

**Private Plan Change 4
Hearing 17 February 2026**

Speaking Notes – Gina Sweetman

I concur with Mr McDonnell that there are no trees that are protected by the District Plan on this property or on adjacent sites.

There were questions to Mr Thomson about stormwater and greywater from 81 Ratanui Road discharging across the boundary. I concur with the Requestor's expert that this is not a matter for a plan change. It is most appropriately addressed at resource consent stage, and as a civil matter between landowners.

I have listened to the submitters' presentations. There has been nothing raised that has changed my recommendations. However, I did want to note for the benefit of submitters that any development of the site will trigger the requirement for development contributions towards new or upgrades to existing stormwater, water and wastewater services required because of growth.

I did have a brief conversation with Mr McDonnell at the end of the day yesterday about ensuring that there was consideration of stormwater, wastewater and water matters should the site be developed as a retirement village, without any precursor subdivision as would be the case for a residential development. This was because of the nature of the District Plan and its largely restricted discretionary activity approach. I could not see where a consideration of wastewater and water would be triggered by the likely consents required for a retirement village development.

In respect to the clause of filtering of views into the site:

- I consider that the Meridian v Tararua case cited by Counsel for the Requestor is a different context to this plan change. That was a rural proposal, not a rural residential area on the periphery of an urban area identified in the Council's growth strategy for future urbanisation.
- But having reflected on this, I consider it may be appropriate to limit consideration of views to be from dwellings and their surrounds or curtilage. However, the concern I have of doing this is that it requires a subjective assessment of what surrounds or curtilage entail. This would require exercise of discretion.
- In term of Commissioner Wratt's question about the use of "where practicable", I agree that it should not be included. I consider it may be preferable to revert to the wording I recommended in my s42A report "provide filtering of views into the site" which provides for an evaluation to occur at resource consent stage about where filtering is required as part of the consideration of appropriate buffer widths.

In terms of the use of "parkland" in respect to the vegetated buffers, I consider that this word should be deleted, which would then require consideration of the rural residential character of the area. Again, this is best done through an assessment at resource consent stage.

In respect to the question from Commissioner Wratt about what the wording should be in respect to the structure plan. There are two other development areas in the District Plan, which use "undertaken in accordance with":

Subdivision, use and development in the Ngārara Development Area will provide for a mix of land uses and densities appropriate to the existing environment and will be undertaken in

accordance with the [Neighbourhood Development Areas](#) set out in the Ngārara Development Area [Structure Plan](#)...

[Subdivision](#), use and [development](#) within the Waikanae North Development Area will [be undertaken in accordance with the Waikanae North Design Guide in \[Appendix 9\]\(#\)](#), and...

I consider it would be appropriate to change the wording in the two policies and rules to use the same terminology.

I have not changed my opinion that the landscaped and vegetated buffers be extended around the periphery of the PPC4 site, as recommended by Ms McArthur. I consider the wording I recommend provides for a detailed evaluation of what width and form of buffer, if any, should be provided at resource consent stage.

I agree that Mr McDonnell's edit to DEV3-R1 by introducing new standard 1 addresses my concern about the application of GRZ-R33 to the proposed controlled activity rule.

However, I have not changed my opinion of the activity status. My concern centres around the number of matters that will require evaluation with potential divergent opinions of the appropriate outcome. Mr McDonnell has said that there would be sufficient discretion through the earthworks, flood and transport restricted discretionary activity rules. In my view however, the matters of discretion from these other rules do not extend to the matters such as the visual amenity and reverse sensitivity effects from a built development on the site. On the basis of case law, the different reasons for consent would not be bundled into becoming a restricted discretionary activity overall, and the Council would remain limited to assessing a retirement village as a controlled activity.

NH-FLOOD-R11: In a [ponding](#) or [shallow surface flow area](#), [earthworks](#) which do not comply with one or more of the [permitted activity](#) standards under [NH-FLOOD-R4](#).

1. The [effect](#) of the [earthworks](#) on the effective functioning of the [overflow path](#), [residual overflow path](#) or [ponding](#) or [shallow surface flow](#).
2. The avoidance or mitigation of adverse [effects](#) on the effective functioning of the [overflow path](#), [residual overflow path](#) or [ponding](#) or [shallow surface flow](#).

EW-R5 [Earthworks](#) not complying with one or more of the [permitted activity](#) standards in [EW-R2](#) or [EW-R3](#).

1. The degree of compliance with the Kāpiti Coast District [Council Land Development Minimum Requirements](#).
2. The [effects](#) on [water collection areas](#).
3. The degree of compliance with any applicable Environmental Management Plan or [Structure Plan](#) applicable to the [development](#).
4. Ecological [effects](#). (of the earthworks)¹
5. Visual and amenity [effects](#). (of the earthworks)²

TR-R10 Vehicle movements that do not meet permitted activity standards under TR-R2 (therefore deemed a major traffic activity(ies))

1. Consistency with Policies [TR-P1](#), [TR-P2](#), [TR-P3](#), [TR-P4](#), [TR-P5](#), [TR-P6](#), [TR-P7](#) & [TR-PARK-P8](#).
2. Consistency with [Council's Land Development Minimum Requirements](#).

¹ Of the earthworks is not in the matter of discretion, but given the rule is for earthworks, this is how it would be implemented.

² *ibid*

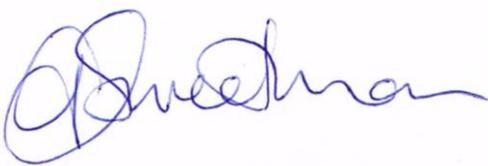
3. The extent to which the Transport Assessment is consistent with Policies TR-P1,TR-P2 TR-P3, TR-P4, TR-P5, TR-P6, TR-P7 & TR-PARK-P8 and Council's Land Development Minimum Requirements.
4. The extent to which the content of the Travel Plan is consistent with TR-P1,TR-P2 TR-P3, TR-P4, TR-P5, TR-P6, TR-P7 & TR-PARK-P8 and Council's Land Development Minimum Requirements.

I have not set out all the transport policies referred to in the matters of discretion, but these can be made available to the Panel or viewed online by the Panels.

The Summerset Village under construction near the M2PP/ Te Moana Road interchange is within the Ngārara Development Area which has its own bespoke provisions for subdivision, use and development. That consent was processed via the COVID-19 Recovery (Fast-track Consenting) Act 2020. The activity status under the DP for a retirement village within the Ngārara Development Area for the land use component is Discretionary under DEV1-R10.

On a GRZ site now as amended through the Council's intensification planning instrument (IPI) to implement the MDRS and Policy 3 of the NPSUD, a retirement village is a restricted discretionary activity under rule GRZ-R41. The activity status for retirement villages within the GRZ was well considered as part of the IPI because the retirement villages association submitted to make them permitted activities, which was supported in further submission by Summerset. The issues regarding the appropriateness of restricted discretionary activity status have therefore been recently canvassed, with restricted discretionary activity status being confirmed as the most efficient and effective to achieve the relevant objectives. I do acknowledge that there is a difference with this plan change which proposes a structure plan to provide greater direction. However, I maintain that is not certain enough to justify a controlled activity status.

I would be happy to work with Mr McDonnell to provide the Panel with an updated version of the proposed provisions which identify areas of agreement and disagreement between us.



Gina Sweetman
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