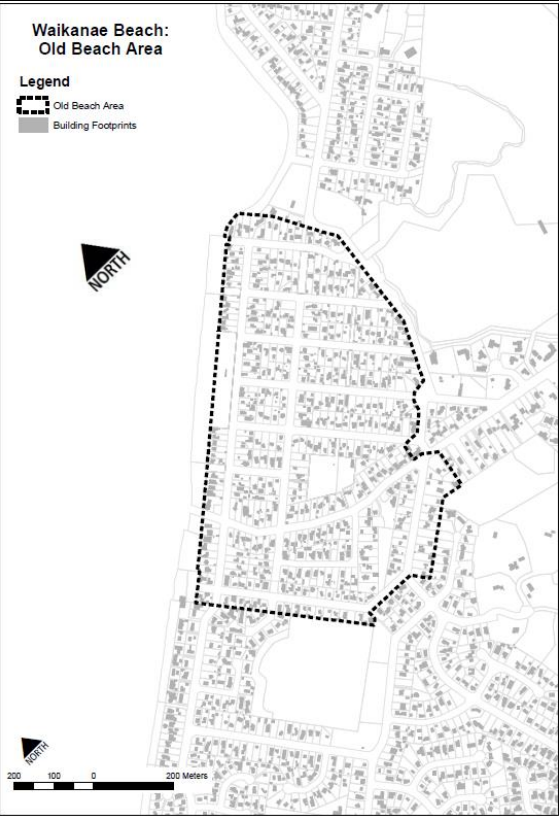
Table 5-4: Scale and significance assessment of proposed provisions

Issue	Provisions evaluated	Scale and Significance Reasoning
<p>1. Waikanae Beach Zoning</p>	<p>Policy 5.4 - Amend to add Waikanae Beach as a special character area.</p> <p>Add a new policy to Chapter 5 – Policy 5.5A <u>“Subdivision, use and development in the Beach Residential Zone at Waikanae Beach will be undertaken in a manner that respects and recognises the cultural context and history of the area, including through:</u> <u>(a) limiting subdivision, use and development that affects the dune system in the area;</u> <u>(b) limiting the density of subdivision in the area; and</u> <u>(c) maintaining the natural character of vegetation in the area.”</u></p> <p>Rules: 5A.1.3 (fences and walls) Amend standard 1 to add a specific standard for front fences in the rezoned area at Waikanae Beach as follows: <u>“where the maximum height shall be 1.8 metres if it is at least 50% visually permeable otherwise the maximum height shall be 1.2 metres”</u></p> <p>5A.1.6 (new buildings, and any minor works, additions or alterations) Amend standard 5 as follows: <u>“The maximum coverage of any lot shall be 40% in the Residential Zone, except and 35% in the Beach Residential Zone where it shall be 35%.”</u></p> <p>5A.3.3 (Any subdivision of land, excluding land within a Focused Infill Precinct, which is not a controlled activity under Rule 5A.2.1 or 5A.2.3)</p>	<p>The change is proposed to implement a non-statutory planning initiative (Our Future Waikanae Beach).</p> <p>The change is a moderate shift from status quo (Residential zoning) as it is proposing a new zoning that is more appropriate for the ‘Olde Beach’ area at Waikanae Beach (Beach Residential Zone). There are relatively minor changes in the provisions and rule framework which place restrictions on both subdivision and the development of buildings on existing lots. The changes are restricted to Waikanae Beach area.</p> <p>The approximately 440 private properties in the area proposed to be rezoned will be affected by the changes. The changes are consistent with identified community outcomes.</p> <p>There was a moderate degree of interest from iwi in the development of the provisions, requesting the addition of a new policy to recognise the cultural context and history of the area. Although the new policy introduces an additional policy for the proposed Beach Residential Zone at Waikanae Beach, it is a relatively minor change which is consistent with the findings within the character study regarding the natural character of the area, landform and the relative low density of</p>

Issue	Provisions evaluated	Scale and Significance Reasoning															
	<p>Amend standard 2 (h) as follows: <u>“h) for land in the Beach Residential Zone at Waikanae Beach, the minimum lot area shall be 550m² (exclusive of access);”</u></p> <p>5A.2.1, 5A.3.3 and 5A.3.5 Amend the Matters of Discretion in the Rules as follows: The Ōtaki Beach, <u>Waikanae Beach</u>, Raumati, Paekakariki Special Character Areas Design Guidelines in Appendix 5.2.</p> <p>11E.1.3 (Property access and loading for vehicles) Amend standard 3 as follows: 3. Access - all accesses must meet the following: a) be a minimum of 3.5 metres wide, except for as set out in the following table:</p> <table border="1" data-bbox="600 667 1408 1123"> <thead> <tr> <th>Activity</th><th>Minimum width</th><th>Minimum unobstructed height</th></tr> </thead> <tbody> <tr> <td>Commercial activities</td><td>6 metres</td><td>2.8 metres</td></tr> <tr> <td>Habitable buildings in Rural Zones (except for the Paraparaumu North Rural Precinct)</td><td>3.5 metres</td><td>4 metres</td></tr> <tr> <td>Plantation forestry activities in Rural Zones</td><td>2.5 metres</td><td>2.8 metres</td></tr> <tr> <td>District Centre Zone, Outer Business Centre Zone, Town Centre Zone, Local Centre Zone, Civic and Community Zone, Industrial/Service Zone, Airport Zone</td><td>3.5 metres</td><td>2.8 metres</td></tr> </tbody> </table> <p>b) be a maximum of 9 metres wide, <u>except in the Beach Residential Zone at Waikanae Beach where the maximum shall be 6 metres wide.</u></p> <p>Appendix 5.2</p>	Activity	Minimum width	Minimum unobstructed height	Commercial activities	6 metres	2.8 metres	Habitable buildings in Rural Zones (except for the Paraparaumu North Rural Precinct)	3.5 metres	4 metres	Plantation forestry activities in Rural Zones	2.5 metres	2.8 metres	District Centre Zone, Outer Business Centre Zone, Town Centre Zone, Local Centre Zone, Civic and Community Zone, Industrial/Service Zone, Airport Zone	3.5 metres	2.8 metres	<p>development. There is no impact on specific sites of interest or resources of significance to iwi. The new policy recognises characteristics of the coastal environment that are of special value to tāngata whenua, consistent with the NZCPS, the RSP, and the planning documents recognised by Iwi Authorities as identified and discussed in Section 3.4 above.</p> <p>There are specific rules for new fences, site coverage at 35%, minimum lot area of 550m² (exclusive of access), and maximum access width of 6m. All of these have been informed by existing character assessments for the ‘Olde Beach’ area and consultation with affected property owners on draft provisions.</p> <p>There are a number of changes to the Appendix 5.2 Special Character Area Design Guidelines. All of these are relatively minor in scale and significance, including adding Waikanae Beach to places where appropriate, and providing the character study for Waikanae Beach.</p> <p>The effects will be geographically localised and limited to land in the Beach Residential Zone and area of Waikanae Beach proposed to be zoned Beach Residential.</p> <p>The effect of this change will be ongoing as it relates to built development and amenity values. There will be relatively minor impacts on social and economic wellbeing for the</p>
Activity	Minimum width	Minimum unobstructed height															
Commercial activities	6 metres	2.8 metres															
Habitable buildings in Rural Zones (except for the Paraparaumu North Rural Precinct)	3.5 metres	4 metres															
Plantation forestry activities in Rural Zones	2.5 metres	2.8 metres															
District Centre Zone, Outer Business Centre Zone, Town Centre Zone, Local Centre Zone, Civic and Community Zone, Industrial/Service Zone, Airport Zone	3.5 metres	2.8 metres															

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>Living Zones Appendices (in Volume 2)</p> <p>Amend the name of Appendix 5.2 design guidelines referred to in the list of Living Zones Appendices at the end of Chapter 5 as follows:</p> <p>The following <i>Living Zones</i> appendices can be found in Volume 2 of this Plan.</p> <ol style="list-style-type: none"> Appendix 5.1 - Medium Density Housing Design Guide Appendix 5.2 - Ōtaki Beach, <u>Waikanae Beach</u>, Raumati, Paekākāriki Special Character Areas Design Guidelines <p>Amend the title of Appendix 5.2 to add reference to Waikanae Beach as follows:</p> <p>Ōtaki Beach, <u>Waikanae Beach</u>, Raumati, Paekākāriki Special Character Areas Design Guidelines Section I 'Introduction'</p> <p>Amend and add a paragraph to I.1 Background as follows: <u>... In October 2017, in response to the Waikanae Beach community vision and action plan, a detailed character assessment was completed for Council for the Waikanae Beach residential area. It recommended the identification of the Waikanae 'Olde Beach' area as a special character area on the basis of its distinctive local character and sensitivity to change.</u></p> <p>This document provides the recommended urban design guidelines (guidelines). The guidelines are focused on and apply only to the specifically identified 'special character' areas within Ōtaki Beach, <u>Waikanae Beach</u>, Raumati and Paekākāriki.</p> <p>...</p> <p>I.4 STRUCTURE OF THE GUIDELINE</p> <p>Amend as follows:</p>	<p>affected properties compared with the status quo (i.e. current Residential Zone). Given Variation 2 is in response to a community visioning document informed by local community engagement, there will be some positive social effect on local residents as Council actions their community document - Our Future Waikanae Beach.</p> <p>Variation 2 does not change any existing objectives of the PDP and the variation is consistent with higher-level RMA matters such as the RMA Part 2 matters, national policy statements and regional policy statements. Variation 2 will have an overall slightly positive impact on the plan giving effect to, and aligning with, higher-level planning documents by applying a more appropriate zoning to an area identified as containing special beach character.</p> <p>There is a low degree of policy risk, implementation risk, or uncertainty as the existing approach of managing density, building scale and fence heights is well established in the district.</p>

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>... Detailed objectives are set out in each section. While the guidelines are applicable to all three<u>four</u> areas, they need to be interpreted in relation to the site-specific conditions of each site and its local context.</p> <p>To help implement the guidelines a character overview of the common patterns in the three<u>four</u> areas, they need to be interpreted in relation to the site-specific conditions of each site areas is provided in Section 3 of this document. ...</p> <p>Special Character Area Boundaries Add the following diagram:</p>	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p data-bbox="622 188 763 228">Waikanae Beach: Old Beach Area</p> <p data-bbox="622 244 730 308"> Legend  Old Beach Area  Building Footprints </p>  <p data-bbox="595 999 786 1023">Waikanae Beach</p> <p data-bbox="595 1062 1234 1126"> Section 2 –Significance of the Special Character Areas Amend as follows: </p> <p data-bbox="595 1166 1391 1230"> In this sense, the local environments of the <u>four</u> three areas are public assets with a region-wide significance. </p> <p data-bbox="595 1270 1391 1334"> While local character variations between the <u>four</u> three areas exist, there are a number of common patterns that underpin their coastal </p>	

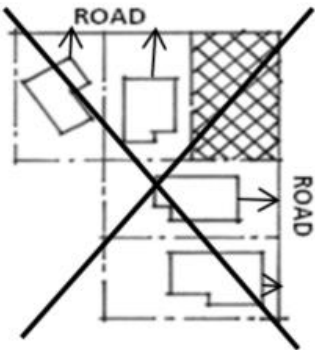
Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>character. These include: ...</p> <p>Section 3- Character Overview of the Three Local Areas Amend as follows:</p> <p>3. CHARACTER OVERVIEW OF THE THREE-FOUR LOCAL AREAS</p> <p>SUMMARY OF COMMON DEVELOPMENT PATTERNS</p> <p>3.1 BUILDING LOCATION, FRONTAGE SETBACKS, BUILDING RELATIONSHIP TO THE STREET</p> <ul style="list-style-type: none"> The areas are characterised by variable frontage setbacks, <u>often</u> determined by the changing topography. However, small groupings of dwellings with consistent setbacks can be found throughout the areas, usually within the same block. ... <p>3.2 BLOCK STRUCTURE AND STREET CHARACTER</p> <ul style="list-style-type: none"> Block structure and street character are heavily influenced by the topography. Blocks' dimensions are variable reflecting the dynamic character of the landform. <u>However, this pattern is least pronounced in Waikanae Beach where the block structure is more regular.</u> Some blocks <u>within the individual local areas</u> are exceptionally long with a limited number of cross streets, thus reducing the permeability of the local environment. Existing cross-block walkways providing pedestrian access to the beach are well developed in Raumati South and <u>Waikanae Beach</u> and to a lesser extent in the other two areas. All three-four areas have a linear structure with major streets running north/south. Cul-de-sacs are typical for locations that have steeper and/or variable topography [e.g Raumati Beach and the eastern parts of Ōtaki Beach]. 	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<ul style="list-style-type: none"> • ... <p>3.4 VEGETATION CHARACTER</p> <p>...</p> <ul style="list-style-type: none"> - <u>Waikanae Beach - mixture of indigenous and exotic species. A notable pattern of mature Macrocarpa hedges is found on the eastern edge of the area along Ono Street and Huiawa Street.</u> <p>...</p> <p>3.5 BUILDING FORM AND SCALE/HEIGHT</p> <ul style="list-style-type: none"> • Building height is one and two storeys with a predominance of single storey buildings in all three<u>four</u> areas. • Perception of building height is influenced by the topography. Topography often accentuates the height of buildings making them appear taller and more prominent than they actually are, especially when they are located on steeper <u>elevated</u> sites. Alternatively, buildings in low lying areas appear lower when viewed from street level. Variation in topography can also create a sense of height variation between neighbouring buildings of similar height. • ... <p>3.6 BUILDING CHARACTER AND DESIGN</p> <p>...</p> <ul style="list-style-type: none"> • Building styles [including overall form, design detail and materials] in each local area vary depending on the period of construction. Building age profile varies slightly between the three local areas [e.g. the majority of buildings in Paekākāriki were built prior to 1960; most buildings in <u>Waikanae Beach</u> were built in the period 1925 -1970 and similarly in Raumati were built in the period 1930-1970; while in Ōtaki Beach the period between 1970-1990 was the most intense time of construction]. Many of the older buildings have been 	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>modified. The range of building types associated with each local area is attached in Appendix 1.</p> <ul style="list-style-type: none"> Individual detached dwellings are the predominant building type in all three<u>four</u> areas. Small bach-like dwellings are found in limited numbers and as a whole they are not a recurring character-defining feature in any of the local areas <u>apart from Waikanae Beach. The presence of beach bach style accommodation largely comprising single storey dwellings on larger sections is more pronounced in the Waikanae Beach special character area. Some of these buildings would date from the earliest subdivision in the 1920's.</u> Sloping roofs of variable type/form are characteristic for all three<u>four</u> areas.... 1. 	
2 – Front yard setback	<p>Definition of “beach character setback margin”: Delete the definition.</p>	<p>The changes are proposed as a result of plan efficiency monitoring.</p> <p>The change is a minor shift from status quo as it is proposing a new front yard setback with relatively minor changes in the rule framework which simplify the development of housing and additions to buildings on existing lots. The provisions are restricted to the Beach Residential Zone, although it will introduce a slightly more stringent front yard setback for primary residential buildings within the area to be rezoned. Residential Zones have been permitted to build the primary residential building on a site up to 3.0 metres from the front boundary (excluding garages, carports etc.) since decisions were released on the PDP. Prior to the release of decisions all Residential Zones were subject to the same</p>
	<p>Rules: 56A.1.6 (new buildings, and any minor works, additions or alterations). Amend standard 11b)(i) as follows:</p> <p>“b) for any front yard in the Beach Residential Zone: i. the front façade of any primary residential building must be <u>set back at least located within the beach character setback margin, and must be no closer to the road boundary than 3 metres 4.5 metres from any road boundary;</u></p> <p>5A.2.2 (visitor accommodation) Add a matter of control as follows: “10. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.”</p> <p>Add a new rule 5A.3.7 as follows:</p>	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p><u>7. Any building, and any additions or alterations to any building (excluding any listed historic heritage building) in the Beach Residential Zone that does not comply with the permitted activity standards for yard setbacks.</u></p> <p><u>Matters over which Council will restrict its discretion:</u></p> <ol style="list-style-type: none"> <u>1. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</u> <u>2. The consideration of effects with regard to Council's Subdivision and Development Principles and Requirements 2012 and Streetscape Strategy and Guideline.</u> <u>3. Compatibility with adjacent development.</u> <u>4. The imposition of conditions to manage visual, character, amenity and cumulative effects.</u> <u>5. Landscaping.</u> <u>6. The imposition of financial contributions in accordance with Chapter 12. Note: other contributions may be applicable under the provisions of the Local Government Act 2002.</u> <p>5A.4.2 Amend to exclude the activities provided for in new restricted discretionary rule 5A.3.7 (above) as follows: <i>Any building, minor works, and any additions or alterations to any building, which does not comply with one or more of the permitted activity standards under Rule 5A.1.6 and is not provided for as a restricted discretionary activity under Rule 5A.3.7.</i></p> <p>Appendix 5.2 Section 4 –Objectives & Guidelines Amend as follows: 4.1 BUILDING LOCATION, FRONTAGE SETBACKS AND BUILDING RELATIONSHIP TO THE STREET</p>	<p>4.5 metre front yard setback as what is proposed by the Variation.</p> <p>The approximately 2330 private properties in the area proposed to be affected by the changes. The changes are however consistent with addressing concerns raised by landowners, identified as part of plan effectiveness monitoring.</p> <p>There was a degree of interest from iwi in the development of the provisions. There is no impact on any known specific sites of interest or resources of significance to iwi. The relevant documents recognised by iwi are not directly relevant to the changes to the <i>beach character setback margin</i> provisions (see section 3.6 above).</p> <p>The effects of the proposal will be on-going into the future. The effects will be geographically localised and limited to land in the Beach Residential Zone, including the area of Waikanae Beach proposed to be zoned Beach Residential.</p> <p>The effects of the change will be minimal as this is returning to an approach that was in the Operative Plan until November 2017. The effects are primarily on amenity values derived from the character of the beach residential zone, and the change will have a moderate positive economic benefit in likely reducing the number of resource consents required for</p>

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>Frontage setbacks</p> <p>1. New development should relate to the site-specific conditions and local street patterns of frontage setbacks and building alignment. It should also recognise that variation in frontage setbacks corresponds to variations in topography [i.e. most buildings are located on the flatter parts of their site]. Given the variation in frontage setbacks throughout the three four local areas, the setbacks of new primary residential buildings should relate to the site specific conditions and local street patterns of frontage setbacks and building alignment. follow the site's beach character setback margin as required by the District Plan (Rule 5A.1.6).</p> <p>2. Where new development occurs on a corner lot, the beach character setback margin should be derived from the building setbacks of the two adjoining sites along either one of the two road frontages. New development on internal lots [which do not have a direct street frontage] should refer to the general pattern of building location of the neighbouring buildings.</p>	<p>new front yard developments (based on the problems identified already with the <i>beach character setback margin</i>).</p> <p>Variation 2 does not change any existing objectives of the PDP and the variation does not significantly impact on higher-level RMA matters such as the RMA Part 2 matters, national policy statements and regional policy statements.</p> <p>There is a low degree of policy risk, implementation risk, or uncertainty as the provisions proposed are well established and have been tested in other areas of the District.</p>

Issue	Provisions evaluated	Scale and Significance Reasoning
	 <p>Street edge treatment and fencing</p> <p>6. High, solid fences on the street boundary are not <u>predominant</u> common features in any of the three<u>four</u> local areas. Rather, low fences and/or planting have been widely used to delineate the street frontages of many proprietries, enhancing the identity of the respective dwelling. New development should follow this pattern.</p> <p>...</p> <p>4.4 BUILDING CHARACTER AND FACADE TREATMENT</p> <p>...</p> <p>Building image and local identity</p> <p>19. The character of the three<u>four</u> local areas is based on visual diversity and an eclectic mix of building types and styles....</p> <p>Exterior materials, finishes, textures and colours</p> <p>...</p> <p>25. The three<u>four</u> local areas are dominated by buildings with lighter and/or subdued exterior colours, although there are some individual buildings painted in distinctive bright colours....</p> <p>Section 5.1 – Special Character Areas: Summary of Characteristic</p>	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>Features</p> <p>Amend as follows:</p> <p>Overall setting & sense of place All three<u>four</u> special character areas - Ōtaki Beach, <u>Waikanae Beach</u>, Raumati and Paekākāriki - are coastal settlements with a linear structure,...</p> <p>The development of Ōtaki Beach occurred in two stages including the 1901-1930 period with a second intensive period during 1970-1990. <u>The subdivision of the Waikanae Beach local area was approached in a comprehensive manner with more than half of the area subdivided within a two year period between 1923 and 1924, while the remainder of the land was subdivided and developed during the 1931-1950 period.</u> The subdivision and development in Raumati started from the coast and moved inland (west to east) during the 1901-1930 and was largely completed prior to 1950. Similarly, most of Paekākāriki was subdivided and developed during the 1901-1930 period followed by a second stage of development 20 years later.</p> <p>Most of the lots in all of the character areas are medium to large in size ranging between 600m² and 1200m². The larger lots most often relate to the first rows of 'beach' properties. The original subdivision patterns in all three<u>four</u> areas have been largely maintained.</p> <p>Common development/building patterns While each of the special character areas has its own ambience and individuality, the three<u>four</u> areas share a range of common features derived from similarities in their coastal location, topography and history of land subdivision. These include:</p> <p>...</p> <p>Building design</p>	

Issue	Provisions evaluated	Scale and Significance Reasoning
	<p>Diversity of building design based on a range of building types and styles is present in all three<u>four</u> areas [refer to pages 16-19, 20 and 24 for examples of typical building styles in each area]. Nevertheless, the overall building character in the individual areas is underpinned by common elements such as:</p> <p>...</p>	

6 EVALUATION OF EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS

Section 32(1)(b)(ii) requires an assessment of the efficiency and effectiveness of the provisions in achieving the objectives. This Section provides that assessment, considering anticipated benefits and costs of Variation 2 and the matters required under Section 32(2).

Section 32(2) requires that an assessment under subsection (1)(b)(ii) must—

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

In accordance with Section 32(1)(c) this evaluation contains a level of detail that corresponds to the scale and significance of Variation 2.

Table 6-1: Waikanae Beach Residential Zone with site specific provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>Amended Policy – 5.4 Special character areas New Policy 5.5A</p> <p>Amended Rule 5A.1.3 standard 1 Amended 5A.3.3 standard 2 h) Amended 5A.2.2 matters of control Amended 5A.2.1, 5A.3.3 and 5A.3.5 matters of control or discretion Amended Appendix 5.2</p>	<p>Environmental: Ensures those areas that have been identified as having special values and characteristics are protected from inappropriate subdivision and development. Specifically, for Waikanae Beach, it helps to provide for the vision identified in the Our Future Waikanae Beach community document and recognises the historic and cultural features and characteristics of the area important to Te Ati Awa ki Whakarongotai.</p> <p>Manages the scale and density of development including buildings and therefore the environmental effects.</p> <p>Manages the effects through standards e.g. site coverage, yards etc. therefore providing for most new residential buildings to be a permitted activity. Benefits include maintaining amenity values associated with the special character of the area while providing for new buildings and additions to existing buildings.</p>	<p>Environmental: Will place limitations on subdivision and development of housing in the Beach Residential Zone at Waikanae Beach in terms of scale (for example 35% site coverage, and larger lot sizes required).</p>
	<p>Economic: Recognises the critical importance of housing to the functioning of the district.</p>	<p>Economic: The most optimal scale for a new house may fall outside the site coverage or yard requirements leading to consent cost.</p>

	Results in more diverse residential areas with a distinct character and amenity providing a rarity value to the housing.	<p>The rule structure may preclude residential activities which would otherwise generate an income such a minor flat.</p> <p>Opportunity costs - decreases the subdivision and development potential for sites through introducing a larger minimum lot size and reducing bulk and location building standards. Some property owners may have higher density subdivision and larger development aspirations than the provisions provide for.</p>
	<p>Social: Enables a distinct identity for Waikanae Beach consistent with community values. Responds to the community visioning document - Our Future Waikanae Beach.</p> <p>Establishes a clear envelope of scale which manages the expectations of neighbouring properties.</p>	<p>Social: There is a risk of cumulative effects on character with changes over time authorised via the resource consent process. This risk would be higher if the Waikanae Beach area remained Residential Zone rather than Beach Residential Zone.</p>
	<p>Cultural: Recognises the cultural history of the settlement. Provides policy guidance to applicants and decision makers with regard to recognising the historic and cultural features and characteristics of the area important to Te Ati Awa ki Whakarongotai.</p>	<p>Cultural: A small risk of accidental discovery of cultural materials during the development of sites. The lower density requirements of the variation reduces this risk slightly compared to the status quo.</p>
Opportunities for economic growth and employment		
The scale and significance of Variation 2 is limited, changing a Residential zoned area to a slightly more restrictive Beach Residential Zone. It is likely be some opportunities for employment will continue, with construction or alteration of residential dwellings within the 'Olde Beach' area - it will remain a popular and		

beach-side community.

Options less or not as appropriate to achieve the objective

Option 1 - Status quo – retain existing PDP Residential Zone for Waikanae Beach.

Option 2 – Rezone Waikanae Beach ('Olde Beach' area) to Beach Residential Zone and adopt those existing provisions in full.

Option 4 – Rezone Waikanae Beach ('Olde Beach' area) to Beach Residential Zone and adopt a strict requirement that all new development requires a resource consent (i.e. no permitted activity provisions). The Special Character Area Guidelines would provide the matters of discretion.

Risk of acting or not acting

Uncertainty or insufficiency of information:

There is a good level of information to inform Variation 2, including a community engagement process and development of a community document - Our Future Waikanae Beach. The Beach Residential Zone exists in the PDP and has been developed to apply to urban areas within beach-side communities that have an identified special character. There is some limited uncertainty about the actual risk of future development pressure at Waikanae Beach due to proximity to the expressway interchange and other housing demand pressures.

Risk of acting or not acting:

The risk of not acting is that the PDP would not implement the community vision (Our Future Waikanae Beach). It is better for the PDP to have a policy and rule framework to guide any new residential proposals at Waikanae Beach which achieve the community's desire to help maintain the special beach character of the area.

Efficiency and effectiveness

Variation 2 provisions provide an efficient and effective way to achieve the Objectives for character and amenity in relation to residential housing at Waikanae Beach as the benefits of providing for the efficient development maintaining the character of residential housing at Waikanae Beach, outweighs the costs.

Effectiveness:

The proposed provisions provide an effective framework to achieve the Objectives by enabling the development of residential housing within Waikanae Beach at a scale and character that will maintain the valued amenity values of the 'Olde Beach' area. The amended policies and rules provide for a range of housing options while minimising potential adverse environmental effects.

Overall this approach is the most effective and efficient way of achieving the Objectives. It also appropriately gives effect to the NZCPS and the RPS.

Table 6-2: Amendments to the Beach Residential Zone provisions – front yard setback

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>Amended Rule 5A.1.3 and associated standards Amended Rule 5A.1.6 yard standards Amended 5A.2.2 matters of control Amended 5A.2.1, 5A.3.3 and 5A.3.5 matters of control or discretion New Rule 5A.3.7 and matters of discretion 5A.4.2 Deletion of Definition of 'Beach Character Setback Margin' Amended Appendix 5.2</p>	<p>Environmental: Ensures those areas that have been identified as having special values and characteristics are protected from subdivision and development which would harm the identified special values and characteristics.</p> <p>Sets an appropriate 4.5m setback for front yards, providing a generous front yard amenity which is appropriate for beach residential areas.</p>	<p>Environmental: May place limitations on the location of houses or additions as a permitted activity where the beach character setback margin permitted a building up to 3.0 metres from the front boundary.</p>
	<p>Economic: Simplifies the front yard requirements and reduces cost for survey of multiple sites prior to building.</p>	<p>Economic: The most optimal location for a new house may fall outside the yard requirements leading to consent cost.</p> <p>May decrease the development potential for some sites where the beach character setback margin permitted a building up to 3.0 metres from the front boundary.</p>
	<p>Social: Establishes a clear envelope of scale which manages the expectations of neighbouring properties – clear rules are sought as an</p>	<p>Social: There is a small risk of cumulative effects on character with changes over time authorised via the resource consent process, however that risk would be similar if the Beach</p>

	<p>action in Our Future Waikanae Beach.</p> <p>Enables a distinct identity for Waikanae Beach consistent with community values.</p>	<p>Character Setback Margin remained in place.</p>
	<p>Cultural: No significant cultural benefits identified.</p>	<p>Cultural: A small risk of accidental discovery of cultural materials during the development of sites, however this risk is equally present under the existing provisions.</p>
Opportunities for economic growth and employment		
<p>This is a minor change to the front yard setback provision only to resolve the identified problems with the current provision. There will be no significant opportunity for economic growth and employment as a result of this minor change.</p>		
Options less or not as appropriate to achieve the objective		
<p>Option 1 - Status quo – retain the existing PDP Beach Residential Zone provision, Beach Character Setback Margin.</p> <p>Option 2 – revise the existing PDP Beach Residential Zone provision, Beach Character Setback Margin to try to fix the identified problems.</p>		
Risk of acting or not acting		
<p>Uncertainty or insufficiency of information: The 4.5m front yard setback was the provision in the operative District Plan for many years and that provision is applied for the Residential zone in the PDP. Monitoring of the implementation of the beach character setback margin provisions has shown it to have a number of problems that will continue across the District's Beach Residential Zone.</p> <p>Risk of acting or not acting: The risk of not acting in relation to the Beach Residential Zone amendments is that there will be confusion over the front yard requirements for the zone. This could result in prospective people wanting to invest in improving/upgrading their properties being discouraged due to confusing provisions, a higher amount of resource consent costs, and higher monitoring and enforcement cost as both applicant and Council tries to implement the rule.</p>		
Efficiency and effectiveness		
<p>The proposed 4.5m front yard setback and supporting provisions provide an efficient and effective way to achieve the Objectives of the PDP. The benefits of</p>		

providing a clear and certain front yard setback rule for the efficient development of residential development in the Beach Residential Zone outweighs the costs.

Effectiveness:

Compared to the other options the proposed 4.5m front yard setback is the most effective way to achieve the objectives of the PDP.

Overall this approach is the most effective and efficient way of achieving the objective. It also appropriately gives effect to the NZCPS and the WRPS as discussed in Section 3 of this assessment.

7 SUMMARY OF REASONS FOR RECOMMENDING THE PROVISIONS

The overall findings of this report are:

<p><i>Rezoning of the ‘Olde Beach’ area at Waikanae Beach from Residential Zone to Beach Residential Zone</i></p>	<ul style="list-style-type: none"> ▪ This variation responds to a comprehensive local community engagement process, including the development of a vision document “Our Future Waikanae Beach” and a supporting Character Study by Urban Perspectives Ltd. ▪ The Beach Residential Zone with site specific provisions is the most appropriate way to achieve the relevant Objectives of the PDP; ▪ It is a relatively straight-forward variation in that it applies an already existing Beach Residential Zone to an identified appropriate location of ‘Olde Beach’ area at Waikanae Beach; ▪ The change from Residential Zone to Beach Residential Zone is not a dramatic change in terms of planning provisions – however the proposed site specific provisions are more appropriate than the Residential Zone provisions for managing the Special Character Area at Waikanae Beach.
<p><i>Amending the front yard provisions for the Beach Residential zone from the Beach Character Setback Margin provision to a 4.5m setback provision.</i></p>	<ul style="list-style-type: none"> ▪ This variation responds to problems identified with the interpretation, implementation and potential ultra vires issues of the current front yard setback provision. ▪ The certain and clear 4.5m front yard setback is the most appropriate way to achieve the relevant Objectives of the PDP; ▪ The current Beach Character Setback Margin is problematic in its interpretation and implementation; ▪ Broadly, both front yard provisions will achieve a similar front yard amenity, resulting in generous front yards within the Beach Residential Zone areas. ▪ This variation is relatively straight-forward, reintroducing the 4.5m front yard setback for residential zones from the Operative District Plan 1999 that was in effect up until November 2017. That previous setback has for many years set the front yard residential amenity for the Beach Residential Zone areas. The 4.5m setback is also used for the PDP Residential Zone.

APPENDIX I PROVISION CASCADE

Issues to be addressed:

1. Maintenance of character of the 'Olde Beach' area at Waikanae Beach; and
2. Beach Residential Zone beach character setback margin rule is overly complex, confusing and costly.

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
Objective 2.1 – Tāngata whenau To work in partnership with the <i>tāngata whenua</i> of the district in order to maintain <i>kaitiakitanga</i> of the District's resources and ensure that decisions affecting the <i>natural environment</i> in the District are made in accordance with the principles of Te Tiriti o Waitangi (Treaty of Waitangi).	<u>Policy 5.5A – Waikanae Beach</u> <u>Subdivision, use and development in the Beach Residential Zone at Waikanae Beach will be undertaken in a manner that respects and recognises the cultural context and history of the area, including through:</u> <ol style="list-style-type: none"> a) <u>limiting subdivision, use and development that affects the dune system in the area;</u> b) <u>limiting the density of subdivision in the area; and</u> c) <u>maintaining the natural character of vegetation in the</u> 	All rules managing subdivision, use and development which is not a permitted or controlled activity within the Beach Residential zone at Waikanae Beach.		

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
<p>increase in <i>risk</i> to life or severity of damage to property from <i>natural hazard</i> events;</p> <p>d) higher residential densities in locations that are close to <i>centres</i> and public <i>open spaces</i>, with good access to public transport;</p> <p>e) management of <i>development</i> in areas of special character or amenity so as to maintain, and where practicable, enhance those special values;</p> <p>f) sustainable natural processes including freshwater systems, areas characterised by the <i>productive potential</i> of the land, ecological integrity, identified landscapes and</p>	<p><i>Living Zones</i>;</p> <p>iii. avoiding any significant adverse <i>effects</i> of <i>subdivision</i> and <i>development</i> in special character areas identified in Policy 5.4;</p> <p>d) avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural <i>environment</i> between and around settlements;</p> <p>e) can be sustained within and makes efficient use of existing capacity of public services and strategic <i>infrastructure</i>; and</p> <p>f) promotes the efficient use of energy and water.</p> <p>Policy DW4 – Managing Intensification</p> <p>Residential intensification will be managed to ensure that adverse</p>	<p>(excluding any listed <i>historic heritage building</i>).</p>	<p>Coverage</p> <p>5. The maximum <i>coverage</i> of any <i>lot</i> shall be 40% <u>in the Residential Zone</u>, except and 35% in the Beach Residential Zone where it shall be 35%.</p> <p>Height</p> <p>7. The maximum <i>height</i> of any <i>building</i> shall be 8 metres except:</p> <p>a) ...</p> <p>b) ...</p> <p>c) any <i>building</i> in the Beach Residential Zone, except for any <i>accessory building</i> or <i>minor flat</i> (excluding a <i>minor flat</i> contained within the <i>primary residential building</i>), shall have a maximum <i>height</i> of 8 metres and no more than two storeys; and</p>	

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
<p>features, and other places of significant natural amenity;</p> <p>g) 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</p> <p>h) management of the location and <i>effects</i> of potentially incompatible land uses including any interface between such uses.</p> <p>Objective 2.11 – Character and Amenity Values</p> <p>To maintain and enhance the unique character and amenity</p>	<p><i>effects</i> on local amenity and character are avoided, remedied or mitigated, including through achievement of the following principles:</p> <p>a) <i>development</i> will complement the existing <i>environment</i> in terms of retaining landforms, <i>yard</i> setbacks and relationship to the street and <i>open spaces</i>; and</p> <p>b) <i>building</i> bulk and scale will be managed.</p> <p>Policy DW5 – Residential Density</p> <p>The density of <i>subdivision</i> and <i>development</i> will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below:</p> <p>a) the highest densities, including apartments as part of mixed use</p>	<p>5A.2.2</p> <p>Visitor accommodation</p>	<p>d) ...</p> <p>Floor area ratio – Beach Residential Zone</p> <p>9. Any <i>lot</i> in the Beach Residential Zone shall have a maximum <i>floor area ratio</i> of 0.6:1.0.</p> <p>Yards and building location</p> <p>11. Any <i>lot</i> must meet the following minimum <i>yard</i> requirements:</p> <p>a) ...</p> <p>b) for any front <i>yard</i> in the Beach Residential Zone:</p> <p>i. the front façade of any primary residential building must be located within the beach character setback margin, and must be no closer to the road boundary than 3 metres;</p> <p>ii. any other <i>building</i> or above water tank must be set back metres from any <i>road bound</i></p>	<p>1. Transport <i>effects</i>.</p> <p>2. <i>Landscaping</i>.</p> <p>3. Noise <i>effects</i>.</p> <p>4. Layout, size, design and location of any proposed <i>buildings</i> associated with the</p>

Objectives	Policies	Rules	Standards	Matters of Control/Discretion
<p>values of the District's distinct communities so that residents and visitors enjoy:</p> <p>a) relaxed, unique and distinct village identities and predominantly low-density residential areas characterised by the presence of mature vegetation, a variety of built forms, the retention of landforms and unique community identities;</p> <p>b) vibrant, lively <i>town centres</i> supported by higher density residential and mixed use areas;</p> <p>c) neighbourhood <i>centres</i>, village communities and employment areas characterised by high levels of amenity, accessibility and</p>	<p>developments, will be located within and in immediate proximity to <i>centres</i>;</p> <p>b) <i>medium density housing</i> will be limited to specific precinct areas within walking distance of <i>centres</i>;</p> <p>c) <i>focused infill</i> will be encouraged in specific areas where there is good access to <i>shops</i> and services;</p> <p>d) within the <i>Neighbourhood Development Areas</i> identified in the Ngārara Zone Structure Plan in Appendix 5.7, the provision of affordable housing will be encouraged at appropriate locations with good access to <i>shops</i> and services;</p> <p>e) traditional low density residential <i>subdivision</i> will be allowed within the <i>general residential area</i>;</p> <p>f) overall existing low densities</p>		<p>iii. any eave which intrudes into the front <i>yard</i> by no greater than 0.6 metres shall be excluded, except where the eave would overhang any easement;</p>	<p>activity.</p> <p>5. The imposition of conditions to manage visual, character and amenity <i>effects</i>.</p>
			<p>1. Any building associated with the activity must comply with the permitted activity standards under Rule 5A.1.6.</p> <p>2. The activity must not receive any delivery between the hours of 7pm and 7am.</p>	<p>6. Any positive <i>effects</i> to be derived from the activity.</p> <p>7. Cumulative <i>effects</i>.</p> <p>8. The imposition of <i>conditions</i> in accordance with section 108 of the Resource Management Act 1991.</p> <p>9. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. Note: Other contributions may</p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
<p>convenience;</p> <p>d) productive rural areas, characterised by openness, natural landforms, areas and corridors of <i>indigenous vegetation</i>, and <i>primary production activities</i>; and</p> <p>e) well managed interfaces between different types of land use areas (e.g. between living, working and rural areas and between potentially conflicting land uses, so as to minimise adverse effects).</p>	<p>will be maintained in special character areas identified in Policy 5.4;</p> <p>g) 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</p> <p>h) in areas where <i>infrastructure</i> constraints exist (such as water, <i>wastewater</i> or roading), densities will reflect those constraints.</p> <p>Policy 5.4 – Special Character Areas</p> <p><i>Development, use and subdivision</i> in special character areas, identified in the District Plan Maps, will recognise the distinct identity and valued character of the area and will be compatible with the valued character of the area.</p> <p>The District’s special character areas</p>	<p>5A.3.3</p> <p>3. Any <i>subdivision</i> of land (excluding land within a Focused Infill Precinct) which is not a <i>controlled activity</i> under Rule 5A.2.1 or 5A.2.3.</p>	<p></p> <p>Minimum and average lot sizes</p> <p>2. Each <i>lot</i> must meet the following minimum requirements:</p>	<p>be applicable under the provisions of the Local Government Act 2002.</p> <p><u>10. The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</u></p> <p>Note: Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of control may also apply.</p> <p>1. The design and layout of the <i>subdivision</i> and any associated</p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
	<p>are the:</p> <p>a) Beach Residential Zone at:</p> <p>i. Paekākāriki;</p> <p>ii. Raumati;</p> <p>iii. <u>Waikane Beach; and</u></p> <p>iv. <u>Ōtaki Beach; and</u></p> <p>b) Waikanae Garden Precinct.</p> <p>Policy 5.5 – Beach Residential Zone</p> <p><i>Subdivision, use and development</i> in the Beach Residential Zone will be undertaken in a manner that protects the valued character and qualities of these areas in accordance with Appendix 5.2 Special Character Areas Design Guidelines.</p> <p>Where new <i>subdivision</i> or <i>development</i> is proposed in the Beach Residential Zone, specific consideration will be given to the extent to which the proposal:</p> <p>a) contributes to the collective identity of the local <i>environment</i>;</p>		<p>a) the minimum <i>lot</i> area shall be 950m² for any <i>lot</i> in:</p> <p>i. the Beach Residential Zone or Residential Zone at Paekākāriki;</p> <p>ii. the Residential Zone at Peka Peka; and</p> <p>iii. the Residential Zone at Te Horo Beach;</p> <p>b) ...</p> <p>c) ...</p> <p>d) ...</p> <p>e) ...</p> <p>f) ...</p> <p>g) ...</p> <p>h) <u>for land in the Beach Residential Zone at Waikanae Beach, the minimum <i>lot</i> area shall be 550m² (exclusive of</u></p>	<p><i>earthworks</i>.</p> <p>2. The imposition of conditions to manage character and amenity <i>effects</i>.</p> <p>3. The design, size, shape and location of reserves and esplanades.</p> <p>4. The imposition of conditions in accordance with <i>Council's</i> Subdivision and Development Principles and Requirements 2012.</p> <p>5. The imposition of <i>financial contributions</i> in accordance with Chapter 12 of this Plan. Note: Other contributions may be applicable under the provisions of the</p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
	<p>b) reinforces an attractive, defined and coherent streetscape character and is responsive to specific local conditions;</p> <p>c) is sympathetic to and maintains the integrity of the existing landscape, landform and vegetation;</p> <p>d) is compatible in scale with its built context;</p> <p>e) is coherently designed and of good design quality; and</p> <p>f) retains mature vegetation, reinforces existing planting patterns and integrates <i>buildings</i> into the existing landscape setting.</p> <p>Policy 5.12 – Residential Activities</p> <p><i>Residential activities</i> will be recognised and provided for as the principal use in the <i>Living Zones</i>, while ensuring that the <i>effects</i> of</p>	<p>5A.3.7</p> <p><u>Any building, and any additions or alterations to any building (excluding any listed historic heritage building) in the Beach Residential Zone that does not comply with the permitted activity standards</u></p>	<p><u>access</u>);</p> <p>hi) for all other land in the Residential Zone or Beach Residential Zone where the land to be subdivided is less than 3,000m² in area:</p> <p>i. the minimum <i>lot</i> area shall be 450m² (exclusive of access); and</p> <p>ii. the minimum average <i>lot</i> area for the entire <i>subdivision</i> shall be 600m² (exclusive of access);</p> <p>ij) for all other land in the Residential Zone or Beach Residential Zone where the land to be subdivided is greater than 3,000m² in size:</p> <p>i. at least 50% of all front <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 550m² and at least</p>	<p>Local Government Act 2002.</p> <p>6. <i>Vehicle access</i> points onto <i>legal road</i> including the <i>State Highway</i> network and any transport <i>effects</i>.</p> <p>7. Any legal mechanisms required for legal access.</p> <p>8. The location of any associated <i>building</i> site(s) relative to any identified <i>natural hazards, historic heritage feature, notable tree, ecological site, key indigenous tree, key indigenous tree species, rare and threatened vegetation species</i>,</p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
	<p><i>subdivision</i>, use and <i>development</i> is in accordance with the following principles:</p> <ul style="list-style-type: none"> a) adverse <i>effects</i> on natural systems will be avoided, remedied or mitigated; b) new built <i>development</i> will relate to local built identity, character values and the density of the surrounding residential environment; c) transport choice and efficiency will be maximised; d) housing types which meet the need of <i>households</i> will be provided for; e) the number of <i>household units</i> per <i>lot</i> will be limited; and f) a limited number of <i>accessory buildings</i> and <i>buildings</i> which are <i>ancillary</i> to <i>residential activities</i> will be provided for. 	<p><u>for yard setbacks.</u></p> <p>5A.4.2</p> <p>Any <i>building</i>, minor works, and any <i>additions</i> or <i>alterations</i> to any <i>building</i>, which does not comply with one or more of the <i>permitted activity</i> standards under Rule 5A.1.6 <u>and is not provided for as a <i>restricted</i></u></p>	<ul style="list-style-type: none"> 25% of all front <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 700m²; and ii. at least 50% of all rear <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 650m² (exclusive of access) and at least 25% of all rear <i>lots</i> in the <i>subdivision</i> shall have a minimum <i>lot</i> area of 800m² (exclusive of access); jk) in addition to the minimum <i>lot</i> area requirements in standards (h) and (i) above, the following overall average <i>lot</i> sizes (exclusive of access) shall be achieved: <ul style="list-style-type: none"> i. 600m² or greater in the Beach Residential Zone and Residential 	<p><i>geological feature, outstanding natural landscape and area of high natural character.</i></p> <p>9. The Ōtaki Beach, Raumati, Paekākāriki Special Character Areas Design Guidelines in Appendix 5.2.</p> <p>Note: Where consent is required under other Rules in the Plan which are associated with an activity considered under this Rule, additional matters of discretion may also apply.</p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
	Policy 5.13 – Residential Amenity <i>Subdivision, use and development in the Living Zones will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles:</i> <ul style="list-style-type: none"> a) <i>building size and footprint will be proportional to the size of the lot;</i> b) <i>usable and easily accessible private outdoor living courts will be provided;</i> c) <i>buildings and structures will be designed and located to maximise sunlight access, privacy and amenity for the property and adjoining lots;</i> d) <i>buildings and structures will be designed and located to minimise visual impact and to ensure they are of a scale which is consistent with the area’s urban form;</i> 	<u>discretionary activity under Rule 5A.3.7.</u> 11E.1.3 <u>Property access and loading for vehicles.</u>	Zone at Ōtaki Beach; and ii. 700m ² or greater in the Beach Residential Zone at Raumati.	1. <u>The consideration of effects with regard to Council’s Subdivision and Development Principles and Requirements 2012 and Streetscape Strategy and Guideline.</u>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
	<p>e) appropriate separation distances will be maintained between <i>buildings</i>;</p> <p>f) <i>yards</i> will be provided to achieve appropriate <i>building</i> setbacks from neighbouring areas, the street and the coast;</p> <p>g) hard and impermeable surfaces will be offset by permeable areas on individual <i>lots</i>;</p> <p>h) unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;</p> <p>i) <i>non-residential buildings</i> will be of a form and scale which is compatible with the surrounding residential environment; and</p> <p>j) service areas for <i>non-residential activities</i> will be screened, and planting and <i>landscaping</i> will be provided.</p>			<p>2. <u>Compatibility with adjacent development.</u></p> <p>3. <u>The imposition of conditions to manage visual, character, amenity and cumulative effects.</u></p> <p>4. <u>Landscaping.</u></p> <p>5. <u>The imposition of financial contributions in accordance with Chapter 12. Note: other contributions may be applicable under the provisions of the Local Government Act 2002.</u></p> <p>6. <u>The Ōtaki Beach, Waikanae Beach, Raumati, Paekākāriki Special Character Areas Design</u></p>

Objectives	Policies	Rules	Standards	Matters of Control/ Discretion																				
			<div>3. Access - all accesses must meet the following:<div>a) be a minimum of 3.5 metres wide, except for as set out in the following table:</div><table><tr><td>Activity</td><td></td></tr><tr><td>Commercial activities</td><td>6</td></tr><tr><td>Habitable buildings in Rural Zones (except for the Paraparaumu North Rural Precinct)</td><td>3</td></tr><tr><td>Plantation forestry activities in Rural Zones</td><td>2</td></tr><tr><td>District Centre Zone, Outer Business Centre Zone, Town Centre Zone, Local Centre Zone, Civic and Community Zone, Industrial/Service Zone, Airport Zone</td><td>3</td></tr></table></div>	Activity		Commercial activities	6	Habitable buildings in Rural Zones (except for the Paraparaumu North Rural Precinct)	3	Plantation forestry activities in Rural Zones	2	District Centre Zone, Outer Business Centre Zone, Town Centre Zone, Local Centre Zone, Civic and Community Zone, Industrial/Service Zone, Airport Zone	3	<div>Guidelines in Appendix 5.2.</div> <table><tr><td></td><td>Mini</td></tr><tr><td></td><td>2.8 m</td></tr><tr><td></td><td>4 me</td></tr><tr><td></td><td>2.8 m</td></tr><tr><td></td><td>2.8 m</td></tr></table>		Mini		2.8 m		4 me		2.8 m		2.8 m
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Objectives	Policies	Rules	Standards	Matters of Control/ Discretion
			c) be a maximum of 9 metres wide, <u>except in the Beach Residential Zone at Waikanae Beach where the maximum shall be 6 metres wide.</u>	