



ERIC, VINCE AND RAECHEL OSBORNE

**PROPOSED PLAN CHANGE TO
THE KĀPITI COAST DISTRICT
PLAN AND SECTION 32
ASSESSMENT**

100 and 110 Te Moana Road, Waikanae

6 May 2025

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REPORT INFORMATION

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EXECUTIVE SUMMARY

A Private Plan Change (“**PPC**”) is proposed to rezone the land at 100 and 110 Te Moana Road from General Rural Zone to General Residential Zone under the Operative Kāpiti Coast District Plan. The total area of the site is approximately 5.5ha.

The rezoning will provide a yield of approximately 40-45 lots. Under the permitted baseline of the Operative Kāpiti Coast District Plan (“**District Plan**”) each site could establish up to three residential units per lot (subject to compliance with all other District Plan standards).

The objective of the PPC is to provide additional residential housing capacity, aligning with the adjoining land zoning to the north and the objectives of the National Policy Statement on Urban Development 2019 (“**NPS-UD**”) and Kāpiti Coast Council’s recent growth strategy ‘Growing Well’.

Given that ‘highly productive land’ (as defined in the in the transitional provisions of the National Policy Statement on Highly Productive Land 2022 (“**NPS-HPL**”) is located over part of the site, the PPC is divided into two stages. Specifically, Stage 1 applies to the part of the site without ‘highly productive land’ and Stage 2 applies to the part of the site with ‘highly productive land’, as currently defined in the transitional provisions of the NPS-HPL.

It is requested that both Stage 1 and Stage 2 be rezoned General Residential through this PPC as the preferred option, with no amendments required to the District Plan, aside from the maps.

A soil productivity assessment is provided with this PPC (Appendix 10), confirming that when assessed at site specific level, there is only a small area of the site (0.8ha) that would qualify as HPL under the NPS, with this small area having LUC 3 (w3) classification. Conversely the assessment report also finds that there is actually no LUC 1 or 2 class land within the site (as currently mapped and deemed to be highly productive land within the site under the transitional provisions of the NPS).

The Government has publicly committed to removing LUC3 class land from the definition of ‘highly productive land’ in its phase 2 RMA reforms which we understand to be scheduled for the second half of 2025, with consultation commencing in mid-2025. In addition, Greater Wellington Regional Council (“**GWRC**”) are required to map and notify the highly productive land in the region by October 2025, which would likely mean the site is no longer highly productive land for the purpose of the NPS, in line with the site-specific soil productivity assessment included with this PPC.



Figure 1: Concept Plan: Stage 1 yellow and Stage 2 orange (Source: Appendix 2).

With this in mind, and as a less preferred option, the PPC provides for the Stage 2 land to be covered by a ‘Deferred Residential Precinct’. This option would retain the Rural Zone rules within Stage 2, meaning there would be no ‘urban rezoning’ of the stage 2 area for the purpose of the NPS-HPL until the site is no longer identified as highly productive land (i.e. once the Regional Council mapping exercise is complete, and / or LUC 3 land has been removed from the NPS).

Technical reports have been provided by relevant specialists in support of the plan change, concluding that the site, including Stage 1 and 2 (and subject to mitigation measures as proposed) would be appropriate for residential rezoning as requested by this PPC. The suggested mitigation measures can either be implemented by adherence to the existing and proposed provisions of the District Plan and relevant National Environmental Standards or through the resource consenting phase.

It is noted that these technical reports have been reviewed by KCDC, when the draft PPC was lodged in December 2024 and have been updated to address these comments, where relevant.

The technical reports include:

- > Archaeological Assessment – Heritage Solutions
- > Ecological Assessment – RMA Ecology
- > Infrastructure Report - Cuttriss
- > Transport Report – LBC Traffic Engineers
- > Geotechnical Report - CGW Consulting Engineers
- > Landscape and Visual Assessment - Wayfinder
- > Flooding Assessment Report - Awa
- > Soil Report – LandVision Ltd

Consultation has taken place with the relevant Councils, mana whenua, key stakeholders and adjoining landowners. A letter in support of this PPC has been provided from mana whenua.

The PPC has been evaluated under the requirements of Section 32 of the RMA and is considered the best available means for Council to meet its statutory requirements and achieve the sustainable management purpose of the RMA.

APPLICANT AND PROPERTY DETAILS

Applicant:	Eric, Vince and Raechel Osborne
Site Address:	100 and 110 Te Moana Road, Waikanae, Kāpiti
Address for Service:	Mitchell Daysh Limited Attention: Susan Jones Email: susan.jones@mitchelldaysh.co.nz Phone: 021 381 460
Legal Description:	Lot 1 DP 719163 and Part Lot 2 DP 71916 The Records of Title are presented in Appendix A.
Site Area:	Approximately 5.5 hectares
District Plan:	Kāpiti Coast Operative District Plan
District Plan Zoning:	General Rural Zone
Statutory Acknowledgements:	None
Road Classification:	Major Community Connector
Utilities:	None
Designations:	NZTA Designation
Heritage Features:	R27/367 - being a midden and possible terrace
Sites and Areas of Significance to Iwi	None but adjoins Waahi Tapu
Hazards:	Flood Hazard Areas

1. INTRODUCTION

This Proposed Plan Change (“**PPC**”) seeks to rezone the application site at the 100 and 110 Te Moana Road, Waikanae, from its existing zoning of General Rural Zone to that of a General Residential Zone, under the Operative Kāpiti Coast District Plan (the “**District Plan**”).

Given that ‘highly productive land’ (as defined in the transitional provisions of the NPS-HPL) is located over parts of the site (to the east), the PPC is divided into two stages. Stage 1 applies to the part of the site without ‘highly productive land’ and Stage 2 applies to the part of the site with ‘highly productive land’, as currently defined under the transitional provisions of the NPS-HPL. It is requested that both Stage 1 and Stage 2 be approved concurrently through this PPC application, as the preferred option. An alternative option is proposed whereby the Stage 2 area could not be used (subdivided or developed) for residential purposes until the NPS-HPL classification is removed,

The purpose of the PPC is to extend the General Residential zone to provide for a residential development yield of approximately 40-45 lots. The permitted baseline would allow for up to three residential units per site. The objective of the PPC is to provide housing capacity to the Kāpiti Coast District, which has identified growth targets and implemented a growth strategy to meet them.

The application site is located to the southwest of Te Moana Road in Waikanae. It comprises two separate titles, being 1.53ha at 100 Te Moana Road (being Lot 1 DP 71916) and 3.97ha at 110 Te Moana Road (being Part Lot 2 DP 71916). The total area of the site is approximately 5.5ha.

The Resource Management Act 1991 (“the **RMA**” or “the **Act**”) requires an evaluation of the proposed Plan Change (“**PPC**”) under section 32. In addressing the relevant section 32 matters of the RMA, this report has been structured as follows:

- > Introduction
- > Statutory Basis for Section 32 Evaluation
- > Purpose and Scope of the proposed Plan Change
- > Scale and Significance Analysis
- > Research and Consultation
- > National, Regional and Local Planning Framework
- > Environmental Effects of the Proposed Plan Change
- > Evaluation of Zoning Options
- > Evaluation of Existing Objectives, Policies and Rules
- > Evaluation of Proposed Provisions
- > Conclusion
- > Appendices

2. SITE AND PLANNING CONTEXT

2.1 SITE DESCRIPTION

The application site is situated in Waikanae, Kāpiti Coast. It is located to the north of the Mackays to Peka Peka Expressway (“M2PP”) and to the south-west of Te Moana Road. The site is located approximately 1 km east of the coastline.



Figure 2: Wider location of the site outlined in blue with Takamore Urupa identified in black and white for reference (Source: KCDC GIS)



Figure 3: Close up location of the site (Source: KDC GIS)



Figure 4: Looking north from the site over the 'Osborne's Swamp'.



Figure 5: Looking southwest from within the site



Figure 6: Looking north from within the site toward Te Moana Road.

The site was excess land from the M2PP. For this reason, it comprises two separate records of title which are relatively small rural land blocks, being 1.53ha (100 Te Moana Road) and 3.97ha (110 Te Moana Road). The two titles have a combined area of 5.5ha.

The site is currently not used for productive purposes and is vacant of buildings. The land was historically used for farming purposes and plantation pine forestry. The original dwelling that was once on the site has since been demolished when the area was purchased for the construction of M2PP. The site no longer supports livestock and is maintained through mowing.

The topography of the land is mixed, with the highest portion of the site being located at the south-western section of 110 Te Moana Road. The land at 110 Te Moana Road slopes down toward the 'Osborne's Swamp' and rises again to meet the properties along Fairway Oaks to the north. 100 Te Moana Road is generally flat and fronts Te Moana Road.

The 'Osborne's Swamp' within the site is currently protected by an existing QEII open space covenant (KCDC K068) established in 1993. The covenanted area includes a 'natural wetland' and an 'artificial pond'. The District Plan has identified this area as a Natural Feature: Ecological Site KO68 comprising an area of 0.95ha – Raupo-harakeke wetland and remnant dune forest.

There is one open channel drain located on the site. The drain was dug in the paddocks on site from north to south circa 1950s in conjunction with the QEII protected wetland on site. The purpose of the drain was to drain the boggy land and improve pasture for farming purposes. This highly modified watercourse enters the site from the southeast near the expressway and flows across site for approximately 102m in a straight channel before curving and flowing north for approximately 115 m until it flows into a culvert to exit the site beneath Te Moana Road.

Vehicular access to the site is currently provided along the south-eastern edge of the site, via the existing accessway off Te Moana Road (being an arterial route).

The site is currently not serviced, but lies in close proximity to public sewer mains, stormwater and potable water supply.

To the north of the site lies the General Residential Zone with residential development situated along Fairway Oaks Drive.

To the west is rural land held by the Crown and designated for M2PP. The Takamore Urupa is located approximately 230m+ to the south of the site (refer to Figure 1).

To the northeast (across Te Moana Road) is the Waimea Stream and Ngarara Development Area, where higher density developments are under construction (refer to Figure 7).

To the south and south-east is rural land held by the Crown and privately, beyond which lies the M2PP expressway and interchange.



Figure 7: Surrounding Developments within Ngarara Development Area looking east.

2.2 PLANNING CONTEXT

2.2.1 Zoning and Overlays

The site is currently zoned General Rural Zone and the following overlays are relevant to the site:

- > Rural Dunes Precinct
- > Flood Hazard - Residual Overflow Path
- > Flood Hazard - Residual Ponding Area
- > Flood Hazard - Stream Corridor
- > Flood Hazard - Ponding Area
- > Coastal Environment
- > Designation NZTA-005
- > Natural Features: Ecological Site K068 ('Osborne's Swamp')

The current zoning and overlay maps for the site is shown below in Figures 8 to 10.

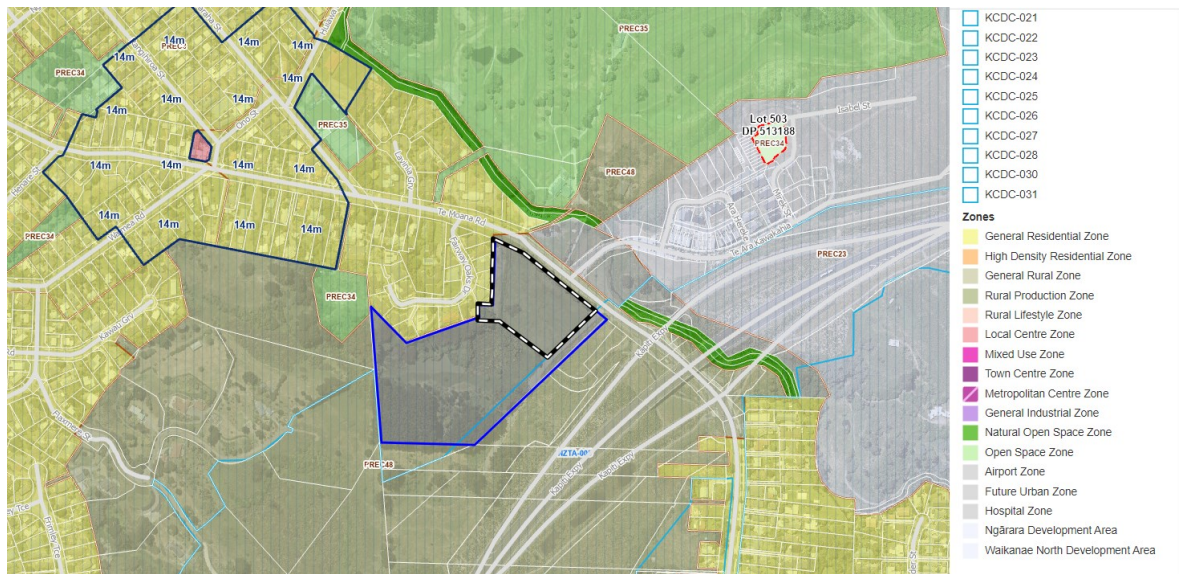


Figure 8: District Plan Zoning and Overlays (Source: KCDC GIS)

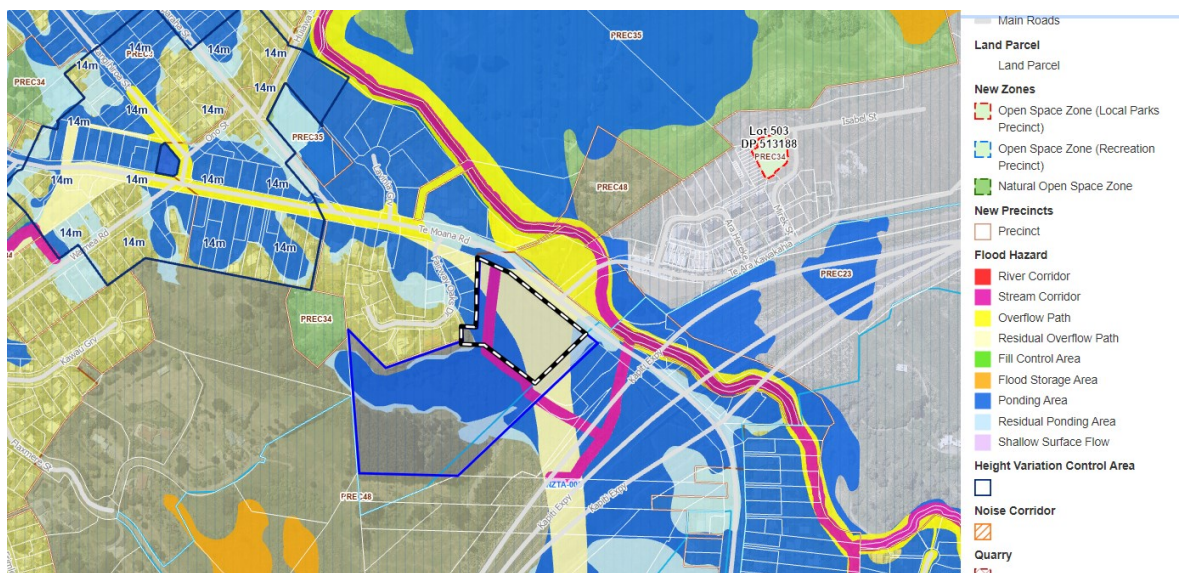


Figure 9: Flood Hazard Overlay Map (Source: KCDC GIS)

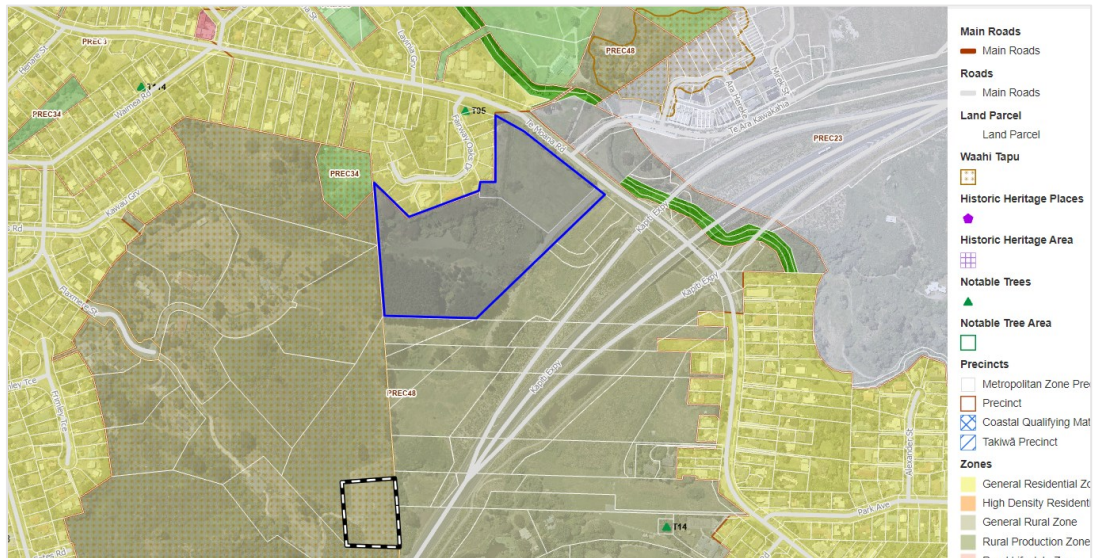


Figure 10: Site (outlined blue) and proximity to the Waahi Tapu overlay to the west and Takamore Urupa to the south (outlined by the black and white rectangle).

2.2.2 Soils

Part of the site (north-eastern portion shown in Figure 11) and immediate surrounds is located on land that has been identified as Land Use Capability (“**LUC**”) 2 in the New Zealand Land Resource Inventory (“**NZLRI**”). This part of the site is therefore deemed as ‘highly productive land’ under the transitional provisions of the NPS-HPL (clause 3.5(7)), pending site specific mapping by the Greater Wellington Regional Council in October 2025. The remainder of the site is identified as LUC 6, which is not highly productive land under the transitional provisions of NPS-HPL.

The NZLRI LUC classifications for the site and the surrounding area are illustrated in Figure 11 below.



Figure 11: Land Use Capability Map (Source: GWRC GIS based on NZLRI. *NB: Site boundaries in red are indicative only*).

2.2.3 Natural Resources Plan (NRP)

GWRC have identified the ‘Osborne’s Swamp’ in Schedule F3 of the Natural Resources Plan (“NRP”) as Identified significant natural wetlands.

There is a Drinking Water Groundwater Supply Well (R26/6804) to the southeast of the site, near the offramp from the M2PP to Te Moana Road.

The site is located within the Groundwater Zone for Kāpiti (Category A).

3. PURPOSE AND SCOPE OF THE PROPOSED PLAN CHANGE

3.1 PURPOSE AND SCOPE

Clause 22(1) of Schedule 1 of the RMA requires that a request for a plan change explains the purpose of, and reasons for, the proposed plan change.

The purpose and objective of the PPC is to rezone the application site (of approximately 5.5ha) from General Rural Zone to General Residential Zone under the District Plan in order to provide residential housing capacity in a District where growth pressure exists.

The PPC is divided into two stages as shown in the concept plan in Figure 11 and described in section 4.1.1.



Figure 12: Concept Plan for the Proposed Plan Change (Stage 1 yellow and Stage 2 orange)

The QEII covenant (refer to Appendix 15) that provides protection over the 'Osborne's Swamp' will remain in place in perpetuity and is unaffected by this PPC.

The proposed General Residential Zone would allow for a greater residential yield than the existing General Rural Zoning on the site. The rezoning would be a natural extension of the General Residential Zone to the north and development pattern to the north-east of the site, along Te Moana Road.

Currently the site could yield two residential units and two minor residential units (one residential unit and associated minor residential unit on each land title), subject to compliance with relevant District Plan standards. Once rezoned, the application site is expected to yield approximately 40 to 45 compliant allotments. Under the permitted baseline each site could establish up to three residential dwellings (subject to compliance to all relevant standards of the District Plan). Access to the site would be provided from Te Moana Road, in the current location, at the south-eastern boundary of the site as shown indicatively in Figure 11.

Any final subdivision design and layout of allotments would be subject to the resource consent process.

3.1.1 Proposed Staging

Stage 2 is the portion of the site to the northeast, which is currently classified as LUC 2 under the NPS-HPL. Stage 1 is the portion of the site which is classified as LUC 6 and therefore not classified as 'highly productive land' under the NPS-HPL (refer to Figure 11).

3.2 PLAN CHANGE PROPOSED

The assessment of Options for the PPC are provided in Section 9 of this report. To achieve its purpose and objective (as described in section 3.1 above), the preferred and next best alternative options for the PPC would require the following changes to the District Plan:

PPC – Option 4 (Preferred Option): This option involves rezoning the entire site (including Stage 1 and 2) to General Residential Zone.

- > Planning Maps (change whole site (including Stage 1 and 2) from General Rural to General Residential Zone)

There are no new provisions proposed in relation to the PPC if Option 4 is accepted.

PPC – Option 3 (Next best alternative to Option 4): This option involves rezoning the entire site (including Stage 1 and 2) to General Residential Zone and temporarily adding a Deferred Residential Precinct over Stage 2.

- > Planning Maps (change from General Rural to General Residential Zone for Stage 1 and Deferred Residential Precinct over Stage 2);
- > Part 2 – District Wide Matters - Strategic Direction - Urban Form and Development (“**UFD**”).
- > Part 2 – Area Specific Matters – Zones – Residential Zones - General Residential Zone (“**GRZ**”);

The Strategic Direction Policy UFD-P13 in the Urban Form and Development Chapter would be amended to incorporate the new Precinct.

There would be no proposed changes to the existing objectives or need to introduce a new objective, however new site-specific policies and a rule would be needed to implement the new Precinct.

The changes proposed are set out in **Appendix 13** and presented in **blue text** - new text underlined. No deletions are required.



4. EFFECTS OF THE PROPOSED PLAN CHANGE

Section 32 does not require an assessment of the environmental effects associated with a plan change. However, Clause 22 (2) of Schedule 1 requires private plan changes to provide an assessment of anticipated environmental effects. The effects assessment assists with determining the appropriateness of the PPC.

The following technical investigations and expert assessments have been commissioned and have subsequently informed the proposed provisions:

- > Infrastructure – Cuttriss Consultants Ltd
- > Flooding - Awa
- > Geotechnical – CGW Consulting Engineers
- > Ecology – RMA Ecology
- > Landscape & Visual – Wayfinder
- > Transport – LBC Traffic Engineers
- > Soil Resources – LandVision

The matters identified by the expert assessments are summarised below.

4.1 LANDSCAPE AND VISUAL EFFECTS

A landscape and visual assessment report is attached at Appendix 8 which concludes that the proposed rezoning will have less than minor landscape and visual effects. A summary of this assessment is provided below.

4.1.1 Site Context

There are no areas of Outstanding Natural Features and Landscapes, Special Amenity Landscapes or Areas of Outstanding Natural Character within or immediately adjacent to the site. The site is within the General Rural Zone and within the Rural Dune Precinct (PREC48).

The site identifies as rural because of its historical land use, however it is located between existing and planned residential development areas and adjacent to the new Kāpiti expressway. Like many areas along the boundary of the expressway, residential developments are providing an interface between the existing Waikanae town, therefore the anticipated character for the site is one of residential.

4.1.2 Landscape Effects

Considering the site is land locked between existing and developing residential development, the Kāpiti expressway, Te Moana Road and a private Urupa further south, the site is well placed

for this type of development. Furthermore, the unproductive capacity of the site and pastoral land is at odds with the surrounding built environment and residential character.

Natural character values are low and the existing ecological values within the QEII site will be retained (i.e. through the application of the NES-FW regulations).

While natural character is considered as low, the undulating sand dune formations do add value to the sites natural character. Any future development (which could include development of up to three houses per allotment with application of the MDRS) has the potential to reduce the overall legibility of the dune forms through an unconsidered approach to earthworks. The integrity of the sand dunes will be retained through adherence to existing District Plan earthwork standards which limit vertical change to ground levels and the extent of earthworked area (unless resource consent is sought). It is noted that while the site is identified in the Coastal Environment, it is not within an area of high or outstanding natural character and as such there are no rules relating to this overlay which are applicable to the site.

Overall, the anticipated landscape effects of a plan change from general rural, to general residential are considered low. The landscape effects could be reduced to 'very low' overtime if a Landscape Development Framework was implemented.

4.1.3 Visual Effects

An assessment of visual effects from surrounding private properties and public spaces is made within Appendix 8, with the overall finding that visual effects are low.

While it is anticipated that future dwellings may be visible, this is only from a limited catchment area. Where they are visible, it will not interrupt or alter the visual characteristics of the wider landscape and will largely integrate with the surrounding residential character. The Applicant's intention to retain the Pohutukawa trees on site would recognise and retain some of the amenity values already identified in the area.

The visual effects could be reduced from 'low' to 'very low' overtime if a Landscape Development Framework was implemented.

4.1.4 Summary of Landscape and Visual Effects

In summary, it is considered that the plan change from general rural to general residential is consistent with the outcomes sought by the District Plan. It is located in a modified landscape, within an area that is already established for development. Considering larger residential developments within the area, this site is well suited for this type of development as it is on a highly modified landscape that does not contain any outstanding or significant landscapes or features and is located adjacent to other residential activity.

For the reasons above (and as further detailed in Appendix 8) the PPC will have less than minor landscape and visual effects. While recommendations are made that could reduce effects even further, these can be considered within the design of the future subdivision and development at the resource consenting stage.

4.2 ECOLOGICAL EFFECTS

An ecological assessment has been prepared in Appendix 4. The following ecological features have been recorded:

- > No streams were located on site that meet the criteria of ‘river or stream’ under the Greater Wellington PNRP. One open channel drain is present at the site in poor overall ecological condition, with few hydrological conditions, and in-channel features that provide habitat for aquatic invertebrates and fish.
- > Native fish species may be present in the drain, as a number of fish species have been recorded in the Waimeha Stream, of which the drain is a tributary.
- > An artificial pond is present on the site and is protected in conjunction with the wetland on site under a QEII Open Space covenant.
- > One wetland, Wetland 1, that meets the criteria of ‘natural inland wetland’ in the National Policy Statement for Freshwater Management. It is currently already protected by a QEII Open Space covenant.
- > No native lizards, or their sign (e.g. scat or skin slough) were observed on the site. There is no potential habitat for copper skinks on the site. The northern side of the pond and wetland area may support northern grass skink although this area has been recently modified to remove most habitat features for grass skink as part of the planting programme.
- > The site provides habitat for a number of common, ‘Not Threatened’ native bird species, as well as exotic species. Bird life is evident in the wetland on site, although includes no ‘Threatened’ or ‘At Risk’ species.
- > The site is very unlikely to support native long-tailed bats. The mature trees on site may provide suitable roost sites, however, the large distance of the site from any long-tailed bat records indicate that the site is unlikely to be used by bats for roosting, foraging, or transiting across.

The potential adverse effects associated with this PPC and rezoning the land for residential use include:

- > Potential adverse effects that may arise from the future development of this site:
- > Discharge of sediment to pond and wetland;

- > Dewatering if the water table is affected through flood control activities;
- > Dewatering if the catchment of the pond and wetland is reduced;
- > Direct effects on the pond and wetland if infilling is proposed;
- > Adverse effects on wetland or waterfowl that may use the pond or wetland – these may be temporary during construction and/or permanent due to increased people use of the developed area; and
- > Injury or death of native lizards, and loss of potential native lizard habitat.

Adverse effects can be avoided or mitigated through the design of any future development and/or appropriate conditions on any resource consent by:

- > Avoidance of any earthworks within the covenant area – encompassing the pond and wetland areas;
- > Earthworks will be required to comply with a 10m setback from the wetland at the site;
- > Potential for stormwater runoff will be managed through existing subdivision provisions of the District Plan – i.e. the requirement to achieve hydraulic neutrality (SUB-FW-R25). Use low impact stormwater design options in the elevated parts of the site, to utilise the filtering properties of the in-situ material to treat contaminants. Discharge water to ground as close to source as possible (not via an outlet to the wetland) to mimic the natural hydrology of the pre-developed site;
- > Avoidance of changes to the overall catchment area and overland discharge rates such that overland recharge of the pond and wetland is not affected;
- > Minimisation of clearance of native shrubland – although little is remaining following the restoration clean-up and planting of the northern side of the pond and wetland area;
- > Good practice erosion and sediment controls during earthworks in accordance with the *Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (ESCGLDAWR,2021)*; If the drain is proposed to be realigned a regional consent will be sought and the realigned drain will need to cater for fish habitat that includes riparian planting to shade the watercourse;
- > No new provisions are proposed as part of the Plan Change. That means that the existing rules and provisions of the Regional Plan (GWRC NRP), District Plan (KCDC DP), and national rules (e.g. NES-FW) will apply;
- > Potential effects on birds that use the pond and wetland will be managed by:
 - > Undertaking a survey during spring/ summer to ascertain if there are any noise sensitive birds that use the site; and



- > Designing a visual screen (e.g. 10 m wide planted vegetation screen – if necessary – between the pond/ wetland and any new housing; and
- > Assessment of parts of the site that could constitute lizard habitat (drier, elevated parts to the north of the pond and wetland) if development is expected in those locations, with a view to preparing a lizard management plan and undertaking a lizard salvage/ relocation if required.

The following management plans may be required as part of future resource consent conditions;

- > Fish capture and relocation plan if the drain is proposed to be realigned; and
- > Lizard Management Plan and DOC Wildlife Act Authority – if lizards are identified at a future lizard survey (if lizard habitat re-establishes within areas proposed to be modified under development).

The potential hydrological effects on the natural inland wetland have been considered through the infrastructure and flood reports (Appendix 5 and 9 respectively), with findings summarised as follows:

- > Awa (within Appendix 9) confirm that flood mitigation measures can ensure that the wetland catchment will not be reduced and that there is no risk of de-watering to the wetland. These measures include:
 - > Returning stormwater back into the ground by focusing on soakage solutions.
 - > Design soakage in a distributed way by having regularly spaced soakage intervals along the roads and soakage fields at household rain tank overflows. This ensures as close to natural infiltration patterns as reasonably possible.
 - > For larger events runoff from roads will be directed to soakage devices with overflows via secondary overflow paths.
- > Cuttriss (within Appendix 5) confirm that site conditions are favourable for the use of low impact stormwater design options in the elevated parts of the site, which will utilise the filtering properties of the in-situ material to treat contaminants. Discharging water to ground as close to source as possible (not via an outlet to the wetland) will mimic the natural hydrology of the pre-developed site. This approach will ensure the quality and quantity of stormwater from the development will not cause adverse effects on the natural wetland.

By applying the recommended ecological controls listed above, through the future design and resource consenting process, the overall adverse effects of the proposed development on the ecological values of the site will be reduced to a negligible level, with no need for ecological offsetting or compensation.

Any additional native planting along the setbacks to the QEII covenant would result in a net gain for biodiversity.

4.3 GROUNDWATER EFFECTS

The hand augers completed during the investigations by Cuttriss provide the best indication of groundwater levels at this time. Groundwater is relatively shallow towards the east and northeast of the site but anticipated to be deeper towards the south. It is noted that groundwater levels vary across the Site, and can also vary seasonally, as well as following large storm events and maintenance of local drainage networks.

No infiltration testing has been carried out for the purposes of this PPC. It is therefore recommended by Cuttriss and Awa that piezometers or other suitable groundwater measurement instruments would be installed within the site to confirm the depth of groundwater prior to the final design of the stormwater solution for the site.

Cuttriss encountered ground water approximately 600mm beneath the existing ground level on the lower areas of the site within 100 Te Moana Road. Cuttriss state that the site conditions are favourable for the use of low impact stormwater solutions, particularly in elevated areas. Infiltration devices will not be suitable in the lower parts of the site, and an attenuated area, or constructed wetland, will likely be required to achieve hydraulic neutrality as well as providing compensatory storage to offset flood storage losses. The outlet for the attenuation area/wetland will discharge downstream of the natural wetland. Due to the system being hydraulically neutral there will be no adverse impact on the hydrology of the natural wetland.

4.4 INFRASTRUCTURE EFFECTS

The proposed General Residential Zoning would allow for a higher density of residential development to be undertaken on the site when compared to the existing General Rural Zoning.

Consultation was undertaken with KCDC to ascertain the existing infrastructure capacity for the area and identify any constraints which may exist.

A review of the capacity of the services within the local area has been undertaken by Cuttriss, with findings detailed in the appendices of their report in Appendix 5. The infrastructure report considered earthworks, groundwater effects, water, wastewater, power, telecommunications and stormwater capacity in the local area. Transport and flooding effects have been considered separately in section 4.7 and 4.5 respectively.



4.4.1 Earthworks

Earthworks will be required to create roading and building platforms as well as other features such as constructed wetlands, attenuation ponds, pathways, stream corridors and general landscaping.

Greater Wellington Regional Council consent will need to be obtained to carry out earthworks on this site due to the scale of the works and proximity to waterways and wetlands.

An archaeological authority is obtained prior to the commencement of works and further liaison with mana whenua will be undertaken through this process.

It is anticipated that the future earthworks to facilitate the residential development of the site can comply with the requirements of the LDMR and the effects generated by the works will be acceptable.

4.4.2 Wastewater

A 450mm AC gravity main is located within the Te Moana Road corridor and conveys sewage to pump stations WSP00017 & WSP00009 located approximately 250m west of 100 – 110 Te Moana Road.

The western pump stations located between the intersections of Lavinia Grove, Rauparaha Street and Te Moana Road (WSP00017 & WSP00009) accepts gravity wastewater from the surrounding suburb and pumps to the Paraparaumu Wastewater Treatment Plant via a 350mm to 450mm HDPE rising main.

At this stage, there has been no quantitative analysis carried out to determine the condition or capacity of the existing wastewater network. Preliminary discussions with KCDC's infrastructure team indicate that the Rauparaha Street pump station is currently at capacity.

KCDC confirmed that they are in the planning stages of a capital works programme to install a duplicate rising main through to the Paraparaumu wastewater treatment plant. This rising main could run through the site, and once installed will ensure there is capacity in the existing network to accommodate future flows from the development. KCDC have indicated that these upgrades will be completed within the next two years, meaning this line could be commissioned prior to the completion of future development within the site.

As outlined in Appendix 5, there are several alternative wastewater disposal options available to the site including:

- > Gravity network;
- > Centralised pump station and storage;
- > Low-pressure sewer network.



Further detailed analysis of each potential option will be carried out as part of future resource consent applications and will consider factors including existing network constraints, mana whenua values, topography, geology, cost, groundwater, ecological sensitivities and infiltration.

It is anticipated that all of the options described above can comply with the requirements of the LDMR and the wastewater infrastructure effects due to the residential development of the site will be acceptable.

4.4.3 Water

The Waikanae network is supplied by the Waikanae Water Treatment Plant and is serviced by the Kakariki Reservoir. Council have recently commissioned Stantec to report on the capacity of the wider network. This modelling shows that the current day pressures are above the minimum pressures required for residential supply and firefighting flows. Storage in the network is currently nearing available capacity in the Kakariki reservoir. Modelling has however identified that future upgrades will be necessary to the network to meet the anticipated growth across the District. KCDC have confirmed that planning for this reservoir is currently underway.

To facilitate any new development on this site, a new pipework will be installed within the road corridor and will likely provide a connection from the new development main to the Te Moana Road watermain. Smaller branch mains and rider mains will be used to service lots within the development.

Further site-specific modelling will be required to assess the effect of development of the site once the number of lots, and elevation of the proposed building platforms are known.

It is anticipated that the proposed residential development can comply with the requirements of the LDMR and the water infrastructure effects due to the residential development of the site will be less than minor and acceptable.

4.4.4 Stormwater

The development is proposed to be designed to be hydraulically neutral through the use of infiltration or attenuation devices.

As mentioned in section 4.3, groundwater was encountered within 600mm beneath existing ground at 100 Te Moana Road and as such infiltration devices will not be suitable in the lower parts of the site. Instead, an attenuated area, or constructed wetland, will be needed to achieve hydraulic neutrality as well as compensatory storage to offset flood storage losses.

The design of the proposed stormwater solution is proposed to mimic the natural hydrology by returning water to ground as close as possible to the source, or by providing attenuation where



this is not possible. The design shall also consider treatment options to ensure the health of the aquatic ecosystems are maintained and ideally enhanced.

A number of stormwater treatment methods can be adopted to provide assurance that quality and quantity of discharge to wetlands and existing stream corridors will not be adversely affected as a result of this development, in particular when treating run-off from the proposed roading network.

These measures include, but are not limited to:

- > Enviropods, which are designed to trap large contaminants before entering the network;
- > Infiltration systems, which allow for treatment via natural processes in the in-situ soils which are considered an appropriate media for filtration treatment;
- > Rain gardens, which are a combination of an infiltration and filtration device. Rain gardens allow for stormwater to be directed into the device, where it soaks into an organic filter medium such as topsoil or compost;
- > Hynds Up-Flo® Filter, which combines a patented upwards flow path with a unique drain-down system to achieve proven removal efficiency of fine sediment, nutrients, metals, oils, organics, and organic trapped bacteria;
- > Biofiltration and attenuation basins to treat and attenuate flows; and
- > Constructed wetlands which allow for sediment to drop out of stormwater and utilise the natural filtration properties of wetland plants to filter contaminants from the water before being discharged downstream.

Given the range of solutions available to achieve hydraulic neutrality across the site, the stormwater infrastructure effects resulting from any future residential development of the site are likely to be less than minor and acceptable.

4.4.5 Power and Telecommunications

Chorus have assessed the local telecommunication network and confirmed 100 - 110 Te Moana Road falls within the Chorus UFB area. The network has capacity to service up to 50 possible future lots (and have considered the potential for three dwellings per lot) and can be extended within the Site, via the road corridors.

Electra have assessed the local power network capacity and has confirmed that the network has capacity to service up to 50 possible future lots (and have considered the potential for three dwellings per lot) and can be extended within the site, via the road corridors.

On this basis any effects on network utilities due to the residential development of the site will be less than minor and acceptable.

4.4.6 District Plan Provisions

The infrastructure required to service the residential development of the site aligns with the District Plan Objectives and Policies. The existing operative district plan provisions are considered sufficient to manage development effects relating to infrastructure. As such, no additional provisions are seen as necessary in relation to this PPC.

4.4.7 Summary

The infrastructure report concludes that there are sufficient infrastructure options available to support future residential development. Therefore, any infrastructure effects generated by the residential development of the site can be managed to avoid adverse effects on the infrastructure networks and wider environment.

For the avoidance of doubt, if only Stage 1 were to proceed, the infrastructure effects would be less than what has been assessed for the site as a whole. The effects of the PPC on infrastructure are therefore considered less than minor.

4.5 NATURAL HAZARD EFFECTS

4.5.1 Flooding

An assessment of the PPC on flood risk has been undertaken by Awa within Appendix 9 and discussed by Cuttriss in Appendix 5.

The flood assessment shows the low-lying portions of the site are impacted by flooding and residual ponding in both the local and regional flood hazard models (refer to Figure 9 of this report). It is noted that the District Plan maps are out of date in this location as fill associated with the M2PP Expressway has moved the residual overflow path north and removed the ponding currently shown on the Expressway. Despite this, the development site is still impacted by flooding from the three breach scenarios that are possible in this location.

It is acknowledged that a comprehensive design of earthworks, subdivision and land use would be required, with further specific input from a suitable hydraulic engineer at the time of residential development on this land.

The existing flood hazard provisions contained in NH-Flood-Flood Hazards would continue to apply over this site, should the PPC be approved. There is sufficient scope within the development of the site to ensure the post development site is consistent with all of these provisions.

Some earth working of the site, particularly to the east (within Lot 1), may be required to create flood free building areas above the 1% AEP flood hazard. The extent of fill and the associated loss of storage could be managed, through compensatory storage, to remove the risk of



displacement of flood waters beyond the site. Any proposed fill or diversion of floodwaters within the site will be accompanied by an assessment of effects report demonstrating impacts of the development will be less than minor as part of the future resource consent application.

There is sufficient scope, through site earthworks, to maintain the “effective functionally” of the residual overflow path through the site post development.

For the reasons set out above, future residential development of the site would be acceptable in relation to flood risks both within and beyond the site.

4.5.2 Slope Instability Risk

Slope instability from earthworks may also be a potential risk.

While a portion of the site and surrounding areas are generally sloping. There is no evidence of obvious slope instability within the site and surrounding area. The geotechnical engineering report (Appendix 7) concludes that the risk of instability is low, subject to further analysis to be undertaken during the subdivision stage.

The site is not located at the base of a slope. Debris inundation is unlikely as no mapped debris fans are located within the vicinity of the site.

4.5.3 Faults and Ground Shaking Risk

According to the GNS Science Active Faults Database, the site lies approximately 4.4 km northwest of the Ohariu Fault (dextral fault with recurrence interval of between >2,000 to < 3500 years). The site is within an area where there is a “moderate” risk of ground-shaking.

As the site is not located within an identified active fault hazard zone, residential development is not restricted in this location.

4.5.4 Liquefaction and Lateral Spread Risk

The site straddles the boundary between a mapped high liquefaction risk area (inactive dune geological unit) and a low liquefaction risk area (floodplain gravel geological unit).

Based on the results of the liquefaction analysis in Appendix 7, CGW considers the site to be susceptible to minor to moderate liquefaction-induced lateral stretch or minor to major global lateral movement, depending on the location within the site.

The low-lying areas of the site are categorised by high groundwater and alluvial soils. Around the stream and pond/wetland on the low-lying areas, major lateral spreading could be a potential risk to the development. These risks will be further quantified and the extent mapped during the consenting stage.

Liquefaction and lateral spread risk can be appropriately mitigated by way of ground improvement techniques (which may include deep ground improvement and in-ground retaining) and building foundation design. Building up the area can also address the liquefaction and lateral spreading risk, creating a thicker non-liquefiable crust.

4.5.5 Tsunami Risk

The site is on the outer edge of the Tsunami evacuation zone (yellow zone).

The site is in proximity to accessible evacuation routes, given that parts of the site to the southwest are elevated and outside the evacuation zone. Alternatively, the evacuation route along Te Moana Road could be used. Any risk to life relating to tsunami is considered to be low given the evacuation options available.

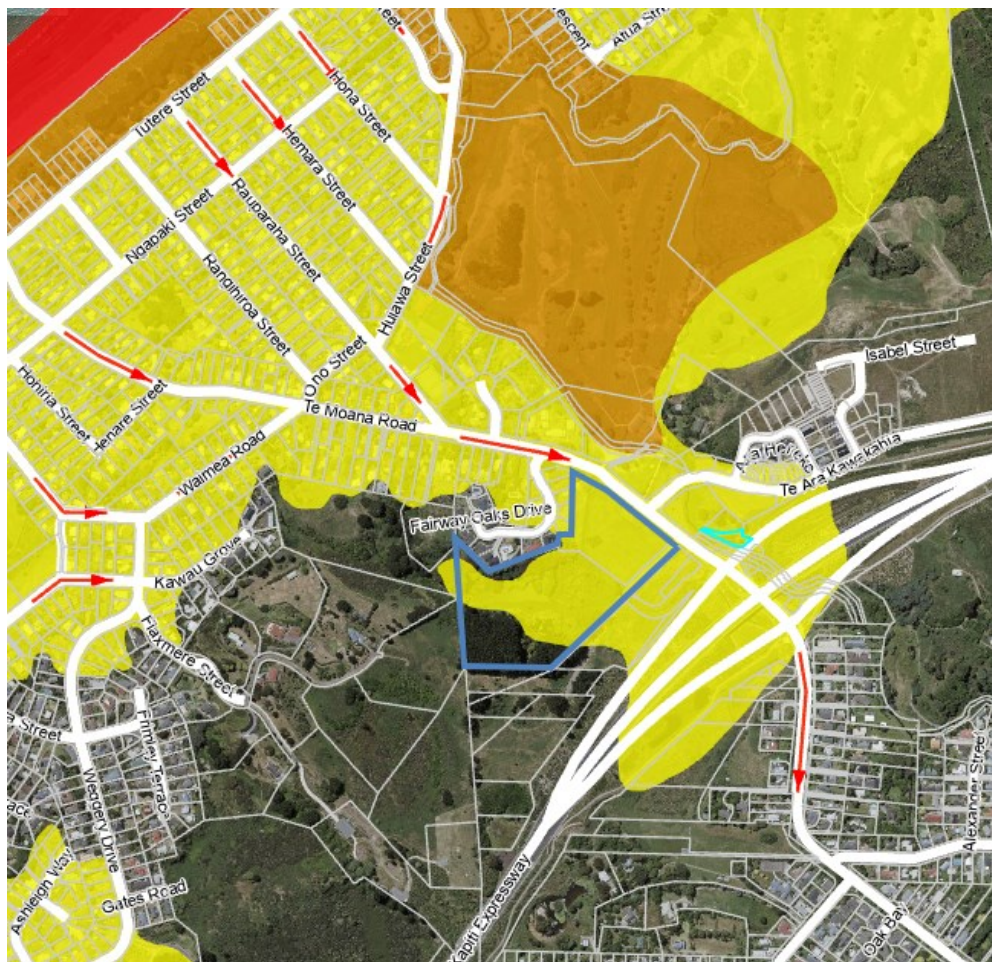


Figure 13: Site (outlined blue) and Tsunami Evacuation Zones and Routes.

4.5.6 Summary

It is also recognised that when the landowner proposes to subdivide the site, it would be subject to an assessment under Sections 6(h) and 106 of the Resource Management Act 1991.

This assessment would allow for a more in-depth consideration of any potential natural hazard risks, that may become apparent as a result of detailed site investigations.

The geotechnical report in Appendix 7 concludes that, under Section 106 of the RMA, there are no geotechnical reasons preventing the rezoning of this land to residential, provided the recommendations of the report are taken.

The flood report concludes that there is sufficient scope across the site for development and flood mitigation which meets the requirements of the District Plan provisions.

Based on these findings and recommendations, any natural hazard risks can be sufficiently mitigated, and residential development is appropriate in this location.

4.6 HISTORIC AND CULTURAL EFFECTS

The application site is not identified in the District Plan as having any unique historical or cultural significance.

An archaeological assessment has been undertaken and provided in Appendix 3. This report identifies that there is a known archaeological finding (being referred to as R27/367 - being a midden and possible terrace). The report recommends that prior to earthworks being undertaken that arise from the plan change, the developer should seek an archaeological authority from Heritage New Zealand Pouhere Taonga in terms of Part 3 of the Heritage New Zealand Pouhere Taonga Act 2014. The report concludes that there is no reason on archaeological grounds why the PPC should not proceed. Therefore, effects on archaeology are considered less than minor.

While not within an identified Waahi Tapu on current District Plan maps, it does adjoin the Takamore Wāhi Tapu. The preparation of this Applicant remains sensitive to the cultural significance of the wider surrounding area and has actively engaged Te Atiawa ki Whakarongotai and the Takamore Trust from the outset of the PPC preparation. A letter of support has been provided by both (Appendix 11). As such, the effects on their values are considered less than minor.

It is considered that given the above factors, there are no historical or cultural effects that would result in the PPC being inappropriate on this site.

4.7 TRAFFIC AND TRANSPORT EFFECTS

The potential traffic related effects of the proposal to rezone the site to General Residential Zone and the resulting residential development has been assessed in the Traffic Report within Appendix 6.



This report focuses on the traffic and transport effects which could result from potential residential development enabled by the change in zoning and whether any traffic safety or efficiency effects would arise within the existing traffic environment. The assessment has incorporated a review of the existing transport environment, incorporating Te Moana Road, Kapiti Expressway interchange, traffic volumes, speeds, road safety performance and existing provision of sustainable transport modes.

The operative provisions in the transport chapter of the District Plan are sufficient to ensure that any traffic related effects of future development are appropriately addressed. Any subdivision of the site will require a section 106 assessment, and the sites are considered to be able to achieve legal and physical access.

The assessment determined that vehicle traffic from future development of the plan change site is able to be accommodated within the existing road network including nearby expressway interchange, albeit resulting in increased delays and queuing during peak periods.

The assessment also identified the need to provide a future pedestrian connection between the plan change site and the expressway interchange as well as a pedestrian crossing facility between the southern and northern sides of Te Moana Road. These measures have been identified as there is currently a lack of pedestrian connectivity along the southern side of Te Moana Road, where future development of the plan change site can be expected to generate a level of pedestrian demand.

The plan change is supported by the traffic engineer, with mitigations identified to improve accessibility and connectivity for pedestrians to and from the site. These mitigation measures would likely form conditions of any future subdivision or land use consent for the site.

Overall, it is considered that the PPC would not result in adverse traffic and transport effects that are more than minor.

4.8 EFFECTS ON DESIGNATED LAND

According to the District Plan maps, the western edge of 110 Te Moana Road is subject to Designation NZTA-005 – M2PP Expressway. The legal implication of this is that the written approval of Waka Kotahi/NZTA (under section 176 of the RMA) would be required to enable any future subdivision or development within the designated portion of the site. This matter has been discussed with Waka Kotahi during consultation.

As the PPC does not involve any construction on designated land and that due process would be followed at the time of subdivision and development to seek authority from the requiring authority, the effects on designated land resulting from this PPC are less than minor.



4.9 LAND USE CAPABILITY EFFECTS

The eastern portion of the site and immediate surrounds are located on land that has been identified as LUC 2 in the NZLRI. As such, the area identified as Stage 2 of this PPC (refer to the concept plan in Figure 11) is currently identified as ‘highly productive land’ under the transitional provisions of the NPS-HPL.

The Soil Resources Report provided by LandVision Ltd (at Appendix 10) assesses the productive potential of the soils within this portion of the site. This report concludes that LUC 3(w3) should have been excluded from the definition of ‘highly productive land’ as it has very weak soil structure and a drainage limitation. Both these characteristics limit its productive potential for arable use. Further discussion on the land viability is provided in section 4.10. Given the considerable hurdles to productive use on this portion of LUC 3(w3), the sustainable operation of a viable productive land use on the site is considered highly improbable.

At paddock scale mapping the property has six dominant LUC units ranging from LUC 3 to 8. The property only has 0.8 ha of LUC 3(w3) soils (refer to Figure 16 for the location of these). Given this small area across the 5.5ha site, any loss would be insignificant when viewed at a District or Regional scale.



Figure 14: Land Use Capability Map (Source: LandVision Report, Appendix 10)

The current mapping under the New Zealand Land Resource Inventory (“**NZLRI**”), which identifies this site as having LUC 2 soils, was undertaken at a regional level and has proven to have a number of inaccuracies when site specific soil investigations have occurred.

Greater Wellington Regional Council must notify their updated mapping of ‘highly productive land’ by 17 October 2025 and it is anticipated that at this time, the categorisation of this land would align with the localised findings set out by LandVision in Appendix 10.

The Coalition Government's Going for Housing Growth Policy¹ proposes to remove LUC 3 soils from the definition of ‘highly productive land’ under the NPS-HPL.

¹ https://assets.national.org.nz/Plan_Going_for_Housing_Growth.pdf

The changes will be made through a Resource Management Amendment Bill and a national direction process. Further ministerial decisions on this are likely in mid-2025.

Given the removal of LUC 3 from the definition of ‘highly productive land’ and the remapping of the site at a localised level by GWRC (which are highly likely to reflect the findings by LandVision), along with the realities of any productive use of the site as addressed further in section 4.10, it is considered that any effects on highly productive soils are effectively avoided.

4.10 EFFECTS OF THE LOSS OF RURAL LAND

A significant area of the Kāpiti Coast is used for farming and horticulture, particularly around Ōtaki, Te Horo and Hautere where there is high-quality soil for growing vegetables and other crops.

The site is currently zoned Rural and is within the Rural Dunes Precinct. The Rural Dunes Precinct comprises the sand country, including consolidated sand dunes, interdune sandplains and wetlands. It is characterised by undulating topography with slopes of up to 25 degrees and is exposed to salt laden winds. The Rural Dunes Precinct is generally considered ‘*unsuitable for horticulture and intensive agriculture*’ as stated in the District Plan (GRUZ-Rural Zones).

The site is currently fragmented in two titles, with a total combined land area of 5.5ha. The site is not part of a wider block that could be easily amalgamated and is highly unlikely to be considered economically viable to lease for rural purposes.

Overall viability on this site for rural use is low according to Land Vision (Appendix 10). This is due to several issues that cumulatively reduce the rural productive potential and economic viability:

The 0.8ha of LUC 3 land has a significant wetness limitation, being subclass LUC3(w3).

- > The potential economic cash surplus obtainable from the small area of 0.8ha of LUC 3 land is minor (averaging \$131 over 10 years). This will not cover basic cost structures or wages of management. To operate a beef and lamb finishing system on this block, off farm income would be a necessity.
- > The site lacks scale. Scale is a key attribute providing resilience during periods of low cashflow and economies of scale through which standing charges can be leveraged.
- > A lack of scale also makes investing in remedial technology like drainage and irrigation unviable. In this case, investment in obtaining consent and installing drainage and irrigation is not feasible.
- > The 0.8ha area of LUC3 is a minor component of the overall land holding (which is small by industry standards). Therefore, the block should be considered predominately not highly



productive land. Of note is the land surrounding this site is also predominately LUC6 or roading/town.

As addressed in section 5.9, the PPC would not be inconsistent with DO-O6 which seeks to sustain the productive potential of land in the District. Effects of the loss of this rural land resource is therefore considered less than minor for these reasons.

4.11 ECONOMIC EFFECTS

While the economic effects of the PPC have not been quantified (refer to Section 6.2 where this is discussed further), they are considered to be positive overall. This is due to the proposed General Residential Zone allowing for a greater intensity of residential development on the site. This means an increased yield in the number of residential properties, and therefore an increased number of people living in the local area. This will assist with supporting the local shops as well as retail, service and commercial businesses in the wider environment. There are no adverse economic effects that would make the proposed Plan Change inappropriate for the site.

4.12 REVERSE SENSITIVITY EFFECTS

Increased levels of development in urban environments may lead to increased reverse sensitivity effects on existing infrastructure (for example the nearby state highway network, known as the M2PP Expressway).

To reduce reverse sensitivity effects, the KCDC District Plan has existing provisions within the Noise chapter (specifically NOISE-R14) which will apply to new residential buildings within the site (within 80m from the carriageway of the M2PP Expressway). Given that the site is approximately 78m from the carriageway and that boundary setbacks would apply within the site, this standard is unlikely to be in breach. However, they would be considered further through the resource consenting process.

The site adjoins General Rural Zone land, with no intensive rural production evident. Any reverse sensitivity effects of development on surrounding rural areas can be mitigated through boundary setback provisions of the General Residential Zone. However, if it were considered necessary a 'no complaints' covenant could be imposed through the subdivision resource consent process.

It is therefore considered that reverse sensitivity can be addressed adequately through existing District Plan provisions or through the future resource consent for the subdivision and development of the site.

4.13 STAGING EFFECTS

The technical reports which support this PPC assess both Stage 1 and Stage 2 in combination, however state that even if Stage 1 should proceed without Stage 2 in the interim, the effects of the PPC would be less or no different. Overall, and while being less integrated or comprehensive in the approach, the effects of implementing one or both stages are considered equivalent, and less than minor.

4.14 SUMMARY OF EFFECTS

The above assessments confirm that site is generally suitable for rezoning to General Residential Zone as requested by this PPC. Any potential adverse effects from subsequent subdivision and development enabled by this plan change can be adequately addressed and managed through the existing and proposed District Plan provisions.

5. STATUTORY BASIS FOR SECTION 32 EVALUATION

5.1 SECTION 32 OF THE RESOURCE MANAGEMENT ACT 1991

The overarching purpose of Section 32 (s32) of the Resource Management Act 1991 (“the **RMA**” or “**the Act**”) is to ensure that any proposed District Plan provisions are robust, evidence-based and the best means to achieve the purpose of the Act.

The s32 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions. It requires that an evaluation report be prepared before the notification of a plan change by Council. Sections 32 (1), 32 (2), 32 (3), 32 (4) and 32 (4A) provide guidance as to what such an evaluation must examine. This report has been prepared in accordance with these statutory requirements.

5.2 RELEVANT CASE LAW

The decision in Long Bay-Okura Great Parks Society Incorporated v North Shore City Council (Decision A 078/2008) and amended in High Country Rosehip Orchards Ltd and Ors v Mackenzie DC ([2011] NZEnvC 387) to reflect the changes made by the Resource Management Amendment Act 2005, sets out the mandatory requirements for district plans. This report has been prepared in accordance with these requirements.

A. General requirements

1. A district plan should be designed to accord with and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.
2. When preparing its district plan the territorial authority must give effect to any national
3. policy statement or New Zealand Coastal Policy Statement.
4. When preparing its district plan the territorial authority shall:
 - a) *Have regard to* any proposed regional policy statement;
 - b) *Give effect to* any operative regional policy statement;
 - c) *Have regard to* the extent to which the plan needs to be consistent with the plans
 - d) Of adjacent territorial authorities.
5. In relation to regional plans:
 - a) The district plan must not be inconsistent with an operative regional plan for any matter specified in s30(1) [or a water conservation order]; and
 - b) Must have regard to any proposed regional plan on any matter of regional significance etc.;
6. When preparing its district plan the territorial authority must also:



- > Have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;
 - > Take into account any relevant planning document recognised by an iwi authority; and
 - > Not have regard to trade competition;
7. The district plan must be prepared in accordance with any regulation and any direction given by the Minister for the Environment.
 8. The requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.

B. Objectives [the s32 test for objectives]

1. Each proposed objective in a district plan is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.

C. Policies and methods (including rules) [the s32 test for policies and rules]

1. The policies are to implement the objectives, and the rules (if any) are to implement the policies.
2. Each proposed policy or method (including each rule) is to be examined, as to whether it is the most appropriate method for achieving the objectives of the district plan by:
 - a) identifying other reasonably practicable options for achieving the objectives; and
 - b) assessing the efficiency and effectiveness of the provisions in achieving the objectives, including:
 - i. identifying, assessing and quantifying (where practicable) the benefits and costs of the environmental, social and cultural effects anticipated from the implementation of the provisions, including opportunities for economic growth and employment; and
 - ii. assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - iii. if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

D. Rules

1. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.
2. There are special provisions for rules about contaminated land.



3. There must be no blanket rules about felling of trees in any urban environment.

E. Other statutes

1. Territorial authorities may be required to comply with other statutes.

The benefits and costs are defined in s2 of the RMA as including benefits and costs of any kind, whether monetary or non-monetary. Section 32 applies to the entire policy and plan development and change process from issue identification to decision release. Therefore, s32 is applicable:

- > When objectives are identified and assessed;
- > When examining policies, rules, or other methods;
- > After the draft plan or provision is prepared;
- > When the decision is made to notify;
- > In the officer 's report on submissions;
- > During deliberations by the council hearings committee; and
- > Before the final decision is being released.

A s32 evaluation is an iterative process, requiring a regular review of earlier steps and conclusions when necessary.



6. NATIONAL, REGIONAL AND LOCAL POLICY FRAMEWORK

6.1 RESOURCE MANAGEMENT ACT 1991 (RMA)

Section 32(1)(a) of the RMA requires an evaluation to examine the extent to which the objectives of the proposed plan change are the most appropriate way to achieve the purpose of the RMA.

As the PPC does not contain or state any new objectives to be included in the District Plan, this assessment focuses on evaluating the extent to which the ‘purpose or objective’ of the Plan Change (as set out in Section 3) is the most appropriate way to achieve the purpose of the RMA.

Part 2 of the RMA identifies that the purpose of the Act is to promote the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while also sustaining those resources for future generations, protecting the life-supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The purpose and objective of the PPC is an appropriate way to achieve Part 2 of the RMA, given that the PPC enhances the social and economic wellbeing of the District by providing additional housing capacity, while being able to appropriately mitigate any potential for adverse effects.

6.1.1 Section 5

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Section 5 states:

Sustainable Management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The PPC is considered to be the best way to achieve Section 5 of the Act for the following reasons. The existing Rural zone provisions allow for limited residential rights. The application site is situated at the fringe of the urban zone boundary of the Kāpiti Coast and is adjoined by



properties in the General Residential Zone to the north and the Ngarara Development Area to the north-east. The site is currently accessed from the existing roading network along Te Moana Road and can utilise existing infrastructure where capacity exists or provide on-site solutions where capacity is limited (i.e. wastewater).

The PPC is considered to meet the purpose of the Act in that it is allowing for communities to provide for their social and economic well-being through the provision of land for housing development.

Under the PPC, it is envisioned that the application site could reasonably yield approximately 40 to 45 complying allotments, with the potential for up to three dwellings per site (under the permitted baseline of the General Residential Zone). This additional yield represents a more efficient use of the site as there is limited productive potential on land of this size and soil quality.

The proposed General Residential Zone would allow for the site to be developed in a manner that is consistent and complimentary to the existing pattern of residential development along Te Moana Road to the north and north-east of the site and forms a natural extension of this residential development.

The PPC has recognised natural sensitivities for the site, namely the natural inland wetland located within the application site and the need to maintain or enhance its ecological function. It is proposed to address these matters through retaining the existing QEII covenant over the wetland (refer to Appendix 15 for a copy of the covenant). Any future development would need to consider the National Environmental Standards and all regional rules which require appropriate setbacks from wetlands. These factors assist with ensuring the ecological integrity of this feature within the site.

Through the proposed Staging of the PPC, the life supporting capacity of the soil resource will be adequately protected from residential development under the General Residential Zone provisions, until such time as the land within Stage 2 is no longer deemed 'highly productive land' under the NPS-HPL.

6.1.2 Section 6

In achieving the purpose of the RMA, Council needs to recognise and provide for the Matters of National Importance identified in section 6:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and*



the protection of them from inappropriate subdivision, use, and development:

- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights.*
- (h) management of significant natural hazard risk*

The section 6 matters that are relevant to this PPC are subsections 6(a), 6(e), 6(f) and 6 (h).

Overall, the PPC is consistent with Section 6 of the Act.

The preservation of the natural character of the natural inland wetland will be achieved through retention of the QEII covenant currently held over this feature (Appendix 15). Additionally, any future development would be required to consider the National Environmental Standards for Freshwater, which requires a 10m minimum setback for earthworks and land disturbances, unless resource consent is sought. With these protections and regulations in place, section 6(a) continues to be recognised and provided for.

The applicant has undertaken consultation with mana whenua to understand how the plan change may impact the relationship of Māori with sites, land and water within the vicinity of the site, as well as their role as kaitiaki. A letter of support has been provided by Te Atiawa ki Whakarongotai and the Takamore Trust (**Appendix 11**). The PPC has appropriately recognised and provided for sections 6(e) and (f) in this regard.

The applicant has had a flooding assessment prepared which has confirmed that there is sufficient scope within the development of the site to ensure the post development site is consistent with the District Plan standards in avoiding and mitigating potential flood hazard effects. The applicant has also had a geotechnical report prepared which has confirmed that the proposed site can be appropriately developed for residential purposes as intended, and that there are no site stability restrictions. Given these factors, the proposal is considered to recognise and provide for Section 6(h) of the Act.

6.1.3 Section 7

The Plan change must also have particular regard to the 'Other Matters' referred to in section 7:



In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:*
- (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
 - (ba) the efficiency of the end use of energy:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (e) [Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

The Section 7 matters that are applicable to this proposal are 7(a) and (aa), 7(b), 7(c), 7(d), 7(f) and 7(i). The PPC has particular regard to these subsections as discussed below.

The proposal will enable the efficient use and development of natural and physical resources through its location, which adjoins the General Residential Zone and Ngarara Development Area, where existing infrastructure and good transport connections exist.

Based on the conclusions made in Landscape and Visual report (Appendix 8), particular regard has been given to the maintenance of amenity values and the quality of the environment.

Through the proposed Staging of the PPC, the soil resource will be protected from residential development under the General Residential Zone and precinct provisions, until such time as the land in Stage 2 is no longer deemed 'highly productive land' under the NPS-HPL. Therefore, any finite characteristics of the soils are retained until such a time as this protection is no longer considered warranted.

Further to allowing for growth, the PPC provides for the ongoing protection and enhancement of a natural inland wetland which contributes to the values of the ecosystems and maintenance of the quality of the environment.

The effects of climate change have been incorporated into the flood assessment provided to support this PPC. Public transport options are also readily available and accessible to those who will reside on this site in the future.



Mana whenua have been consulted and their cultural values provided for as kaitiakitanga through this engagement process. A letter of support for the PPC is provided in Appendix 11.

6.1.4 Section 8

Section 8 of the RMA states: In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Section 8 of the RMA requires that applications take into account the principles of the Treaty of Waitangi. The principles have been taken into account through consultation with mana whenua in good faith, with transparency and in a manner which reflects the scale and significance of this proposal. A letter of support for the PPC is provided in Appendix 11.

Accordingly, it is considered that the proposal is consistent with Section 8 of the Act.

6.1.5 Summary

Overall, it is concluded that the PPC request to rezone the site from General Rural Zone to General Residential Zone in two Stages, would promote the broader sustainable management purpose of the RMA by providing for social and economic wellbeing, and the efficient use of land and physical resources, in the Kāpiti District.

6.2 NATIONAL POLICY STATEMENTS (NPS)

Section 75(3)(a) of the Resource Management Act 1991 states that a district plan change must give effect to any National Policy Statement. The following National Policy Statements are currently in force:

- > National Policy Statement on Urban Development;
- > National Policy Statement for Freshwater Management;
- > National Policy Statement for Renewable Electricity Generation;
- > National Policy Statement on Electricity Transmission;
- > National Policy Statement for Indigenous Biodiversity;
- > National Policy Statement for Greenhouse Gas Emissions from industrial Process Heat; and
- > National Policy Statement for Highly Productive Land.

Section 75(3)(b) & (ba) of the Act also states that a district plan change must give effect to any New Zealand coastal policy statement and a national planning standard. The following are currently operative:



- > New Zealand Coastal Policy Statement; and
- > National Planning Standards

All relevant National Policy Statements and National Planning Standards are assessed below.

6.2.1 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

The NPS-UD aims to support well-functioning urban environments to provide for current and future community well-being and requires that plans provide adequate opportunity for land development for business and housing to meet community needs.

Table 1: NPS-UD 2020 Provisions of Relevance to this PPC

NPS-UD 2020 Provisions of Relevance to this PPC	
Objective 1	New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
Objective 2	Planning decisions improve housing affordability by supporting competitive land and development markets.
Objective 4	New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
Objective 6	<p>Local authority decisions on urban development that affect urban environments are:</p> <ul style="list-style-type: none"> (a) Integrated with infrastructure planning and funding decisions; and (b) Strategic over the medium and long term; and (c) Responsive, particularly in relation to proposals that would supply significant development capacity.
Policy 1	<p>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: (a) have or enable a variety of homes that:</p> <ul style="list-style-type: none"> (i) Meet the needs, in terms of type, price, and location, of different households; and (ii) Enable Māori to express their cultural traditions and norms; and <p>(b) Have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</p>



NPS-UD 2020 Provisions of Relevance to this PPC

	<ul style="list-style-type: none"> (c) Have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) Support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (e) Support reductions in greenhouse gas emissions; and (f) Are resilient to the likely current and future effects of climate change.
Policy 2	Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term
Policy 6	<p>When making planning decisions that affect urban environments, decision makers have particular regard to the following matters:</p> <ul style="list-style-type: none"> (a) The planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: <ul style="list-style-type: none"> (i) May detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and (ii) Are not, of themselves, an adverse effect (c) The benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1) (d) Any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity (e) The likely current and future effects of climate change.
Policy 8	<p>Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:</p> <ul style="list-style-type: none"> (a) Unanticipated by RMA planning documents; or (b) Out-of-sequence with planned land release
Policy 10	<p>Tier 1, 2 and 3 local authorities:</p> <ul style="list-style-type: none"> (a) That share jurisdiction over urban environments work together when implementing this National Policy Statement; and



NPS-UD 2020 Provisions of Relevance to this PPC

- (b) Engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and
- (c) Engage with the development sector to identify significant opportunities for urban development.

Subpart 2 – Responsive Planning

3.8 Unanticipated or out-of-sequence developments

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

Overall, the NPS-UD has a strong focus on enabling additional housing development to meet existing and future demand. The PPC seeks to change the zoning of the subject site from General Rural to General Residential.

The rezoning will provide for additional residential development that:

- > Aligns well with KDC's Growth Strategy – Growing Well in that it will open up land which is appropriate for residential housing, and better ensuring 'at least' sufficient development capacity under Policy 2 of the NPS-UD;
- > The site is well connected along existing transport corridors (refer to Appendix 6);
- > Future development of the site will make use of existing infrastructure in the immediate surrounds (refer to Appendix 5);
- > The site is a natural extension of existing residential development, which exists to the north and north-east (refer to Appendix 8).
- > Future residential development can avoid adverse effects on high value biodiversity (refer to Appendix 4).



- > Future residential development will not detract from residential amenity (refer to Appendix 8).

Based on the above, the proposed plan change is consistent with the relevant Objectives and Policies of the NPS-UD.

6.2.2 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2022 (NPS-HPL)

The NPS-HPL seeks to enhance protection for highly productive land from inappropriate subdivision, use and development. The single objective of the NPS-HPL is that:

“Highly productive land is protected for use in land-based primary production, both now and for future generations”.

This is supported by a set of nine policies, which set out at a high level how the objective is to be achieved. They state:

Policy 1: *Highly productive land is recognised as a resource with finite characteristics and long-term values for land-based primary production.*

Policy 2: *The identification and management of highly productive land is undertaken in an integrated way that considers the interactions with freshwater management and urban development.*

Policy 3: *Highly productive land is mapped and included in regional policy statements and district plans.*

Policy 4: *The use of highly productive land for land-based primary production is prioritised and supported.*

Policy 5: *The urban rezoning of highly productive land is avoided, except as provided in this National Policy Statement.*

Policy 6: *The rezoning and development of highly productive land as rural lifestyle is avoided, except as provided in this National Policy Statement.*

Policy 7: *The subdivision of highly productive land is avoided, except as provided in this National Policy Statement.*

Policy 8: *Highly productive land is protected from inappropriate use and development.*

Policy 9: *Reverse sensitivity effects are managed so as not to constrain land based primary production activities on highly productive land.*

In general, these provisions aim to identify and protect highly productive land for land-based primary production, with an emphasis on generally avoiding urban rezoning, rural lifestyle development, and subdivision. In particular, Policy 5 states that the urban rezoning of highly productive land is to be avoided, except where provided for by the NPS-HPL.

Under the NPS-HPL and pending a more detailed mapping exercise by the Regional Council under clause 3.5, highly productive land is defined as land in a general rural zone or rural



production zone and identified under Categories 1, 2 and 3 in the Land Use Classification (“LUC”) as mapped by the NZLRI (refer transitional provisions of clause 3.5(7)).

As previously noted, the entire site is rural zoned in the District Plan and the front portion of the site (being Stage 2 of this PPC) is identified as LUC 2 in the NZLRI mapping. Stage 2 of the PPC is therefore currently identified as ‘highly productive land’ under the NPS-HPL and Stage 1 of the PPC is not.

The NPS-HPL includes a range of clauses in order to implement the objectives and policies outlined above. The implementation clauses of relevance to this application are discussed as follows.

Taken together, Policy 5 and clause 3.6 of the NPS-HPL restrict any “urban rezoning” of highly productive land to situations where that zoning is needed to provide sufficient development capacity to meet demand for housing or business land, and there are no other reasonably practicable options for providing that capacity. Specifically for a Tier 1 territorial authority (such as the KCDC), an urban rezoning can only proceed under clause 3.6(1) if:

- (a) The urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*
- (b) There are no other reasonably practicable and feasible options for providing the required development capacity; and*
- (c) The environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

In addition, under clause 3.6(5), territorial authorities must take measures to ensure that the spatial extent of any urban zoning of highly productive land is the minimum necessary to provide the required development capacity.

Clause 3.6 may not offer an exception in this instance (at least without further assessment), given that KCDC have recently prepared their growth plan, which has not incorporated the subject site.

As one option therefore, Stage 2 of the PPC is proposed to have a ‘Deferred Residential Precinct’ layer over the extent of (the currently mapped) LUC 2 soils (deemed to be HPL under transitional clause 3.5(7) , which will ensure that the General Rural Zone provisions continue to apply until such a time as this part of the site is no longer classified as ‘highly productive’ under the NPS-HPL. On that basis, the Stage 2 area would not be subject to an “urban rezoning” in the meantime because the land could not be “used predominantly for residential activities” (refer definition of General Residential Zone under the National Planning Standards, and definition of “Urban” as a description of a zone in the NPS-HPL in turn).



A Soil Resources Report is provided in Appendix 10 which concludes that the soils over an approximate 0.8ha part of the site are more aligned with a LUC 3 classification, and that none of the site is LUC 1 or 2 land. The Government has publicly confirmed that it is reviewing the NPS-HPL to remove the LUC 3 category from the definition of ‘highly productive land’. In addition, by October 2025, GWRC must notify their RPS to include more detailed mapping, and this is likely to reflect the conclusion reached in the Soil Resources Report in Appendix 10 (i.e. that the current classification that applies to the LUC 2 land is inaccurate and that the soil resource is most aligned with LUC 3 classification, over a small area of the site). At that time (i.e. when the Stage 2 area is no longer deemed to include highly productive land under the NPS), the Deferred Residential Precinct could be lifted (then comprising an ‘urban rezoning’ of this area that would no longer be restricted by the NPS-HPL).

While Policy 5 is directive, using the term “avoid”, the Supreme Court in *Royal Forest and Bird v New Zealand Transport Agency* confirmed that a directive yet broad policy of this kind must allow for exceptions where strict adherence to the Policy would produce anomalous outcomes, or be “plainly at odds with Part 2” of the RMA. As addressed later in this report, it would better serve the sustainable management purpose of the RMA to enable residential subdivision and development of the whole site to be progressed in an integrated and comprehensive rather than a staged manner, i.e. over two consenting processes commencing with the southern part of the site (Stage 1 area) which is furthest away from the road access and existing service connections. This is particularly so given that the ultimate outcome of both options (staged or comprehensive) is the same from a soils perspective.

It is considered that under either option, the objective of the NPS-HPL and therefore the intention of Policy 5 can still be met as the site does not actually include highly productive land, and/or Stage 2 would not be progressed until the site is no longer classified as including highly productive land under the NPS-HPL. On this basis, granting the PPC is considered to be consistent with the Objectives and Policies of the NPS-HPL, and regardless can be approved in line with the Supreme Court’s decision in *Royal Forest and Bird v New Zealand Transport Agency*.

6.2.3 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020 (NPS-FM)

NPS-FM came into effect on 3 September 2020 and was last amended in March 2024. It sets out the objectives and policies for freshwater management under the RMA.

The NPS-FM encompasses Te Mana o te Wai, a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater will protect the health and wellbeing of the wider environment. The sole objective of the NPS-FM reflects this concept - and aims to ensure that natural and physical resources are managed in a way that prioritises (i) firstly the health and wellbeing of water bodies and freshwater ecosystems, (ii)



then the health needs of people, and (iii) then the ability of people and communities to provide for their social, economic, and cultural wellbeing.

It is noted that the Resource Management (Freshwater & Other Matters) Amendment Bill, which was introduced in May 2024, excludes consideration of the hierarchy of Te Mana o te Wai obligations contained in the NPS-FM from decision-making processes for resource consents until the NPS-FM is replaced. However, the hierarchy still needs to be considered for a plan change. In this regard, Te Mana o te Wai remains a relevant consideration for the purposes of this Plan Change request.

The key policies of the NPS-FM of potential relevance to the PPC relate to:

- > The management of freshwater in a way that gives effect to Te Mana o te Wai (Policy 1);
- > The implementation of an integrated freshwater management approach (Policy 3);
- > No further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted (Policy 6 and Clause 3.2.2(1));
- > The loss of river extent and values is avoided to the extent practicable (Policy 7);
- > The protection of habitats of indigenous freshwater species (Policy 9);
- > Efficient allocation and use of freshwater (Policy 11); and
- > Enabling communities to provide for their social, economic, and cultural wellbeing in a way that is consistent with the NPS-FM (Policy 15).

With respect to these matters, the following points are noted regarding the PPC:

- > The Plan Change only relates to the rezoning of rural land and does not seek to authorise any additional activities on the site relating to freshwater (such as the taking, use, damming or diversion of freshwater or the discharge of water or contaminants to freshwater).
- > The modified watercourse that runs through the site is protected by existing rules in the Regional Plan that control discharges.
- > The site contains a 'natural wetland' within ecological site K068 which is protected in perpetuity by QEII open space covenant (Ecosite K068) as provided in Appendix 15.
- > The NESFW controls land use in relation to natural inland wetlands, including required setbacks.

For the reasons above, there is no loss of river extent or values, no loss of extent of natural inland wetlands and the habitats of indigenous freshwater species will be protected. The PPC is therefore considered to give effect to the objective and policies of the NPS-FM to the extent relevant to an urban rezoning.



6.2.4 NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY 2023 (NPS-IB)

The NPS-IB came into effect from 4 August 2023. It provides national direction on how to identify and protect significant indigenous biodiversity, and requires councils to protect, maintain and restore indigenous biodiversity in terrestrial ecosystems and some aspects of wetlands.

The overarching objective of the NPS-IB is to maintain indigenous biodiversity across New Zealand so there is at least no overall loss in indigenous biodiversity after the commencement date.

The NPS-IB requires territorial authorities to, amongst other things, identify Significant Natural Areas (“**SNAs**”) using specified ecological criteria and then include them in their district plan by August 2028. The NPS-IB then requires that certain adverse effects on SNAs are avoided, except where a specific exception applies.

It is noted, however, that the Resource Management (Freshwater & Other Matters) Amendment Bill, which was introduced in May 2024, suspends the requirements under the NPS-IB for councils to identify new SNAs and include them in district plans, and extends some of the SNA implementation timeframes to December 2030.

The NPS-IB requires that any significant adverse effects on indigenous biodiversity outside of SNA areas (Clause 3.16) must be managed by applying the effects management hierarchy (Avoid, Minimise, Remedy, Offset, Compensate).

The key policies of the NPS-IB that are relevant to the PPC seek to:

- > Manage indigenous biodiversity to promote resilience to the effects of climate change (Policy 4);
- > Recognise and provide for the importance of maintaining indigenous biodiversity outside SNAs (Policy 8);
- > Recognise and provide for activities that contribute to New Zealand’s social, economic, cultural, and environmental wellbeing (Policy 10);
- > Promote and provide for the restoration of indigenous biodiversity (Policy 13);
- > Promote increased indigenous biodiversity in non-urban environments (Policy 14);

The Ecological Report (Appendix 4) applies the effects management hierarchy to the indigenous biodiversity within the site.

The site contains ecological site K068 which is protected in perpetuity by QEII open space covenant (Ecosite K068). As this area contains a natural inland wetland, the NES-FW also applies to its ongoing protection.



Ecological values on the site (as summarised in Section 4.2) can be maintained through adherence to the provisions of the NES-FW, Ecosystem and Indigenous Biodiversity Chapter of the District Plan and the relevant rules of the Natural Resources Plan for the Greater Wellington region or through the resource consent process.

The PPC, and the enabling of future development at the site, will also contribute to New Zealand's social, economic, cultural and environmental well-being.

Accordingly, the Plan Change will give effect to the NPS-IB objective to maintain indigenous biodiversity across New Zealand.

6.2.5 New Zealand Coastal Policy Statement (NZCPS)

The New Zealand Coastal Policy Statement ("NZCPS") is a national policy statement under the RMA and took effect in December 2010. The purpose of the NZCPS is to state policies to achieve the purpose of the RMA in relation to the coastal environment of New Zealand.

The site, while 1km from the coastline, is identified within the 'Coastal Environment' overlay of the District Plan. The following objectives and policies of the NZCPS are therefore relevant to the PPC.

Objective 3, Policy 2 and Policy 17 (The Treaty of Waitangi, tangata whenua and Māori heritage)

Objective 3 and Policy 2 relate to the relationship of tangata whenua with their rohe and protecting characteristics of special value, which include places of historic cultural or spiritual significance. Policy 17 directs the protection of historic heritage in the coastal environment from inappropriate development.

Policy 2 of the NZCPS specifically requires kaitiakitanga to be taken into account in relation to the coastal environment, including provision for the exercise of kaitiakitanga by tangata whenua, and providing opportunities for direct involvement of tangata whenua in decision making.

As detailed in section 7 of this report, consultation has been undertaken with mana whenua and a letter of support for the PPC is provided in Appendix 11.

Objective 6 and Policy 6 (Activities in the Coastal Environment)

Objective 6 and Policy 6 seek to ensure that the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms.

Policy 6(1) sets limits to what is appropriate in the coastal environment. Any future development would consolidate built form within an area where natural character is already

extensively modified and would not impact on public access to the coast. The PPC has recognised tangata whenua and their needs through engagement.

Policy 11 (Indigenous biological diversity),

Policy 11 addresses indigenous biodiversity. Policy 11(a) seeks to protect indigenous biodiversity within the coastal environment by avoiding adverse effects on more sensitive areas of indigenous biodiversity, such as, threatened or at-risk indigenous taxa, threatened or naturally rare indigenous ecosystems, habitats and vegetation, naturally rare habitats of indigenous species, nationally significant examples of indigenous community types, and areas set aside for full or partial protection of indigenous biodiversity.

By contrast, sub-paragraph 11(b) seeks to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects in less sensitive indigenous biodiversity, such as, the habitats of indigenous species during vulnerable life stages, or habitats that are important for recreational, commercial, traditional or cultural purposes, indigenous ecosystems and habitats vulnerable to modification, and ecological corridors.

An ecological report has been prepared that confirms ecological effects can be mitigated through the future residential development of the site as suitable controls are provided in the provisions of the NES-FW, District Plan and Regional Plan.

Policy 13 (Preservation of natural character)

A similar cascading management approach is set out within Policy 13 with respect to natural character. Specifically, Policy 13(a) seeks to preserve natural character and protect it from ‘inappropriate use and development’ by avoiding adverse effects of activities in areas of outstanding natural character. Policy 13(b) requires a lesser level of protection for natural character areas that are not ‘outstanding’ and states that significant adverse effects on natural character are to be avoided, and all other effects on natural character are to be avoided, remedied or mitigated.

The site is not in an area of outstanding natural character. The dune landscapes are preserved through the provisions of the District Plan, including earthwork rules which restrict the extent of any cut. The development form would be consistent with those of adjoining and adjacent residential sites, which are also located in the Coastal Environment and modified for residential development. As such, the preservation of the modified natural character can be preserved and protected from inappropriate use and development.

Policy 15 (Natural features and natural landscapes)

Policy 15 addresses natural features and natural landscapes. In line with Policies 11 and 13, the cascading approach requires under sub-paragraph (a) that natural features and landscapes (including seascapes) be protected from ‘inappropriate use and development’ by



avoiding adverse effects on areas identified as outstanding natural features and outstanding natural landscapes. Sub-paragraph (b) requires that significant adverse effects on other natural features and landscapes (including seascapes) be avoided, and all other effects on those features and landscapes be avoided, remedied or mitigated.

There are no outstanding natural features or outstanding natural landscapes identified on within the site.

The 'Osborne's Swamp' is identified as an 'ecological site' under the District Plan and will continue to be protected in perpetuity by the QEII covenant which exists currently and the more recent provisions of the NES-FW and NRP. Furthermore, the District Plan provides provisions around ecosystems and indigenous biodiversity which applies to the General Residential Zone.

The dune landscapes are preserved through the provisions of the District Plan, including earthwork rules which restrict the extent of any cut.

6.2.6 National Planning Standards 2019 (NPSs)

National Planning Standards are intended to reduce plan complexity and provide a home for national direction. The purpose of the National Planning Standards is to improve the efficiency and effectiveness of the planning system by providing nationally consistent structure, format, definitions, noise and vibration metrics, electronic functionality and accessibility for regional policy statements, regional plans, district plans and combined plans under the RMA. The intention is that this will make Council plans and policy statements more efficient and easier to prepare and use.

The Council issued a public notice in 2021 notifying that the District Plan had been amended to give effect to the National Planning Standards 2019.

The PPC has been prepared in accordance with the applicable National Planning Standards.

6.3 NATIONAL ENVIRONMENTAL STANDARDS (NES)

A district plan must change its district plan in accordance with any regulations, including those contained within the national environmental standards. The following national environmental standards are currently in force:

- > National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health;
- > National Environmental Standards for Electricity Transmission Activities;
- > National Environmental Standard for Sources of Drinking Water;
- > National Environmental Standards for Air Quality;



- > National Environmental Standards for Telecommunication Facilities; and
- > National Environmental Standards for Plantation Forestry.
- > National Environmental Standards for Freshwater

The NES's potentially relevant to this PPC are discussed below.

6.3.1 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“**NESCS**”), if a site has been the subject of an activity or industry described in the Ministry for the Environment’s Hazardous Activities and Industries List (‘**HAIL**’) then the NESCS warrants further consideration.

The Selected Land Use Register (“**SLUR**”) database has been reviewed, and no contaminated land has been identified within the site.

Historical aerial imagery indicates that the adjacent site (to the southeast) was previously used for market gardens, and that a small portion of the Site (to the southeastern side of the existing access, where landscaping will occur) may have included market gardens. Anecdotal evidence from the Applicant suggests that the gardens did not cross into the boundaries of the site.

It is acknowledged that a dwelling and accessory buildings (built in the 1990’s by the current landowner) were relocated off the site in the 2000’s to a property in Levin. Given that the buildings were relocated, it is highly unlikely that asbestos disposal occurred within the site. There are no remaining buildings on the site.



Figure 15: Aerial imagery from 1994 showing house site outlined in orange (Source: Retrolens)

Based on the information above, it is our understanding that no previous activities have occurred on the site which are identified on the HAIL list. As such, no further assessment against the NESCS is required for the PPC.

Compliance with the regulations of the NESCS will be considered further at the time of subdivision and land use consenting. Should a Detailed Site Investigation (“**DSI**”) be required at this stage, and contaminated land above the minimum levels be detected, there is sufficient space within the site to enable the remediation of any contaminated soils.

6.3.2 National Environmental Standard for Sources of Drinking Water;

The National Environmental Standard (“**NES**”) for Sources of Human Drinking Water (2007) directs regional councils to consider the potential impacts of land use activities on community drinking water supplies within its regulatory planning framework. GWRC has identified ‘source protection zones’. These zones describe the area within which an activity might reasonably be expected to impact upon the quality of water at the abstraction point.



While it is noted that there is a groundwater supply well nearby (as referenced in section 2.2.3) to the southeast of the site, this is not within the water supply protection area for Waikanae as shown in Figure 16.

As such, no further assessment against this National Environmental Standard is required for this PPC.

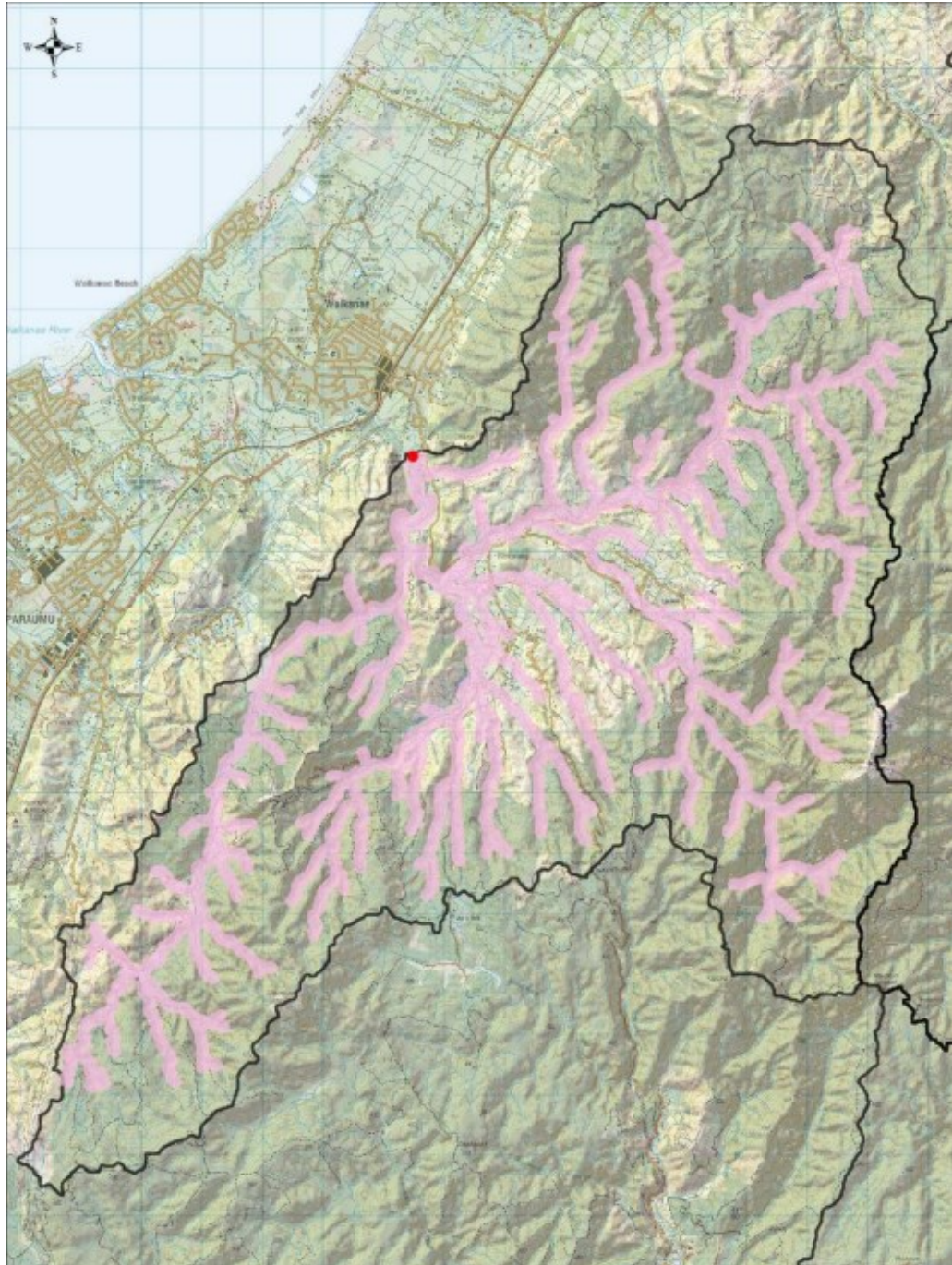


Figure 16: Protection area map for drinking water supply catchment (Source: GWRC GIS)

6.3.3 National Environmental Standards for Freshwater

There are several National Environmental Standards for Freshwater (“**NES FW**”) that are relevant to the natural inland wetland margins within the site. These include:

- > Regulations 52, 53 and 54 restrict development in relation to natural wetlands.
In particular:
 - > Earthworks within a natural wetland is a prohibited activity where it results, or is likely to result, in the complete or partial drainage of all or part of the wetland (53(1));
 - > Vegetation clearance and earthworks within 10m of a natural wetland is a non-complying activity (54(a) and (b));
 - > Earthworks within a 100m setback from a natural wetland are a non-complying activity where they result, or are likely to result, in the complete or partial drainage of all or part of the wetland (52(1));
 - > The taking, use, damming, diversion or discharge of water within 100m of a natural wetland is a non-complying activity (54(c)).

It is noted that the Plan Change only seeks to change the land use zoning of the site and does not seek to include additional activities above what is already provided for in the General Residential Zone of the District Plan.

All necessary resource consents for relevant activities under the NES-FW would be applied for prior to any physical works being undertaken on the site, should the PPC be approved. As concluded in the Ecology Report (see Appendix 4), the NES-FW regulations in combination with the QEII covenant over this wetland provide adequate ongoing protection for the wetland.

6.4 OTHER GOVERNMENT DOCUMENTS

6.4.1 National Adaption Plan – Adapt and Thrive: Building a Climate Resilient Aotearoa New Zealand.

Section 74(2)(e) of the RMA requires regard to be had to any national adaptation plan made in accordance with section 5ZS of the Climate Change Response Act 2002. The National Adaptation Plan is such a plan.

The high level goals for the long-term adaptation plan, which are to:

- > Reduce vulnerability to the impacts of climate change
- > Enhance adaptive capacity and consider climate change in decisions at all levels
- > Strengthen resilience.



Climate change has been factored into the consideration of flood mitigation measures within Appendix 9. The site is suitably located away from the coastline where coastal hazards could amplify as a result of climate change. The site is large enough to incorporate nature-based stormwater solutions into the urban form at the time of future development. The location of the site retains the compact urban form, which is well connected to existing public transport linkages, reducing the reliance on private vehicles. For these reasons, this PPC is consistent with the goals of this national adaptation plan.

6.4.2 Going for Growth Housing Programme

The Going for Growth Housing programme (“**GfGH**”) is part of the Government’s broader plan to tackle New Zealand’s ongoing housing shortage.

GfGH is structured around three pillars that make system changes to address the underlying causes of the housing supply shortage. These are:

- > Freeing up land for urban development, including removing unnecessary planning barriers
- > Improving infrastructure funding and financing to support urban growth
- > Providing incentives for communities and councils to support growth.

In July 2024 the Government announced that changes will be implemented through amendments to the Resource Management Act and the NPS-UD, with the requirements expected to be in place by mid-2025. Formal consultation on the detailed design of changes will occur in early 2025.

These announcements signalled that greenfield growth could be encouraged in the following ways:

- > Prohibiting Council’s from imposing rural-urban boundary lines in planning documents (but can still have rurally zoned land).
- > Investigating options to require councils to plan for 50 years of growth in their Future Development Strategies (up from 30) and be more responsive to private plan changes.

This PPC directly aligns with the Government intention to free up land for urban development on greenfield land, particularly given that it is a logical extension to the General Residential Zone adjoining it.

The GfGH programme is still to be formally implemented, through amendments to the RMA and NPS-UD, such implementation is however likely during the RMA schedule 1 process for this PPC.

6.5 REGIONAL POLICY STATEMENT FOR THE WELLINGTON REGION (RPS)

Under Section 75(3)(c) of the Resource Management Act 1991, a District Plan must give effect to any RPS.

The Regional Policy Statement for the Wellington Region (RPS) became operative in 2013. It sets out the regional approach for managing the environment and providing for growth and associated effects. The RPS identifies the significant resource management issues for the region and outlines the policies and methods required to achieve the integrated sustainable management of the region's natural and physical resources.

Change 1 to the RPS was publicly notified in August 2022 and has become partially Operative in April 2025. The focus of RPS Change 1 is to implement and support the NPS-UD, and to start the implementation of the National Policy Statement for Freshwater Management 2020 (NPS-FM). RPS Change 1 also addresses issues related to climate change, indigenous biodiversity, and high natural character. Hearings started in June 2023 and finished in April 2024. The PPC is required to have regard to Proposed RPS Change 1 and is also still required to give effect to the operative Regional Policy Statement.

The objectives and policies of the RPS and Change 1 to the RPS most relevant to this PPC are set out in Tables 1 and 2 respectively.

Table 2: Relevant Objectives and Policies of the Operative RPS

Section 3.4 Freshwater	Objective 12: The quantity and quality of fresh water: (b) safeguard the life supporting capacity of water bodies.	The infrastructure and ecological report (Appendix 5 and 4 respectively) have confirmed that the site is suited to residential development.
	Policy 40 - Safeguarding aquatic ecosystem health in water bodies - consideration.	Engineering solutions will be required to manage the quality and quantity of stormwater discharge from the site and sedimentation from earthworks. These solutions would ensure that the ecological health and function of the onsite waterbodies and any downstream receiving environments could be maintained, as unmitigated development could have detrimental effects on the health and functioning of these water bodies.
	Policy 42 - Minimising contamination in stormwater from development – consideration	
	Policy 41: Minimising the effects of earthworks and vegetation disturbance – consideration	
	Objective 13: The region's rivers, lakes and wetlands support healthy functioning ecosystems.	The District Plan contains provisions that manage stormwater runoff from



	<p>Policy 43 - <i>Protecting aquatic ecological function of water bodies - consideration.</i></p>	<p>development, require hydraulic neutrality for new development and control the development of impervious surfaces. The PPC does not propose to change these provisions.</p> <p>The NES-FW manages earthworks in proximity to natural wetlands. Large scale earthworks on sites over 3,000m² require resource consent from GWRC under the Natural Resources Plan.</p>
<p>Section 3.6 Indigenous ecosystems</p>	<p>Objective 16: Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.</p> <p>Policy 24 - <i>Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</i></p> <p>Policy 47 - <i>Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values.</i></p>	<p>An ecological assessment of the site has been undertaken (Appendix 4).</p> <p>The QEII Covenant (Appendix 15) over the ‘Osborne’s Swamp’ will remain in perpetuity. The NES-FW requires a development buffer of 10m from the margins of any natural inland wetland.</p> <p>The District Plan provisions (including Plan Change 2) provides suitable protection for ecological sites, key indigenous trees and rare and threatened indigenous species.</p>
<p>Section 3.8 Natural Hazards</p>	<p>Objective 19: The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.</p> <p>Policy 29 - <i>Avoiding inappropriate subdivision and development in areas at high risk from natural hazards.</i></p> <p>Policy 51 - <i>Minimising the risks and consequences of natural hazards.</i></p> <p>Objective 21: Communities are more resilient to natural hazards, including the impacts of climate change, and people are better prepared for the</p>	<p>A geotechnical assessment report has been prepared for the site (Appendix 5) confirming that the site can be considered suitable for subdivision and residential development purposes.</p> <p>Flood risk (which incorporates climate change) has been considered in relation to the PPC (Appendix 9) confirming flood hazards can be suitably mitigated on the site at the time of future development. Future development would also be subject to the relevant Natural Hazard standards within the District Plan, which this PPC does not alter.</p>

consequences of natural hazard events.

As such, the proposal is considered to be consistent with these objectives and policies of the RPS.

**Section 3.9
Regional
Form,
Design and
Function**

Objective 22: 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);

(h) integrated public open spaces;

(i) integrated land use and transportation; and

(k) efficiently use existing infrastructure (including transport network infrastructure);

Policy 31 - Identifying and promoting higher density and mixed use development.

Policy 33 - Supporting a compact, well designed and sustainable regional form.

Policy 55 - Maintaining a compact, well designed and sustainable regional form.

Policy 57 - Integrated land use and transportation.

Policy 58 - Co-ordinating land use with development and operation of infrastructure.

Policy 67 - Maintaining and enhancing a compact, well designed and sustainable regional form.

The PPC can achieve Objective 22 and these relevant policies because the site is located adjacent to existing urban areas that are connected to reticulated services and public transport networks.

The requirements of the New Zealand Building Code, the infrastructure provisions of the District Plan, and provisions within the Proposed Natural Resources Plan will together regulate the provision of onsite infrastructure services to manage development on this site, which is not currently connected to reticulation.

The PPC would provide for a range of housing. In addition to this, the rezoning is consistent with Te tupu pai: Growing Well, the Council's Growth Strategy which supports growing 'up' and 'out'.



Section 3.10 Resource Management with Tangata Whenua	<p>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.</p> <p>Objective 24: The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.</p> <p>Objective 25: The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.</p> <p>Objective 26: Mauri is sustained, particularly in relation to coastal and freshwaters.</p> <p>Objective 28: The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.</p> <p>Policy 66 - Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory</p> <p>Policy 48 - Principles of the Treaty of Waitangi – consideration</p> <p>Policy 49 - Recognising and providing for matters of significance to tangata whenua - consideration</p>	<p>As part of the plan change, consultation has been initiated and is ongoing with mana whenua. A letter of support is provided (Appendix 11).</p> <p>Any potential adverse stormwater impacts on the site (including the culturally significant Waimeha Stream, as a downstream receiving environment) are proposed to be addressed through existing District Plan provisions. Areas of significant ecological value will be protected from development effects by retaining the QEII Covenant and ensuring the NES-FW, District Plan and NRP standards are considered through any future resource consent process for subdivision and development.</p> <p>An Archaeological Assessment (Appendix 3) has been carried out, with the findings of this provided to mana whenua. The Archaeological Assessment identified that there is a known archaeological finding (being referred to as R27/367 - being a midden and possible terrace). With an archaeological authority (as recommended) there is no reason on archaeological grounds why the PPC should not proceed. An archaeological authority will be sought prior to any physical works on this land.</p> <p>The PPC has recognised and provided for the matters of significance to mana whenua.</p>
Section 3.11 Soils and Minerals	<p>Objective 29: Land management practices do not accelerate soil erosion.</p>	<p>To enable the development of the site, resource consent will be required, including from GWRC. This is because the level of earthworks required for residential developments on this land</p>



	<p><i>Policy 15 - Minimising the effects of earthworks and vegetation clearance – district and regional plans</i></p> <p><i>Policy 41 - Minimising the effects of earthworks and vegetation disturbance – consideration</i></p> <p><i>Policy 68 - Minimising soil erosion – non-regulatory</i></p> <p><i>Objective 23 – Soils maintain those desirable physical, chemical and biological characteristics that enable them to retain their ecosystem function and range of uses.</i></p> <p><i>Policy 59 – Retaining highly productive agricultural land (Class I and II) - consideration</i></p>	<p>would trigger the thresholds in the District and Regional Plans. As part of any resource consent decision, erosion and sediment control measures would need to be installed on the site. These measures would ensure that sediment runoff does not affect water quality and that the erosion risk during the site development works are addressed.</p> <p>The PPC has had regard to Objective 23 and Policy 59. The land subject to this PPC adjoins the existing urban area, is small in size (being 5.5ha in total) and contains ecological features of significance. Given the size of the land and the assessment of soil characteristics within Appendix 10 (which does not identify any LUC1 or LUC2 land), it is considered that future residential development of this land would have a less than minor impact on the quality and cohesiveness of the balance of highly productive agricultural land available to the region.</p>
<i>Historic Heritage</i>	<p><i>Objective 15 - Historic heritage is identified and protected from inappropriate modification, use and development.</i></p> <p><i>Policy 46 - Managing effects on historic heritage values – consideration</i></p>	<p>The Archaeological Assessment (Appendix 3) identified that there is a known archaeological finding (being referred to as R27/367 - being a midden and possible terrace). With an archaeological authority (as recommended) there is no reason on archaeological grounds why the PPC should not proceed. An archaeological authority will be sought prior to any physical works on this land.</p>
<i>Coastal Environment</i>	<p><i>Objective 3 - Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from</i></p>	<p>The site of this PPC is in the Coastal Environment. An ecological, landscape and visual, cultural impact assessment and archaeological assessment accompany this PPC.</p> <p>It is noted that this land is currently within the Rural Dunes overlay. The dunes will continue to be protected</p>

inappropriate subdivision, use and development.

Objective 4 - The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.

Policy 22 - Protecting historic heritage values – district and regional plans

Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans

through existing provisions relating to the coastal environment (i.e. DO-O4) and through earthwork standards (i.e. EW-R2) which restrict alteration of original ground levels.

Historic heritage values have been considered through archaeological assessment. Physical works will require archaeological authority.

Table 3: Relevant Objectives and Policies of Change 1 to the RPS

Climate Change	Objective CC.1 – By 2050, the Wellington Region is a low-emission and climate-resilient region, where climate change mitigation and adaptation are an integral part of: (a) sustainable air, land, freshwater, and coastal management, (b) well-functioning urban environments and rural areas, and (c) well-planned infrastructure.	Climate change has been factored into the consideration of flood risk (Appendix 9).
	Policy CC.1 and CC.14 – Climate resilient urban areas – consideration	As the site is located off Te Moana Road, bus to rail connections are located in walking proximity. Any future development can reduce the reliance on private vehicles as a result, with lower emissions.
	Policy 55 – Providing for appropriate urban expansion – consideration	The site is considered appropriate for urban expansion, given that it adjoins the existing General Residential Zone and can maintain a compact urban area.
	Policy 57: Integrating land use and transportation - consideration	Nature based solutions and hydraulic neutrality will be integrated into the future stormwater design of the site as they are already a requirement of the District Plan.
	Objective CC.4 - Nature-based solutions are an integral part of climate change mitigation and adaptation, improving the health and	



resilience of people, biodiversity, and the natural environment.

Policy CC.12: Protect, enhance and restore ecosystems that provide nature-based solutions to climate change – consideration

Objective CC.6 Resource management and adaptation planning increase the resilience of communities and the natural environment to the short, medium, and long-term effects of climate change.

Policy 51: Minimising the risks and consequences of natural hazards – consideration

Policy 52: Minimising adverse effects of hazard mitigation measures – consideration

Overall, the PPC is consistent with these objectives and associated policies.

Fresh water

Objective 12 - Natural and physical resources of the region are managed in a way that prioritises: (a) first, the health and well-being of water bodies and freshwater ecosystems (b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future; and....

Policy 40: Protecting and enhancing the health and well-being of water bodies and freshwater ecosystems – consideration

Policy 41: Controlling the effects of earthworks and vegetation disturbance – consideration

Policy 42: Effects on freshwater and the coastal marine area from urban development – consideration

An ecological assessment of the site has been undertaken (Appendix 4).

The QEII Covenant over the 'Osborne's Swamp' will remain in perpetuity. The NES-FW requires a development buffer of 10m from the margins of any natural inland wetland, unless resource consent is sought.

The District Plan provisions (including Plan Change 2) provides suitable protection for ecological sites, key indigenous trees and rare and threatened indigenous species.

Earthworks will trigger regional and district consents and a key consideration of these consents will be around controlling effects on freshwater through appropriate erosion and sediment controls.



Indigenous Ecosystems	<p>Objective 16 - Indigenous ecosystems and habitats with significant ecosystem functions and services and/or biodiversity values are protected, enhanced, and restored to a healthy functioning state.</p> <p>Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration</p> <p>Policy IE.2: Giving effect to mana whenua / tangata whenua roles and values when managing indigenous biodiversity – consideration</p> <p>Policy IE.3: Maintaining and restoring indigenous ecosystem health – nonregulatory</p>	<p>An ecological assessment of the site has been undertaken (Appendix 4).</p> <p>The QEII Covenant over the ‘Osborne’s Swamp’ will remain in perpetuity. The NES-FW requires a development buffer of 10m from the margins of any natural inland wetland, unless consent is sought.</p> <p>The District Plan provisions (including Plan Change 2) provide suitable protection for ecological sites, key indigenous trees and rare and threatened indigenous species.</p>
	<p>Objective 16B Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important relationship between indigenous ecosystem health and well-being, are given effect to in decisionmaking, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity.</p>	<p>As part of the plan change, consultation has been initiated and is ongoing with mana whenua. A letter in support of the PPC is provided (Appendix 11).</p> <p>Any potential adverse stormwater impacts on the site are proposed to be addressed through existing District Plan provisions.</p> <p>Areas of significant ecological value will be protected from development effects by retaining the QEII Covenant and ensuring the NES-FW, District Plan and NRP standards are considered through any future resource consent process for subdivision and development.</p> <p>The PPC has recognised and provided for the matters of significance to mana whenua.</p>
Natural Hazards	<p>Objective 19 - The risks and consequences to people, communities, business, property, infrastructure and the environment</p>	<p>A geotechnical assessment report has been prepared for the site (Appendix 5) confirming that the site can be developed for residential purposes.</p>



from natural hazards and the effects of climate change are minimised.

Objective 21 - The resilience of our communities and the natural environment to the short, medium, and long-term effects of climate change, and sea level rise is strengthened, and people are better prepared for the consequences of natural hazard events.

Policy 51: Minimising the risks and consequences of natural hazards – consideration

Objective 20 - Natural hazard and climate change mitigation and adaptation activities minimise the risks from natural hazards and impacts on Te Mana o te Wai, Te Rito o te Harakeke, natural processes, indigenous ecosystems and biodiversity.

Policy 52: Minimising adverse effects of hazard mitigation measures – consideration

Flood risk (which incorporates climate change) has been considered in relation to the PPC (Appendix 9). Flood risks can be suitably mitigated at the time of future development.

There is elevated land within the site which can provide suitable evacuation areas in the event of a tsunami.

Future development would also be subject to the relevant Natural Hazard standards within the District Plan, which this PPC does not alter.

As such, the proposal is considered to be consistent with these objectives and policies.

Regional Form, Design and Function

Objective 22 - Urban development, including housing and infrastructure, is enabled where it demonstrates the characteristics and qualities of well-functioning urban environments, which:...

Objective 22A - To achieve sufficient development capacity to meet expected housing demand in the short-medium and long term in any tier 1 urban environment within the Wellington Region, the housing bottom lines in Table 9A are to be met or exceeded in the short-medium and

The PPC can achieve Objective 22 and these relevant policies because the site is located adjacent to existing urban areas that are connected to reticulated services and public transport networks.

The requirements of the New Zealand Building Code, the infrastructure provisions of the District Plan, and provisions within the Proposed Natural Resources Plan will together regulate the provision of onsite infrastructure services to manage development on this site, which is not currently connected to reticulation.



long term in the tier 1 urban environment.

Policy 54: Achieving the region's urban design principles – consideration

Policy 55: Providing for appropriate urban expansion – consideration

Policy UD.3: Responsive planning to developments that provide for significant development capacity – consideration

Policy 57: Integrating land use and transportation – consideration

Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration

Policy 31: Identifying and enabling a range of building heights and density

The PPC prioritises the protection and enhancement of the quality of freshwater within the site.

The PPC would provide for a range of housing options, with low density to medium density options. In addition to this, the rezoning is consistent with Te tupu pai: Growing Well, the Council's Growth Strategy which supports growing 'up' and 'out'.

The PPC has considered the cultural values associated with the site and wider environment.

6.6 REGIONAL PLAN

Section 74(2)(a) (ii) of the RMA requires Council in the assessment of the PPC to have regard to a proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4.

The Natural Resources Plan for the Wellington Region ("NRP") was made operative on 28 July 2023. The NRP is an integration and replacement of five regional plans for soil, fresh water, air, discharges to land, and the coastal marine area. This PPC must have regard to the relevant objectives and policies in the NRP, as detailed in Table 4.

Proposed Plan Change 1 to the NRP was notified on 30 October 2023. Submissions have closed and hearings are scheduled for November 2024 to October 2025. Given the early stage of this document development and its propensity to change through the hearing process, it is considered to have limited weight in relation to this PPC and is not considered further.

In relation to the assessment provided in Table 4, it is recognised that any future residential development of the site would likely be subject to Regional Council consents (e.g. for earthworks on a site over 3,000m²) and District Council consents (e.g. earthworks, subdivision and land use). The potential and actual effects of any specific development on the



environment would be considered within this consenting framework and specific mitigation measures and conditions would be proposed at that time.

Table 4: Relevant Objectives and Policies of the NRP

	Objectives and Policies	Assessment
Ki uta ki tai: mountains to the sea	<p>Objective O1 <i>Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.</i></p> <p>Objective O2 <i>The importance and contribution of air, land, water and ecosystems to the social, economic and cultural well-being and health of people and the community are recognised in the management of those resources.</i></p> <p>Objective O3 <i>Mauri particularly the mauri of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.</i></p>	The PPC is consistent with these objectives. The importance of land, water and ecosystems and their wider interconnections have been considered in technical reports which support the PPC (e.g. ecological report and infrastructure report).
Māori Relationships	<p>Objective O12 The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including...</p> <p>Objective O13 Kaitiakitanga is recognised and mana whenua actively participate in planning and decision-making in relation to the use, development and protection of natural and physical resources.</p> <p>Policy P20: The cultural relationship of Māori with air, land and water shall be recognised and the adverse</p>	<p>Consultation has occurred with mana whenua from the inception of this PPC.</p> <p>The cultural values of mana whenua have been considered throughout the preparation of this PPC. A letter of support for the PPC is provided in Appendix 11.</p>



	Objectives and Policies	Assessment
	<p>effects on this relationship and their values shall be minimised.</p> <p>Policy P21: Kaitiakitanga shall be recognised and provided for by involving mana whenua in the assessment and decision-making processes associated with use and development of natural and physical resources including;</p> <ul style="list-style-type: none"> (a) managing activities in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana whenua, and (b) the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and (c) identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa. 	
Natural Character, form and function	<p>Objective O14 The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is preserved and protected from inappropriate use and development.</p> <p>Policy P24: Preserving and protecting natural character from inappropriate use and development. To preserve natural character and</p>	<p>An ecological report has been provided (Appendix 4) and effects on the natural wetland and open channel drain within the site have been considered.</p> <p>The natural character of the coastal environment and dune landscapes are considered through the landscape and visual report (Appendix 8).</p>

	Objectives and Policies	Assessment
	<p>protect it from inappropriate use and development by:</p> <p>(b) avoiding significant adverse effects and avoid remedy and mitigate other adverse effects of activities on the natural character of areas within the coastal environment that do not have outstanding natural character.</p>	
Natural Hazards	<p>Objective O15 The hazard risk and residual hazard risk, from natural hazards and adverse effects of climate change, on people, the community, the environment and infrastructure are acceptable.</p> <p>Objective O16 Inappropriate use and development in high hazard areas is avoided.</p> <p>Policy P25: High hazard areas - Use and development, including hazard mitigation methods, in on or over high hazard areas shall be managed to ensure that:</p> <p>(a) They have a functional need or operational requirement or there is no practicable alternative to be so located, and</p> <p>(b) An overall increase in risk of social, environmental and economic harm is avoided, and</p> <p>(c) The hazard risk and/or residual hazard risk to the development, assessed using a risk-based approach, is acceptable or as low as reasonably practicable, recognising that in some instances an increase in risk to the development may be appropriate, and</p>	<p>Natural hazards have been duly considered as part of this PPC, with mitigation measures available for implementation at the time of future residential development. Further investigation of any site-specific design would be required.</p>



	Objectives and Policies	Assessment
	<p>(d) The development does not cause or exacerbate hazard risk in other areas, and unless effects are avoided, remedied or mitigated in accordance with a hazard risk management strategy, and</p> <p>(e) Adverse effects on natural processes (coastal, riverine and lake processes) are avoided, remedied, or mitigated, and</p> <p>(f) Natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise over at least the next 100 years, are taken into account.</p> <p>Policy P28: Effects of climate change Particular regard shall be given to the potential for climate change</p> <p>(a) To threaten biodiversity, aquatic ecosystem health and mahinga kai, or</p> <p>(b) To cause or exacerbate natural hazard events over at least the next 100 years that could adversely affect use and development including as a result of:</p> <p>(c) Coastal erosion and inundation (storm surge), and</p> <p>(d) River and lake flooding and erosion, aggradation, decreased minimum flows, and</p> <p>(e) Stormwater ponding and impeded drainage, and</p>	

	Objectives and Policies	Assessment
	(f) Relative sea level rise, using reliable scientific data for the Wellington region.	
Water Quality	Objective O17 The quality of groundwater, water in surface water bodies, and the coastal marine area is maintained or improved.	An infrastructure report and ecological report have been provided in support of this PPC. The quality of groundwater and hydraulic function of the wetland can be maintained with further investigation provided at the time of future residential development.
Biodiversity, aquatic ecosystem health and mahinga kai	<p>Objective O19 Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that: (a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity aquatic ecosystem health and mahinga kai, and (b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is meaningfully improved so that the objective is met within a reasonable timeframe, and (c) restoration of aquatic ecosystem health and mahinga kai is encouraged.</p> <p>Objective O22 The extent of natural wetlands is maintained or increased, their values are protected, and their condition is restored. Where the values relate to biodiversity, aquatic ecosystem health and mahinga kai, restoration is to a healthy functioning state as defined by Table 3.7.</p>	<p>An infrastructure report and ecological report have been provided in support of this PPC. The quality of surface water can be maintained or improved at the time of future residential development.</p> <p>Particular regard has been given to the natural inland wetland. The NES-FW provides protection measures for this waterbody and the QEII covenant will remain in perpetuity. As such the extent and values are managed and maintained.</p>

	Objectives and Policies	Assessment
	<p>Policy P34: Values of wetlands</p> <p>Activities in and adjacent to natural wetlands shall be managed to maintain and, where appropriate, restore their condition and their values including: Natural Resources Plan for the Wellington Region 77 (a) as habitat for indigenous flora and fauna, and (b) for their significance to mana whenua, and (c) for their role in the hydrological cycle including flood protection, and (d) for nutrient attenuation and sediment trapping, and (e) as a fisheries resource, and (f) for recreation, and (g) for education and scientific research.</p>	
Sites with significant values	<p>Objective O27 Significant historic heritage and its values are protected from inappropriate modification, use and development.</p>	An archaeological assessment has been provided. An archaeological authority will be sought prior to any earth movement within the site.
	<p>Objective O28 Ecosystems and habitats with significant indigenous biodiversity values are protected from the adverse effects of use and development, and where Natural Resources Plan for the Wellington Region 59 appropriate restored to a healthy functioning state including as defined by Tables 3.4, 3.5, 3.6, 3.7 and 3.8.</p>	An ecological report has been provided. Particular regard has been given to the natural inland wetland. The NES-FW provides protection measures for this waterbody and the QEII covenant will remain in perpetuity. As such the extent and values are managed and maintained.
	<p>Policy P42: Ecosystems and habitats with significant indigenous biodiversity values Protect in accordance with Policy P31 and Policies P38-P41 and, where appropriate, restore the following ecosystems and habitats with</p>	

	Objectives and Policies	Assessment
	<p>significant indigenous biodiversity values: (a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and (b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and (c) natural wetlands, including the natural wetlands identified in Schedule F3 (identified natural wetlands), and (d) the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</p> <p>Policy P44: Managing effects on ecosystems and habitats with significant indigenous biodiversity values from activities outside these ecosystems and habitats In order to protect the ecosystems and habitats with significant indigenous biodiversity values in accordance with Policy P42, particular regard shall be given to managing the adverse effects of use and development in areas outside of these ecosystems and habitats on physical, chemical and biological processes to: (a) maintain ecological connections within and between these habitats, or (b) provide for the enhancement of ecological connectivity between fragmented habitats through biodiversity offsets, and (c) provide adequate buffers around ecosystems and habitats with significant indigenous biodiversity</p>	

	Objectives and Policies	Assessment
	values, and (d) avoid cumulative adverse effects on, and the incremental loss of significant indigenous biodiversity values.	
Land Use	Objective O34 The adverse effects on soil and water from land use activities are minimised, including to assist with achieving the outcomes and indicators of desired environmental states for water in Tables 3.1 to 3.8.	Earthworks would trigger both regional and district council consents. Any adverse effects would be considered through this process.
Discharges to land and water	Objective O38 The adverse quality and quantity effects of stormwater discharges from stormwater networks and urban land uses are reduced over time.	An infrastructure report has been provided. The adverse quality and quantity effects of stormwater discharges can be suitably addressed at the time of development. Given the size of the site, there is the ability to implement nature-based solutions and achieve hydraulic neutrality.
Natural features and landscapes	Policy P52: Protecting natural features and landscapes from inappropriate use and development - To protect natural features and landscapes (including seascapes) of the coastal environment, rivers, lakes and their margins and natural wetlands and their values, from inappropriate use and development by: (a) avoiding adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes in the coastal environment, and (b)	The standards within the NRP and the NES-FW will be considered in regard to waterbodies within the site. The 'Osborne's Swamp' within the site will continue to be protected by QEII covenant, as it is currently. The dune landscapes will be suitably retained through the existing provisions of the District Plan.



	Objectives and Policies	Assessment
	<p>avoiding significant adverse effects of activities on the natural attributes and characteristics of natural features and landscapes in the coastal environment and avoid, remedy and mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment, and (c) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes, provided that the values of the natural features or landscapes that contribute to its outstanding status are retained.</p>	

6.7 OTHER RELEVANT PLANS AND STRATEGIES

Section 74(2)(b)(i) of the RMA requires territorial authorities to consider management plans and strategies prepared under other Acts.

A number of other non-statutory strategies and policies, produced by GWRC and KCDC have been considered in preparing the PPC. These are:

- > Wellington Regional Housing and Business Assessment (HBA) 2023
- > Te Tupu Pai - Growing Well 2022
- > Infrastructure Strategy 2024 - 2045
- > Housing Strategy 2022
- > Climate Emergency Action Framework 2021

6.7.1 Wellington Regional Housing and Business Assessment (HBA) 2023

The Wellington Regional Housing and Business Assessment (“**HBA**”) 2023 assesses the development capacity available to meet future housing and business demand. This HBA covers councils that are part of the Wellington urban environment and those forming part of the Wairarapa–Wellington–Horowhenua area. The HBA informs the KCDC Long-term Plan 2024–34 and a Future Development Strategy for the Wairarapa–Wellington–Horowhenua region.

This Strategy identifies that the strongest demand for housing in the Kāpiti Coast District continues to be centred in Waikanae and Paraparaumu. Their share of growth has fallen slightly from the 2021 projections but still makes up nearly two thirds of all projected growth, with 28% and 27% respectively.

The PPC would facilitate additional housing supply in Waikanae, directing supply where the demand is highest.

6.7.2 Te Tupu Pai - Growing Well 2022

As a Teir 1 Council, the NPS-UD required KCDC to prepare the District Growth Strategy Te Tupu Pai – Growing Well. In February 2022, Council adopted the strategy, which provides an outline for managing how and where the district grows over the next 30 years and details how the Kāpiti Coast District sees itself growing to meet the requirements of the NPS-UD and as part of regional growth under the Wellington Regional Growth Framework (“**WRGF**”).

The key principles that underpin the growth strategy include:

- > Supporting mana whenua aspirations;
- > Valuing our environment;
- > Fostering strong communities;
- > Encouraging low-carbon living;
- > Embracing the opportunities of growth;
- > Enabling choice.

Growing Well encourages ‘growing up’ and ‘growing out’. There is an emphasis on intensification of existing urban areas and opening up some greenfields progressively over time, with greenfield development also being denser and more connected into public transport. It is acknowledged that the PPC site isn’t identified for future residential development in the Growing Well strategy.

Growing Well was supported by the Kāpiti Coast Urban Development Greenfield Assessment 2021, prepared by Boffa Miskell. This document did identify the subject site at 100 and 110 Te



Moana Road as an area with ‘potential for medium or long-term urban development’, however noted that there were ‘several constraints to overcome that may require significant strategic decision-making’. It is assumed that the site was not identified for greenfield growth due those constraints.

This PPC incorporates technical reports which support the rezoning of this site, and address all constraints identified in the Greenfield Assessment 2021 through mitigation measures.

The location of the land lies adjacent to the General Residential Zone and as such is well connected to existing urban areas and public transport links. The site will integrate into the community and encourage low-carbon living as a result of this location. The PPC embraces the opportunity for growth while enabling housing choice, with a range of densities envisioned. The environmental values within the site are retained and protected. Mana whenua aspirations and values have been front and centre of the PPC, with consultation commencing early and throughout the preparation of the PPC.

For these reasons the site is considered a suitable candidate for urban development and can contribute to achieving the vision of Te Tupu Pai – Growing Well 2022.

6.7.3 Infrastructure Strategy 2024-2054

The Infrastructure Strategy sets out the Council’s approach to managing the district’s core infrastructure over the next 30 years. For this Strategy, core infrastructure includes access and transport (roads and footpaths), drinking water, wastewater, stormwater, and coastal protection.

The key issues for the management of Council assets in the long term include:

1. Maintaining existing assets;
2. Supporting growth and development;
3. Natural hazards, many of which are predicted to increase in frequency and intensity;
4. The changing legislative and regulatory context; and
5. Deliverability of the planned capital work programme.

The site of this PPC is adjacent to the existing General Residential Zone and opposite the Ngarara Development Area, where infrastructure is in place. While there are known capacity issues relating to wastewater, the Infrastructure Report (Appendix 5) has suggested appropriate on-site solutions to this.

Given the location of the site and its proximity to services, there is no requirement for extension of networks to cater for this future residential development. Onsite stormwater detention and water sensitive urban design is an expectation and requirement for future development of the



site and the site is large enough to accommodate this. Private wastewater pump station/s would likely be needed at the time of development to ensure appropriate connection to the reticulated wastewater system. Provision for this would form part of any future resource consent application.

Natural hazards and resilience to climate change have been considered through the mitigation measures proposed for on-site flood hazards (refer to Appendix 9).

For these reasons, it is considered that the PPC and any future residential development of this site aligns with the Infrastructure Strategy.

6.7.4 Housing Strategy 2022

In May 2022, Council adopted the Kāpiti Coast District Council Housing Strategy 2022. This document outlines the Council's current thinking about housing in the Kāpiti area.

The Vision of the Housing Strategy is set out in section 3.1:

'In line with the direction of the Long-term Plan, this strategy sets a vision of all Kāpiti residents having access to suitable housing in Kāpiti so that they can live and thrive. Inherent in this is the wider goal of wellbeing, which requires quality, affordable housing as a foundation. This vision relates to a broad spectrum of housing tenures, including home ownership, rental and 'in-between' options. Improving housing outcomes throughout the housing ecosystem is essential for this vision to be achieved.'

The PPC aligns with the vision and objectives of the Housing Strategy in that it would provide for healthy and affordable homes for Kāpiti residents, that are well connected, resilient, environmentally sustainable, safe and inclusive. It will provide the potential for higher density housing options along with low density housing options.

6.7.5 Sustainable Transport Strategy 2022

The Sustainable Transport Strategy 2022 aims to enhance community connectedness via the development of a well-planned transport system that supports the reliable, efficient and safe movement of people and goods. The Strategy anticipates that improvements in the integration of development with the transport network will improve overall accessibility and reduce pressure on transport networks.

The subject site of this PPC supports these goals in the following ways:

- > The site is in walking proximity to bus stops (the closest being adjacent to Fairway Oaks Drive) which link the site to the nearby Waikanae Railway Station, providing connection into Wellington City.
- > The site is in close proximity to the M2PP expressway full interchange on Te Moana Road, allowing for access by car or bike (on the adjoining cycleway) to the north and south.



The location of the PPC provides for existing sustainable transport options to be utilised and is considered consistent with the vision and outcomes of this strategy.

6.7.6 Climate Emergency Action Framework 2021

The vision at the heart of the Climate Emergency Action Framework is a thriving, vibrant and strong Kāpiti that has reduced its carbon footprint significantly, transitioned to a low-carbon future, and prepared for challenges and opportunities that come from responding to the climate crisis.

The PPC remains consistent with this framework given that it is in proximity to public transport systems (as discussed in Section 5.7.5) and can appropriately mitigate the risk of flooding, with climate change considered through any modelling and mitigation measures proposed.

6.7.7 Iwi Management Plans

The site of this PPC falls within the rohe of Te Āti Awa ki Whakarongotai. Therefore, the documents relevant to this plan change include:

- > Nga Korero Kaupapa mo Te Taiao: Policy Statement Manual for Kapakapanui: Te Runanga O Āti Awa ki Whakarongotai Inc;
- > 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;
- > Whakarongotai o te moana Whakarongotai o te wā – Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai. 2019.

Nga Korero Kaupapa o 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 Āti Awa ki Whakarongotai Inc with respect to the following topics:

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

Te Haerenga Whakamua

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



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

This PPC is considered to be consistent with the principles of this document. A letter of support for the PPC is provided in Appendix 11.

Whakarongotai o te moana Whakarongotai o te wā

The purpose of this plan is to identify the key values, objectives and policies of Te Ātiawa ki Whakarongotai that guide their kaitiakitanga as mana whenua. The document was lodged with the Council to be considered when district plans are prepared or changed.

Under section 3.3, Wairua: nga Tikanga, the plan states that “access to places that are good for the wairua are protected and provided for. That includes both those that provide solace and serenity, and those that support mahinga kia, or other types of recreation.

The PPC is considered to be consistent with the principles of this document, including by retaining protection for Osborne’s Swamp. A letter of support for the PCC is provided in Appendix 11.

6.8 DISTRICT PLANS IN THE WELLINGTON REGION

Section 74(2)(c) of the RMA requires territorial authorities to consider the extent to which a Plan Change needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

The PPC involves an area of land that is located well within the boundaries of the Kāpiti Coast District. It will have no effect on the operative plans or proposed plans of any adjacent territorial authorities and as such, will not be inconsistent with them.

6.9 KĀPITI COAST DISTRICT PLAN – RELEVANT OBJECTIVES AND POLICIES

This section reviews the current objectives and policies of the District Plan and explores whether these are sufficient to provide the required level of policy support to the PPC, and whether the PPC will be consistent with those provisions without necessitating the need for additional specific policies. These include the following chapters:

- > Strategic Direction
- > General Residential Zone
- > Hazards and Risks
- > Historic Heritage



- > Infrastructure
- > Transport
- > Ecosystems and Indigenous Biodiversity
- > Earthworks
- > Coastal Environment

6.9.1 Strategic Direction – Part 2 of the District Plan

Part 2 of the District Plan identifies the Strategic Direction objectives and policies which the District Plan seeks to achieve. The following strategic direction objectives that are considered to be relevant to the PPC are as follows:

DO-O1 – Tangata Whenua

To work in partnership with the tangata 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).

Consultation has been undertaken with mana whenua as part of this PPC process. A letter in support of the PPC is provided in Appendix 11.

DO-O2 Ecology and Biodiversity

To improve indigenous biological diversity and ecological resilience through:

- 1. Protecting areas of significant indigenous vegetation, and significant habitats of indigenous fauna;***
- 2. Encouraging restoration of the ecological integrity of indigenous ecosystems;***
- 3. Enhancing the health of terrestrial and aquatic ecosystems; and***
- 4. Enhancing the mauri of waterbodies.***

The ecological values on the site have been assessed by an ecologist. The 'Osborne's Swamp' (being Ecological Site K068 in Schedule 1 of the District Plan) will continue to be protected by QEII covenant in perpetuity. The provisions of the NES-FW will further protect this natural inland wetland on the site through the required setbacks. The rules and standards within the District Plan and NRP (particularly around vegetation disturbance and earthworks) will be applicable at the time of future development of the site. Resource consent will be sought in any instance where the permitted standards of these regulations are breached.



DO-O3 Development Management

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

1. *Urban areas which maximise the efficient end use of energy and integration with infrastructure;*
2. *A variety of living and working areas in a manner which reinforces the function and vitality of centres;*
3. *An urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:*
 - a) *that are in or near a Centre Zone or other area with many employment opportunities; or*
 - b) *that are well serviced by existing or planned public or active transport; or*
 - c) *where there is high demand for housing or for business land relative to other areas within the urban environment;*

While accommodating identified qualifying matters that constrain development;

4. *Resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;*
5. *Higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;*
6. *Management of development in areas of special character or amenity in a manner that has regard to those special values;*
7. *Sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;*
8. *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;*
9. *Management of the location and effects of potentially incompatible land uses including any interface between such uses; and*
10. *Urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.*

While the PPC site hasn't been identified as a growth area in a statutory document, it does provide for a new urban area that can be efficiently serviced and integrated with the existing



Waikanae township in a manner that achieves general consistency with the matters listed in this objective.

DO-O12 - Housing Choice and Affordability

To meet diverse community needs by increasing the amount of housing that:

- 1. 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;***
- 2. Is affordable and adequate for lower income households; and***
- 3. Can respond to the changing needs of residents, regardless of age, mobility, health or lifestyle preference;***

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.

The PPC would offer a site where a variety of housing densities could be provided. Those within the lower lying areas of the site would provide a generally flat site near public transport linkages to community amenities, which would align well with residents, regardless of age, mobility, health or lifestyle preferences.

The PPC site can remain compatible with the goals of sustainability in that it is located in proximity to existing services and where necessary can provide on-site services.

The future development of the site would achieve amenity of living environments through implementation of the Residential Design Guide provided in Appendix 24 of the KCDC District Plan.

DO-O20 – Well Functioning Urban Environments

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety now and into the future.

The PPC provides for additional residential land in an area contiguous to existing urban development and reticulated services and which is accessible to both public transport and the regional road network, which would allow for future residents to meet their social, economic and cultural well-being.

DO-O19 – Housing Bottom Lines

To achieve sufficient development capacity as required by the National Policy Statement on Urban Development 2020 by meeting housing bottom lines of:

- 1. 5,477 additional residential units over the short-medium term (2021–2031); and***
- 2. 8,411 additional residential units over the long term (2031-2051).***



The PPC will help achieve KCDC's Housing Bottom Lines by providing suitable land for residential development with the potential provision of 40-45 residential sites.

UFD – P1

New urban development for residential activities will only be located within existing urban areas, identified growth areas, and areas that can be efficiently serviced and integrated with existing urban areas, and will be undertaken in a manner which:

- 1. Supports the District's consolidated urban form;***
- 2. Maintains the integrity of the urban edge north of Waikanae and Ōtaki;***
- 3. Manages residential densities by:***
 - a) providing for a variety of housing types and densities in the residential zones;***
 - b) enabling increased housing densities:***
 - i. in, and within a walkable catchment of the Metropolitan Centre Zone;***
 - ii. within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and***
 - iii. in and adjacent to the Town Centre Zone and Local Centre Zone;***

while accommodating identified qualifying matters that constrain development;

- 4. Avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements;***
- 5. Can be sustained within and makes efficient use of existing capacity of public services and infrastructure (including additional infrastructure), or is integrated with the planned capacity of public services and infrastructure and the likely availability of additional infrastructure;***
- 6. Promotes the efficient use of energy and water;***
- 7. Manages reverse sensitivity effects on existing lawfully established non-residential activities.***

The Greenfields Study which informed Council's 'Growing Well' strategy, identified the site as having potential for future residential growth, if constraints could be overcome. This PPC has included technical reports that demonstrate that all identified constraints can be overcome, and ecologically significant areas will be appropriately protected.

The PPC also aligns with the NPS-UD as it provides an opportunity for additional residential development, catering to a range of housing options and densities, in an area that is appropriate for such land use. This site is located next to an established residential area that is serviced by existing infrastructure and social, recreational and cultural facilities currently.



Te Moana Road will be able to accommodate any additional traffic flow which could result from a future subdivision and development of this site. The future provision of all required infrastructure to the site has been considered in Appendix 5 and the site is large enough to enable the provision of suitable infrastructure solutions in accordance with relevant standards. The development can integrate with the planned capacity upgrades to public services and infrastructure as discussed further in Appendix 5. Overall, it is considered that the PPC will enable a residential development to be formed that can be efficiently serviced and integrated with the existing Waikanae township, creating a consolidated urban form.

A landscape and visual assessment has been completed (refer to Appendix 8) and it is considered that the distinctiveness of the existing settlements and unique character values in the rural environment are not compromised by this PPC. In particular, the dune landscapes are largely protected by earthwork standards and the existing settlements that adjoin the site include residential developments.

Given these factors, it is considered that general consistency is achieved with the matters identified in UFD-P1, notwithstanding that the site is not in an identified growth area.

DO-O4 – Coastal Environment

To have a coastal environment where:

- 1. Areas of outstanding natural character and high natural character, outstanding natural features and landscapes, areas of significant indigenous vegetation, and significant habitats of indigenous fauna are identified and protected;***
- 2. Areas of outstanding natural character and high natural character are restored where degraded;***
- 3. The effects of inappropriate subdivision, use and development are avoided, remedied, or mitigated;***
- 4. Public access to and along the coast to facilitate active and passive recreational use is maintained and enhanced while managing inappropriate vehicle access; and***
- 5. Inappropriate development does not result in further loss of coastal dunes in the area mapped as the coastal environment.***

The site is not within an area identified for outstanding or high natural character. The site is well setback from the coastline (by approximately 1km) and does not impact on public access to the coast. Any subdivision and earthworks within the site will be subject to resource consent where the coastal dunes will be appropriately protected by way of compliance with relevant earthwork rules primarily, which would limit the extent of cut.



DO-O5 - Natural Hazards

To ensure the safety and resilience of people and communities by avoiding exposure to increased levels of risk from natural hazards, while recognising the importance of natural processes and systems.

NH-P3 - Managing Activities in Natural Hazard Prone Areas

In areas identified on the District Plan Maps, new subdivision, use and development will be managed in a way that avoids increasing risks from natural hazards.

Subdivision, use and development will be allowed only where it can be shown that any potential increase in risk exposure on or beyond the land itself has been avoided, remedied or mitigated.

The geotechnical report (Appendix 7) confirms that the site is suitable for residential development subject to engineering considerations. The flooding report (Appendix 9) has confirmed that any potential risks can be mitigated by various on-site measures that would be implemented under future resource consent applications.

DO-O6 – Rural Productivity

To sustain the productive potential of land in the District, including:

- 1. Retaining land which is suitable for a range of primary production activities;*
- 2. Achieving added economic and social value derived from primary production activities through ancillary on-site processing and marketing;*
- 3. Enabling activities that utilise the productive potential of the land in the rural environment;*
- 4. Reducing conflict between land uses in the rural environment and adjoining areas; and*
- 5. Avoiding, remedying or mitigating adverse effects on the efficient operation of existing primary production activities from sensitive activities establishing on adjoining subject sites;*

while safeguarding the life-supporting capacity of air, water, soil, and ecosystems by avoiding, remedying or mitigating adverse effects on the environment.

The areas of ‘highly productive land’ currently identified on the site are not suitable for primary production activities for the reasons set out in Appendix 10.

Reverse sensitivity effects of future residential development on the PPC site have been considered in Section 4.12. Reverse sensitivity effects on primary production activities are unlikely to arise due to the non-intensive nature of adjoining rural land uses and can otherwise be suitably managed.



DO-07 – Historic Heritage

To protect historic heritage in the District for the social, cultural and economic wellbeing of the Kāpiti Coast community and future generations, including:

- 1. Supporting the contribution of historic heritage features and their values to the identity, character and amenity of places and landscapes;***
- 2. Recognising and protecting tangata whenua historic heritage, including Waahi Tapu and Other Places and Areas Significant to Māori; and***
- 3. Providing for appropriate use and development of natural and physical resources with historic heritage values, while ensuring any adverse environmental effects are avoided, remedied or mitigated.***

An archaeological assessment has been carried out by Heritage Solutions. The site is considered suitable for the PPC, in relation to any potential effects on archaeology. An archaeological authority will be needed prior to earthworks on this site and the Applicant will ensure this authority is sought.

Mana whenua have been consulted from the outset of the PPC preparation. Mana whenua do not consider a cultural assessment necessary on this site, given that it does not impact the Waahi Tapu and instead were comfortable to provide a letter of support for the PPC (provided in Appendix 11).

DO-O11 - Character and Amenity Values

To recognise the unique character and amenity values of the District's distinct communities, while providing for character and amenity values to develop and change over time in response to the diverse and changing needs of people, communities and future generations, resulting in:

- 1. Residential areas characterised by the presence of mature vegetation, a variety of built forms and building densities, the retention of landforms, and the recognition of unique community identities;***
- 2. Vibrant, lively metropolitan and town centres supported by higher density residential and mixed use areas;***
- 3. Local centres, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;***
- 4. Productive rural areas, characterised by openness, natural landforms, areas and corridors of indigenous vegetation, and primary production activities; and***
- 5. 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.***



UFD-P3 – Managing Intensification

The effects of residential intensification on character and amenity values will be assessed where provided for in the District Plan, while recognising that character and amenity values may develop and change over time in response to the diverse and changing needs of people, communities and future generations.

An assessment of character and amenity values and the impact this PPC may have on them has been provided in the landscape and visual report provided in Appendix 8. The findings of this report indicate that the future residential development of this site would be in keeping with the existing residential character of the adjoining and adjacent residential sites. The anticipated landscape effects of the PPC are considered low. There is potential to reduce the adverse effects on natural character to very low by retaining the overall legibility of dune forms.

DO-O13 - Infrastructure

To recognise the importance and national, regional and local benefits of infrastructure and ensure the efficient development, maintenance and operation of an adequate level of social and physical infrastructure and services throughout the District that:

- 1. Meets the needs of the community and the region; and***
- 2. Builds stronger community resilience, while avoiding, remedying or mitigating adverse effects on the environment.***

The PPC will result in the need for new infrastructure connection/s in the future. The capacity of the existing infrastructure network has been considered, and consultation has been had with KCDC in this regard. The infrastructure required to service the development can be designed to suit the needs of the future residents, and the wider District. While there are constraints in wastewater capacity in this area at present, this would not prevent the future residential development of this land which can appropriately implement on-site solutions. Development of the site will more readily enable a strategic duplicate wastewater main to be installed to provide network resilience for the wastewater network. An infrastructure report has been provided (Appendix 5) and confirms that the site could be adequately serviced. As such, the PPC will be efficient and effective at achieving DO-O13.

DO-O14 – Access and Transport

To ensure that the transport system in the District:

- 1. Integrates with land use and urban form and maximises accessibility;***
- 2. Improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;***
- 3. Contributes to a strong economy;***



4. *Avoids, remedies or mitigates adverse effects on land uses;*
5. *Does not have its function and operation unreasonably compromised by other activities;*
6. *Is safe, fit for purpose, cost effective and provides good connectivity for all communities; and*
7. *Provides for the integrated movement of people, goods and services.*

The impact of the PPC on the transport network has been considered in the Transport Report provided in Appendix 6. As the potential for traffic impacts are considered low, the function and operation of transport systems are not likely to be compromised in this location. The rezoning of the land to General Residential would benefit from the existing public transport and roading systems surrounding it, including bus stops, the Waikanae Railway Station, the M2PP cycleway and the full M2PP expressway interchange.

NE-P1 - Protection

Protect areas of significant indigenous vegetation, and significant habitats of indigenous fauna (including ecological sites identified in Schedule 1, key indigenous tree species in ECO-Table 1, key indigenous trees in Schedule 2, and rare and threatened vegetation species in Schedule 3 of this Plan). Protect outstanding natural features and landscapes (identified in Schedule 4 of this Plan), geological features (identified in Schedule 6 of this Plan), and the values associated with these areas and features, from inappropriate subdivision, use and development.

NE-P5 – Active Participation

Active participation of landowners is seen as vital to the protection and enhancement of ecological sites, geological features, and the values of outstanding natural features and landscapes identified in Schedules 1, 4, and 6 of this Plan. The Council will work with landowners, recognise their stewardship and current management practices, and will promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives.

The site contains the ‘Osborne’s Swamp’ (being Ecological Site K068 in Schedule 1 of the District Plan). The potential for the PPC to impact on this area has been considered by an ecologist. The QEII covenant will remain in place with the landowners retaining this in their ownership. The NES-FW and Natural Resources Plan provide specific requirements around building and earthworks setbacks to protect waterbodies. The PPC will therefore be efficient and effective at achieving NE-P1 and NE-P5.

Summary

No changes are required to these Objectives and Policies as a result of the PPC. Overall, it is considered that the PPC will contribute to achieving these Objectives and Policies. Rezoning the site to the General Residential Zone will achieve a balance between maintaining the



amenity values and character of the local environment, while ensuring that the most appropriate development form for the site is achieved. It is considered that maintaining the status quo would not be as effective or efficient in achieving these Objectives and Policies given the suitability of the site for residential development and its constraints for land based primary production in an economic manner.

6.9.2 General Residential Zone

GRZ-P21 - Medium Density Residential Standards – Policy 2

Apply the MDRS across all relevant residential zones in the district plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga).

The site will be subject to Medium Density Residential Standards as a result of the PPC to rezone it General Residential, noting that Stage 2 is proposed to have a Deferred Residential Precinct for the interim.

GRZ-P7 - Development and Landforms

Subdivision, use and development (including associated driveways) should be sited, designed and undertaken to integrate with the natural topography and landform of the land and to minimise:

- 1. The visual impact, bulk and scale of buildings and structures on identified landscape values, ecological sites, geological features or areas of high natural character;***
- 2. The extent of cut and fill;***
- 3. The need for and the height of retaining walls; and***
- 4. The mass of buildings on sloping land, by variations in wall and roof lines and by floor plans which complement the contours of the land.***

The site is not within an area of high natural character. Earthworks for any future development would likely trigger the need for earthwork consent from both District and Regional Council and the consideration of natural topography would be taken into account within any future application. Earthwork standards (i.e. EW-R2) in the District Plan provide restrictions on the vertical alteration of land and as such, provide a suitable level of protection for dune landscapes.

GRZ-P8 - Reverse Sensitivity

New residential subdivision and development will be located away from lawfully established industrial or intensive rural activities, or areas zoned for these activities, to minimise reverse sensitivity effects.



Residential activities (excluding visitor accommodation other than temporary residential rental accommodation) located at the urban-rural interface will be undertaken in a manner which is compatible with the activities undertaken in the Rural Zones.

The site is not located near industrial or intensive rural activities. Any potential for reverse sensitivity relating to the M2PP expressway or rural land uses are considered unlikely given that boundary setbacks will be in place and that the designation extent for the M2PP expressway is wide. This issue would be considered further through the resource consenting process and the noise standards of the District Plan would apply (in particular Noise-R14).

GRZ-P9 - Residential Activities (excluding visitor accommodation other than temporary residential rental accommodation)

Residential activities will be recognised and provided for as the principal use in the Residential Zones, while ensuring that the effects of subdivision, use and development is in accordance with the following principles:

- 1. Adverse effects on natural systems will be avoided, remedied or mitigated;*
- 2. New built development will respond to the planned built character of the Zone;*
- 3. Transport choice, efficiency and accessibility to active or public transport will be maximised;*
- 4. Housing types which meet the need of households will be provided for;*
- 5. The functional and operational requirements of different types of housing are recognised; and*
- 6. Accessory buildings and buildings which are ancillary to residential activities will be provided for.*

GRZ-P10 – Residential Amenity

Subdivision, use and development in the Residential Zones will be required to achieve on-site amenity for residents and neighbours in accordance with the following principles:

- 1. Building size and footprint will be proportional to the size of the allotment;*
- 2. Usable and easily accessible private outdoor living spaces will be provided;*
- 3. Buildings and structures will be designed and located to maximise sunlight access, privacy and amenity for the site and adjoining allotments;*
- 4. Buildings and structures will be designed and located to respond to the planned built character of the Zone;*
- 5. Appropriate separation distances will be maintained between buildings;*
- 6. Yards will be provided to achieve appropriate building setbacks from neighbouring areas, the street and the coast;*



7. *Hard and impermeable surfaces will be offset by permeable areas on individual allotments;*
8. *Unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;*
9. *Non-residential buildings will be of a form and scale which is compatible with the surrounding residential environment; and*
10. *Service areas for non-residential activities will be screened, and planting and landscaping will be provided*

The majority of the Waikanae township is situated in the General Residential Zone. The proposed rezoning would allow for a development form on the application site that is consistent with the established pattern of development within this suburb, particularly that to the adjoining northern land. The existing General Residential Zone provisions will ensure that any future development undertaken as a result of this plan change is consistent with the anticipated character and amenity values of the local environment.

Summary

The PPC provides for additional residential development on the periphery of the existing urban area. Due to the close proximity of the site to existing residential land use and development, the PPC would continue to achieve a consolidated urban form environment.

6.9.3 Hazards and Risks

NH-P2 - Risk Based Approach

A risk based, all hazards approach will be taken to subdivision, land use, and development within areas subject to the following natural hazards:

- > *Flood hazards;*
- > *Earthquake hazards; and*
- > *Fire hazards.*

Hazard categories will be developed for flood and seismic hazards to guide decision making and help minimise potential harm to people and damage to property due to these hazards, while allowing appropriate use.

NH-P3 – Managing Activities in Natural Hazard Prone Areas

In areas identified on the District Plan Maps, new subdivision, use and development will be managed in a way that avoids increasing risks from natural hazards. Subdivision, use and development will be allowed only where it can be shown that any potential increase in risk exposure on or beyond the land itself has been avoided, remedied or mitigated.



NH-P4 - Precautionary Approach

A precautionary approach will be taken to the management of risks from hazards that may impact on subdivision, use and development, where there is uncertainty about the potential effects and where the effects are potentially significantly adverse.

The PPC and any future development of the site is expected to meet the above objectives and policies. Natural hazards relating to flooding have been specifically addressed through the measures outlined in the Flood Report provided in Appendix 9. Future development will remain subject to the natural hazard provisions of the District Plan.

NH-FLOOD-P11 – Flood Risk Level

A higher level of control on subdivision, use and development will be applied within river corridors, stream corridors, overflow paths and residual overflow paths areas. A generally lesser level of restriction on subdivision, use and development will be applied in ponding, residual ponding, shallow surface flow, flood storage and fill control areas.

NH-FLOOD-P12 – High Hazard Flood Areas

Development in the river corridor, stream corridor, overflow path, and residual overflow path areas will be avoided unless the 1% AEP hazard can be mitigated on-site to avoid damage to property or harm to people, and the following criteria are met:

- 1. No increase in flood flow or level on adjoining sites or other parts of the floodplain;*
- 2. No reduction in storage capacity on-site; and*
- 3. All flow corridors or overflow paths are kept clear to allow flood waters to flow freely at all times.*

NH-FLOOD-P13 - Ponding, Residual Ponding, Shallow Surface Flow, Flood Storage and Fill Control Areas.

When assessing applications for subdivision, the use or development within a ponding, residual ponding, shallow surface flow, flood storage or fill control area, shall consider the following:

- 1. The effects of the development on existing flood mitigation structures.*
- 2. The effects of the development on the flood hazard – in particular flood levels and flow.*
- 3. Whether the development redirects floodwater onto adjoining properties or other parts of the floodplain.*
- 4. Whether access to the site will adversely affect the flood hazard.*



5. *The extent to which buildings can be located on areas of the property not subject to flooding; and*
6. *Whether any subdivision or development will or may result in damage to property or harm to people.*

Policies NH-FLOOD-P11 to P13 are particularly relevant for consideration of this PPC. Awa have confirmed (within Appendix 9) that there is sufficient scope within the development of the site to ensure the post development site is consistent with these Operative District Plan policies. Importantly in terms of NH-FLOOD-P12, site earthworks can maintain the “effective functionally” of the residual overflow path through the site post development.

NH-FLOOD-P10 – Flood and Erosion Free Building Areas

All new allotments must have a flood and erosion-free building (excluding minor buildings) areas based on 1% AEP flood modelling.

Some earth working of the site, particularly within Lot 1, may be required to create flood free building areas above the 1% AEP flood hazard. This earth works to raise building platform levels can be off-set utilizing soakage or storage within crates or compensatory storage areas to ensure less than minor increases in peak flood depths in surrounding properties and no reduction in storage capacity. On that basis, the development can remain consistent with NH-FLOOD-P10.

EW-P1 – Earthworks

Earthworks activities excluding extractive industries, the removal and replacement of underground storage tanks, and earthworks defined in and regulated by the NESPF will:

1. *Be managed to protect geological features identified in Schedule 6 from disturbance; and*
2. *Be sympathetically located and of a scale that protects the values of outstanding natural features and landscapes identified in Schedule 4; and*
3. *Avoid or mitigate erosion and off-site silt and sediment runoff to the Council’s reticulated stormwater system and waterbodies; and*
4. *Be managed to ensure adverse effects on natural landforms, residential amenity values and rural character values are remedied or mitigated.*

It is noted that the site does not include geological features identified in Schedule 6 and is not identified as an outstanding natural feature or landscape in Schedule 4.

The site is subject to the general earthworks provisions that support this policy. As resource consent will likely be required from KCDC for large scale earthworks required to develop this site.



Due consideration will be given to ensuring the development remains sympathetic to the natural topography of the site, without adverse effects on residential amenity values or rural character values for the sites adjoining it.

Resource consent is also likely to be required from GWRC for large scale earthworks (over 3,000m²). During this consenting process, further consideration will be given to ensure any erosion and off-site silt, and sediment runoff will not adversely impact on the stormwater system or waterbodies.

It is therefore considered that the PPC remains consistent with the outcomes sought under the above policy of the District Plan.

6.9.4 Infrastructure

INF-GEN-P1 – Recognition

The national, regional or local importance and benefits of sustainable, secure and efficient provision of the following infrastructure will be recognised:

...

6. ***Public or community infrastructure associated with water supply, sanitation and waste facilities, the stormwater network and drainage, provided these services are developed within a water conservation framework and minimise environmental impacts.***

The infrastructure required to service the development can be designed to suit the needs of the future residents, and the wider District. Development of the Site will also more readily enable a strategic duplicate wastewater main to be installed to provide network resilience for the wastewater network.

INF-GEN-P3 - Protecting the Mauri of Natural Systems

Natural systems are recognised as taonga and will be protected from any adverse environmental effects arising from the establishment, operation, maintenance and upgrading of infrastructure that affect the mauri of these systems in accordance with local tikanga.

The design of the proposed servicing solutions will ensure the protection of natural systems, such as wetlands, by ensuring the hydrological systems are not adversely impacted by the proposed development. Ongoing consultation with mana whenua will occur during the design and consenting phase.



INF-GEN-P4 - Managing Adverse Effects

Any adverse environmental effects arising from the establishment, operation, maintenance and upgrading of infrastructure will be avoided, remedied or mitigated as far as reasonably practicable by:

- 1. Ensuring significant adverse effects are avoided, remedied or mitigated through route, subject site and method selection;*
- 2. Minimising the effects of infrastructure on the amenity values of the surrounding area and areas of outstanding or high natural character, in particular visual effects with respect to scale, and the sensitivity of the environment in which they are located;*
- 3. Considering all water bodies to be valued assets and protecting the mauri of fresh and coastal water resources;*
- 4. Where appropriate, ensuring opportunities to enhance indigenous biodiversity as part of infrastructure design are identified and implemented;*
- 5. Requiring adaptive management measures (including monitoring and remediation) where uncertainty may exist around impacts over time;*
- 6. Considering the use of offsetting measures or environmental compensation (including measures or compensation which benefit the local environment and community affected) where a 'residual effect' cannot be avoided, remedied or mitigated; and*
- 7. Ensuring the above considerations are provided to accomplish best practice at the time of application and construction.*

The detailed design during the resource consent will need to be in accordance with the LDMR which requires applicants to address any possible adverse effects in the consent application. As above, the freshwater bodies are to be protected to ensure their mauri is not diminished. Further enhancement is also possible through constructed wetlands which can treat water and also provide enhanced indigenous biodiversity outcomes. Detailed design of such wetland systems would be provided through the subdivision consent process (and / or land use consent for earthworks).

INF-GEN-P2 - Reverse Sensitivity

Reverse sensitivity effects on infrastructure from subdivision, land use and development will be avoided, as far as reasonably practicable, by ensuring that:

- 1. Infrastructure corridors are identified and effects upon those corridors from subdivision, land use and development are considered in all resource management decision-making;*
- 2. Change to existing activities does not increase their incompatibility with existing infrastructure;*



3. *The establishment of, or changes to, sensitive activities are avoided, and incompatible buildings and structures within the national grid yard and subdivision within the national grid subdivision corridor are appropriately managed, to ensure that the operation, maintenance, upgrading and development of the national grid is not compromised;*
4. *Safe separation distances are maintained near gas transmission pipelines and telecommunications facilities;*
5. *Any new planting does not prevent the operation of existing infrastructure;*
6. *All parties are aware of constraints under other regulations, including the Electricity (Hazards from Trees) Regulations 2003, NZS/AS 2885 Pipelines – Gas and Liquid Petroleum, NZS 5258:2993 Gas Distribution Network, and the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001); and*
7. *Suitable standards are in place adjacent to the transport network (including railways).*

There is a requirement for internal noise insulation standard in the KCDC District Plan (NOISE-R14) for new residential buildings greater than 40m but within 80m from the carriageway of the M2PP expressway. Any potential for reverse sensitivity relating to the M2PP expressway are considered unlikely given that the site boundaries are approximately 78m from the expressway carriageway and additional boundary setbacks will be in place.. This issue would be considered further through the resource consenting process.

INF-GEN-P7 - Infrastructure and Growth Management

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

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

The PPC will result in the need for new infrastructure connection/s in the future. The capacity of the existing infrastructure network has been considered and consultation has been had with KCDC in this regard.



While there are constraints in wastewater capacity in this area at present, this would not prevent the future residential development of this land. Any future development can appropriately implement on-site servicing solutions, if required. An infrastructure report has been provided (Appendix 5) which assesses these provisions further and confirms that the site could be adequately serviced, without placing pressure on Council infrastructure or impacting on waterbodies.

As the site is adjoining the General Residential Zone, it is able to efficiently use transport and public transport networks that exist in the immediate surrounds.

Development of the site is aligned with Council's planned infrastructure works. The site is within KDC's Development Contributions Policy maps, and as such the supply to the site has been considered in the Long-Term Plan (LTP) funding decisions.

INF-MENU-P17 - Hydraulic Neutrality Stormwater

Subdivision and development will be designed to ensure that the stormwater runoff from all new impermeable surfaces will be disposed of or stored onsite and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development situation.

The future development is proposed to be designed to be hydraulically neutral through the use of infiltration or attenuation devices.

INF-MENU-P18 – Stormwater Quantity and Quality

The adverse effects of stormwater runoff from subdivision and development, in particular cumulative effects, will be minimised. The following assessment criteria will be applied when considering resource consent applications for subdivision and development....

The design of the proposed stormwater solution will need to mimic the natural hydrology by returning water to ground as close as possible to the source, or by providing attenuation where this is not possible. The design will also consider treatment options to ensure the health of the aquatic ecosystems are maintained, and ideally enhanced.

INF-MENU-P19 – Water Demand Management

New residential development connected to the public potable water supply and reticulation network will be required to provide rainwater storage tanks, water re-use systems or other water demand management systems to supply water for toilets and all outdoor non-potable uses.

Any new residential sites will need to be of sufficient size that water demand management tanks can be provided for each new dwelling.



INF-MENU-P20 – Water Supply

All new subdivision, land use or development will have an adequate supply of water in terms of volume and quality for the anticipated end uses, including fire fighting supply. Where a new connection to the reticulated network is proposed, evidence may be required to support its viability.

Council have confirmed there is an adequate supply of water to the site currently, and that further network upgrades are planned to accommodate modelled long-term shortages. Any resource consent application will need to include a modelling report confirming the connection to the reticulated network is viable.

INF-MENU-P21 – Wastewater

Subdivision, land use and development will ensure that the treatment and disposal of wastewater will be adequate for the anticipated end uses appropriate to the location. The treatment and disposal of wastewater will be undertaken in a manner that avoids, remedies or mitigates adverse effects on the environment and maintains public health and safety. Where a new connection to the reticulated network is proposed, evidence may be required to support its viability.

The development is proposed to be connected to the Council wastewater network, to ensure it is appropriately treated at the wastewater treatment plant. On site solutions are also available.

Overall, it can be concluded that the infrastructure required to service the residential development of the site would align with the District Plan Objectives and Policies.

6.9.5 Transport

TR-P1 - Integrated Transport and Urban Form

Development and subdivision will be integrated with and consistent with the transport network hierarchy in TR-Table 7, and undertaken in a manner and at a rate to ensure:

- 1. The transport network is capable of serving the projected demand safely and efficiently;*
- 2. The location of development is appropriate, including providing for the co-location of compatible developments and land use and transport networks to reduce unnecessary travel;*
- 3. Travel time and distance to services are minimised for all modes of travel;*
- 4. Development is consistent with Council's Land Development Minimum Requirements; and*
- 5. Enhanced community connectivity is achieved, resulting in more efficient travel patterns from the community.*



TR-P2 - Sustainable Transport and Maximising Mode Choices

Development and subdivision will be integrated with a transport system that offers a wide range of travel mode choices, which connects residents to essential community services, centres and social infrastructure, through:

1. *Well-integrated and connected communities;*
2. *Development that is conducive to active modes of travel, particularly walkable communities which reduce demand for vehicular travel, particularly by private vehicle;*
3. *Land use that is integrated with the transport network;*
4. *Improved public transport services to the District;*
5. *Travel plans and transport assessments for major traffic activities as part of an application for consent for new developments;*
6. *Consistency with the Council's Land Development Minimum Requirements; and*
7. *Development that ensures adequate access and space for all modes, including pedestrians, people with mobility problems, cyclists, public transport and private car travel.*

TR-P4 - Effects of Transport on Land Use/Development

The potential adverse effects of development, operation, maintenance and upgrading of the transport network on land use and development will be avoided, remedied or mitigated by:

1. *Ensuring that new habitable buildings and future noise sensitive activities within close proximity to roads identified as a transportation noise effect route and the rail corridor as identified on the District Plan Maps are protected from the adverse effects of road traffic and rail noise;*
2. *Avoiding the significant adverse effects of earthworks associated with the transport network;*
3. *Ensuring that development of the transport network will....*

TR-P5 - Effects of Land use on Transport

The potential adverse effects on the transport network from development and subdivision will be avoided, remedied or mitigated by identifying both the key existing transport routes and proposed transport routes likely to be required long term as part of the District's transport network and having regard to these when considering applications for subdivision or development.

The PPC is expected to meet the relevant objectives and policies of the Transport Chapter as assessed in Appendix 6. Any future additions and upgrades will be designed to meet the relevant standards of the District Plan. If compliance cannot be achieved the proposal will go through the appropriate consenting and assessment process.

Any future land use, subdivision and development enabled by the rezoning is not expected to have adverse effects on connectivity, accessibility or safety.

The proposed rezoning will provide for a range of transport modes given its proximity to bus stops which link to the Waikanae railway station and the close connection to the M2PP cycleway and interchange.

6.9.6 Ecosystems and Indigenous Biodiversity

ECO-P2 - Management Approach to Biodiversity Protection

Adverse effects, including cumulative effects, from subdivision, use and development on significant indigenous vegetation, and significant habitats of indigenous fauna including aquatic ecosystems will be avoided, or where it cannot be avoided, remedied or mitigated in order to maintain the values and characteristics of the significant indigenous vegetation, and significant habitats of indigenous fauna, including by:

- 1. Avoiding where practicable the modification of significant indigenous vegetation, in particular all indigenous vegetation within ecological sites;*
- 2. Managing land use activities resulting in increased sediment and contaminant levels of surface water, including storm water, to reduce the likelihood of aquatic ecosystems being detrimentally affected;*
- 3. Creating and maintaining appropriate buffers around ecological sites, key indigenous trees and rare and threatened vegetation species, significant habitats of indigenous fauna including aquatic ecosystems to ensure that wider ecological processes are considered when making decisions about applications for subdivision and land use consent;*
- 4. Preventing where practicable the introduction or spread of exotic weed species and pest animals both terrestrial and aquatic;*
- 5. Enabling pest and weed management and passive recreational activities within ecological sites including the associated construction and maintenance of tracks (where the biodiversity gains from pest control will outweigh the loss of significant indigenous vegetation from track construction) and the construction and maintenance of fences at the margins of ecological sites;*
- 6. Providing for appropriate trimming of indigenous vegetation while avoiding inappropriate trimming of significant indigenous vegetation.*
- 7. Ensuring that subdivision which creates allotments which are entirely within an ecological site or which necessitate modification of any key indigenous tree species or rare and threatened vegetation species protects the values and characteristics of those areas.*
- 8. Ensuring that subdivision which creates boundaries that cut through any ecological site, or any key indigenous tree species or rare and threatened vegetation species, protects the values and characteristics of those areas.*



ECO-P3 - Maintenance of indigenous biodiversity

Subdivision, land use and development shall be undertaken in a manner to maintain indigenous biodiversity within large areas of contiguous indigenous vegetation and riparian and coastal vegetation.

ECO-P4 - Enhancement

Where a subdivision or development is undertaken on land containing rare and threatened vegetation species, or an ecological site, enhancement of the ecological site or rare and threatened vegetation species will be encouraged.

ECO-P5 - Tangata Whenua

To enable tangata whenua to maintain and enhance their traditional relationship with the natural environment, while:

- 1. Supporting the enhancement of the mauri of aquatic environments; and*
- 2. Having particular regard to the exercise of kaitiakitanga by tangata whenua in the management of the District's resources.*

As discussed in the Ecological Report (Appendix 4). The ecological site known as Osborne's Swamp is considered to include a 'natural inland wetland'. The provisions of the existing District Plan, in combination with the Regional Plan, NES-FW and QEII covenant will provide for appropriate ongoing environmental protection of this wetland. Stormwater infrastructure and flood mitigation measures can be achieved with limited impact on the function of the wetland. Mana whenua have been consulted and have considered the Ecological Report that supports this PPC.

6.9.7 Coastal Environment

CE-P1 - Coastal Environment Characteristics

Recognise the extent and characteristics of the coastal environment including:

- 1. Areas or landforms dominated by coastal vegetation or habitat of indigenous coastal species;*
- 2. Landform affected by active coastal processes, excluding tsunamii;*
- 3. Elements or features, including coastal escarpments, that contribute to the natural character, landscape, visual quality or amenity value of the coast; and*
- 4. Sites, structures, places or areas of historic heritage value adjacent to, or connected with, the coast, which derive their heritage value from a coastal location.*



CE-P3 - Preservation of Natural Character

Preserve natural character in the coastal environment, and protect it from inappropriate subdivision, use and development, including by:

1. *Avoiding adverse effects of activities on natural character in areas of outstanding natural character;*
2. *Avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects of activities on natural character in all other areas of the coastal environment;*
3. *Reinstating dunes which function as natural buffers where practicable;*
4. *Providing managed public access ways to the beach and foreshore and limiting damage to dunes from unmanaged access;*
5. *Regulating encroachment of permanent structures and private uses onto the beach or public land;*
6. *Removing existing unnecessary structures and associated waste materials from the beach; and*
7. *Retaining a natural beach and foreshore including a dry sand beach where practicable.*

CE-P7 - Natural Dunes

Natural dune systems will be protected and enhanced (including through restoration) and natural dune function will be enabled where practicable.

The site is located approximately 1km from the coastline. However, the site is located in the Coastal Environment overlay and contains dunes. The site is not within an area of outstanding natural character however the dunes do form part of the natural character of the site. The existing earthwork provisions of the District Plan will be retained to limit the alteration made to the dune landscapes during site preparation and development. Where resource consent is sought for earthworks, these policies will support the preservation of dunes. No alteration is proposed to these existing policies as part of this PPC.

6.10 SUMMARY

The current objectives and policies of the District Plan provide the required level of policy support to the PPC. As such no changes are required or requested to them. The potential effects of the PPC have been considered against the existing provisions of the District Plan. Any future residential development of this land is likely to remain consistent with them.



7. SCALE AND SIGNIFICANCE

Under s32(1)(c) of the RMA, this evaluation report needs to:

*contain 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 the proposal (**emphasis added**).*

Having regard to the relevant District Plan objectives and the relevant provisions of the higher order documents, strategies, and other related documents discussed within this report, this section evaluates the scale and significance of the effects of the Plan Change in accordance with key criteria within section 6.1 below.

7.1 ASSESSMENT OF SCALE AND SIGNIFICANCE

7.1.1 Reason for the change

The PPC seeks to rezone the site from General Rural to General Residential Zone (noting that part of the site will be in a Deferred Residential Precinct until it is no longer deemed to be ‘highly productive land’ under the NPS-HPL). The rezoning would:

- > Would provide an appropriate site for additional greenfield residential growth and options for a range of residential densities.
- > Be consistent with the surrounding and adjoining urban areas
- > Contribute to Council’s obligations under the NPS-UD
- > Be consistent with the relevant provisions of the RPS
- > Align with the intentions of Council’s Urban Growth Strategy

The scale and significance of the reasons for the change are considered to be low.

7.1.2 Resource Management Issues/Problem Definition

Housing supply is a key resource management issue for the district. In this regard, Objective DO-O19 of the District Plan states the requirement to:

“To achieve sufficient development capacity as required by the National Policy Statement on Urban Development 2020 by meeting housing bottom lines of:

- > 5,477 additional residential units over the short-medium term (2021–2031); and
- > 8,411 additional residential units over the long term (2031–2051).”

The population of the district is projected to grow by approximately 32,000 people by 2051. The Council’s Housing and Business Development Capacity Assessment (HBA) has identified that this would create demand for 16,185 new dwellings over the same period.



The HBA also identifies that approximately 43% of this demand will be for “joined” dwelling types (that is, terraced housing and apartments).

The PPC would introduce approximately 40-45 residential sites (with up to three residential dwellings permitted per site, subject to compliance with relevant District Plan standards).

While the site has not been included within the KCDC Growth Plan, rezoning of the site would still serve to better provide for the projected housing demand offering a variety of housing options to the community.

The scale and significance of the PPC on the resource management issue/problem definition is considered low.

7.1.3 Degree of Shift from the Status Quo

The proposed General Residential zoning is considered to be the most appropriate zoning to provide for the efficient use of the land and the realisation of future development potential. The site is small in size (being only 5.5ha), with a large ecological feature and does not lend itself to productive rural uses.

The proposed zoning would be consistent with the zoning of properties in the immediate adjoining environment, which have a similar development form and topography to the plan change site.

The scale and significance of the shift from the status quo is considered to be low.

7.1.4 Who and How Many Will be Affected/Geographical Scale of Effects

The site has not been identified as containing or being part of any outstanding natural features and landscapes or special amenity landscapes. The landscape and visual effects are limited to those residents in close proximity and are in keeping with the surrounding environment to the north and east of the site.

The scale and significance of the geographical scale of effects is considered to be low.

7.1.5 Degree of Impact on or Interest from Iwi/Māori

It is acknowledged that the site adjoins a Waahi Tapu area as identified in the District Plan, with the Urupa located further to the south. Consultation has taken place with mana whenua to ensure that their interests and values are not compromised by this PPC. A letter of support is provided in Appendix 11.

The scale and significance of impact on or interest from mana whenua is therefore considered to be low.

7.1.6 Timing and Duration of Effects

The effects from the PPC will be ongoing from the time the rezoning becomes operative as is the case with any rezoning of land. While any construction effects associated with the future development of the site would be temporary, the subdivision and development facilitated by the plan change and any resulting effects would be ongoing.

The scale and significance of the timing and duration effects (during construction) of the PPC are considered low.

7.1.7 Type of Effects

The PPC has the potential to result in a number of different effects (assessed through Section 4 of this report). These are well understood and sufficiently addressed by the existing district plan provisions.

The scale and significance of the type of effects are considered to be low.

7.1.8 Degree of Risk and Uncertainty

The proposed zoning and potential resulting development form are well understood in the District and already apply to directly adjoining sites. As such the scale and significance resulting from the degree of risk and uncertainty is considered low.

7.1.9 Overall Assessment of Scale and Significance

Overall, the scale and significance of the PPC is low. Consequently, this evaluation report requires a comparatively lesser level of detail and analysis related to the evaluation of the plan change proposal.

7.2 QUANTIFICATION

Section 32(2)(b) requires that, if practicable, the benefits and costs of a proposal are quantified. Given the assessment of the scale and significance of the proposal above, it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes, relative to the scale and significance of the plan change.

Therefore, while costs and benefits have been considered in evaluating different options, an exact quantification of benefits and costs, which would require the input of an economics expert, was not considered necessary, beneficial or practicable. Rather, this report identifies where there may be additional costs or cost savings at a general level.



8. RESEARCH AND CONSULTATION

8.1 RESEARCH

In preparation for this evaluation, the current District Plan has been reviewed and technical advice from external experts has been commissioned, as appended.

8.2 CONSULTATION

In preparing the proposed Plan Change, pre-notification consultation has been undertaken with the following parties in accordance with Clause 3 and 4A of Schedule 1 of the RMA:

- > Te Ati Awa ki Whakorongotai (including the Takamore Trust)
- > Waka Kotahi/New Zealand Transport Agency
- > Greater Wellington Regional Council
- > Kāpiti Coast District Council
- > QEII National Trust
- > Adjoining landowners
- > Electra
- > Chorus

8.3 KĀPITI COAST DISTRICT COUNCIL (KCDC)

A number of meetings have been held with planning personnel from KCDC prior to, and as part of, the preparation of this PPC application.

The Draft PPC (including the various appended technical assessments) have been provided to KCDC in early December 2024, for review and feedback on prior to final lodgement. All comments were collated and summarised as set out below.

8.4 WAKA KOTAHİ/NEW ZEALAND TRANSPORT AGENCY (NZTA)

A Principal Planner from Waka Kotahi was consulted in August 2024. The response outlined that they would be particularly interested in the Traffic Impact Assessment Report, Infrastructure Report and Flood Assessment Report when making formal comments post lodgement. In regard to the designation over part of the site, Waka Kotahi notes that the roll back of the designation is a process that may not happen for some time. Should the designated area be developed for a purpose other than the designation, Waka Kotahi's approval would be sought as part of the resource consent process.



8.5 GREATER WELLINGTON REGIONAL COUNCIL

A meeting was undertaken with representatives of GWRC from the flood protection, consenting and policy team as part of the preparation of the PPC application in October 2024. This has included discussions in relation to aspects of the proposal of particular interest, including flooding, stormwater, ecology and highly productive land which have fed into the technical reports provided. The discussions concluded that any specific mitigation measures required around flooding, stormwater management and ecology will be addressed through the resource consent process, should the PPC be approved.

GWRC were offered an opportunity to review draft PPC on the 13th of January 2025, however, have stated that KCDC will notify them once the PPC is lodged. GWRC have stated that they are happy to undertake a pre-application meeting prior to any future resource consent application.

8.6 TE ATI AWA KI WHAKORONGOTAI

Leading up to, and as part of the preparation of the PPC, a site visit and hui has been held with Liam McAuliffe, being the Kairuruku Taiaio for Ātiawa ki Whakarongotai Charitable Trust. A summary of the PPC and drafts of various relevant technical assessments (including the Archaeological Report and Ecological Report) were provided to inform the Trust.

A hui was held on the 7th of October where the PPC was discussed. This hui did not include the applicant or applicant's representatives. A letter has been provided from Te Atiawa ki Whakarongotai and Takamore Trust, dated 17 October 2024 (refer to Appendix 11) outlining that the Trust is not in opposition to the PPC.

Ongoing engagement will occur with the Trust through this PPC process and any future resource consenting process.

8.7 QEII NATIONAL TRUST

The QEII National Trust were consulted on the 30th of October 2024 by email. Their response outlined that they are amenable to the PPC. They highlighted the matters which should be considered further through the future subdivision and development of the site in regard to the QEII covenant over Osborne's Swamp.

8.8 ADJOINING LANDOWNERS

Consultation has been undertaken with directly adjoining neighbours to the site as identified in blue on Figure 13. The remaining adjoining land is largely Crown owned as M2PP Expressway Designation (refer to Appendix 14).





Figure 17: Location of directly adjoining properties who received a letter regarding the PPC

Letters were sent to landowners located on adjoining sites (refer to Appendix 12 for a copy of this letter) in December 2024. The letter provided a summary of the PPC and the concept plan and invited property owners to have one on one discussions with the Applicant where they could find out more information and express their views directly.

Follow up discussions were held with some parties on a range of matters as summarised in Table 3 below.

Table 5: Summary of Adjoining Landowner Feedback

Landowner Name	Contact Date	Property Address	Feedback
Stu Tatforth	15 January 2025	2 Fairway Oaks Drive	Raised concern about the effects of water diversion over low lying properties along Fairway Oaks Drive.
Martin Cavanagh	27 December 2024	22 Fairway Oaks Drive	Interested to hear the plans and stay in the loop moving forward.

Landowner Name	Contact Date	Property Address	Feedback
Jill Bond	22 December 2024	6 Fairway Oaks Drive	Ensuring that the Applicants are going through the correct channels. Ensuring that ecologically and culturally correct process are being followed. Expressed that they wanted to be kept in the loop moving forward.

8.8.1 Electra

Electra have assessed the local power network capacity and has confirmed that the network has capacity to service the future lots (3 dwellings per lot) and can be extended within the site, via the road corridors (refer to Appendix 5 for email exchange with Cuttriss).

8.8.2 Chorus

Chorus have assessed the local telecommunication network and confirmed 100 - 110 Te Moana Road falls within the Chorus UFB area. The network has capacity to service the future lots (3 dwellings per lot) and can be extended within the site, via the road corridors (refer to Appendix 5 for email exchange with Cuttriss).



9. EVALUATION OF ZONING OPTIONS

Section 32(1)(b)(i) of the RMA, requires this report to identify “other reasonably practicable options” to promote sustainable management, including retaining the status quo, non-regulatory methods, and plan changes.

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Quantifying costs and benefits would add significant time and cost to the s32 evaluation. Given the relatively low scale and significance of this site specific PPC, exact quantification of the benefits and costs is not considered necessary to distinguish between the available options.

During the preparation of this PPC, the following range of zoning options were considered and assessed:

- Option 1:** Do nothing (i.e. maintaining the status quo and applying for non-complying resource consent for residential development within the General Rural Zone).
- Option 2:** Wait for the next review of the District Plan and make a submission to it seeking the residential rezoning.
- Option 3:** Rezoning the land to General Residential Zone as Stage 1 and Stage 2. Stage 2 would include a ‘Deferred Residential Precinct’ (i.e. an alternative to the preferred option).
- Option 4:** Rezoning the land (including Stage 1 and 2) to General Residential Zone (the preferred option).

Each option is discussed in the sections below.

9.1 OPTION 1 – RETAIN THE STATUS QUO

This option involves retaining the existing General Rural Zone and progressing residential subdivision and development via non-complying resource consent.

9.1.1 Opportunities for Economic Growth and Employment

The potential for economic growth is limited to what is allowed for under the District Plan for the site (requiring a minimum subdivision lot size of 4,000m² and an average Lot size of 4ha within Rural Zone) or via a non-complying resource consent application.

9.1.2 Benefits

There would be no costs associated with a plan change process, albeit that there would still be costs associated with a non-complying resource consent application.



9.1.3 Costs

Subdivision and development of this site to create a yield of 40 to 45 sites under the current zoning would represent a significant non-compliance. There would be a high degree of uncertainty and cost associated with any further intensification of the site as this would be assessed against the existing objectives, policies and rules pertaining to the General Rural Zone.

Retaining the current zoning is unlikely to result in the land being used for land based primary production due to the relatively small sizes of the two titles and the generally inferior land quality, as evidenced by the LandVision assessment, and the current use, or lack of primary production use of the site.

9.1.4 Risk of Acting or Not Acting

With not acting the site retains the General Rural zoning that is not considered to be the most appropriate to meet the purpose of the RMA. Not acting would also forego a prime opportunity to ensure efficient and effective zoning to meet the objectives expressed in the Growing Well strategy and give effect to the NPS-UD.

If a future developer tried to undertake a 40-45 site subdivision and land use development of the site, it would be subject to an assessment against the existing objective, policies and rules for the General Rural Zone and would face significant risk as to whether the development could be supported through the resource consent process.

9.1.5 Efficiency and Effectiveness

The efficiency of this option is considered low. While some short term costs for the plan change process may be avoided, any additional costs for future resource consent as well as the cost of lost development opportunities outweigh the benefits.

The effectiveness of this option is low because the existing zoning of the site is not considered to be the most appropriate zoning to ensure the effective and efficient use of the site. The relatively restrictive nature of the existing zone would discourage the establishment of residential development and activities on a site where such land use would be compatible with surrounding and adjoining residential areas. Further to this, as evidenced by the current land use and the Land Vision assessment, the site is unlikely to be used effectively for land based primary production purposes in a manner consistent with the current zoning.

9.1.6 Overall Assessment of Option 1

This option is not recommended because it does not realise the development potential of the site and the potential costs outweigh the benefits. The existing zoning of the site does not appropriately reflect the constraints and attributes of the site and would result in the site being



under utilised. As such, retaining the status quo is considered to not meet the sustainable management purpose of the RMA.

9.2 OPTION 2 – WAITING FOR THE NEXT DISTRICT PLAN REVIEW

This option involves the Applicant seeking to advance the rezoning of the site by way of a submission on a wider district plan review (or change) process. This option would be similar to the request for a private plan change option in that any submission would need to be supported by technical assessments that confirm that the rezoning of the land is suitable, and any adverse effects associated with enabling residential development on the site can be appropriately managed.

Plan Change 2 (“**PC2**”) to the Operative Kāpiti Coast District Plan 2021 (District Plan) was made Operative in September 2023 to respond to Government requirements to change the District Plan to accommodate more residents, businesses and community services in Kāpiti. As part of this Plan Change some areas of the District were rezoned to General Residential.

9.2.1 Opportunities for Economic Growth and Employment

The potential for economic growth is delayed (or potentially disregarded by a future plan review process) for an undetermined period. Development opportunity remains limited to what is allowed for under the operative District Plan for the site (requiring a minimum subdivision lot size of 4,000m² and an average Lot size of 4ha, and permitting two residential units per site within the Rural Zone) or via a non-complying resource consent application.

9.2.2 Benefits

This option would ultimately result in the realisation of many of the benefits of a private plan change process due to the integrated and holistic nature of District Plan reviews, however this is no current timeframe for when this option may be available. The benefits of a residential zone change would include the provision of housing consistent with the Growing Well Strategy and giving effect to the NPS-UD.

9.2.3 Costs

The timeframes for this option are uncertain. As the District Plan was made operative in 2021, with PC-2 being made operative more recently, it is unlikely that a full District Plan review will occur in the near future. This option would result in the undue and unpredictable delay of any potential future residential development of the site and subsequently precludes (or at least defers) the economic and social benefits to the Kāpiti District.



9.2.4 Risk of Acting or Not Acting

Under the option of not acting and waiting for a Council initiated plan change process, the site retains the General Rural zoning that is not considered to be the most appropriate to meet the purpose of the RMA. In not acting, the Council foregoes a prime opportunity to ensure efficient and effective zoning to meet the objectives expressed in the Growing Well strategy and giving effect to the NPS-UD.

9.2.5 Efficiency and Effectiveness

The efficiency of this option is considered low. While some short term costs for the plan change process may be avoided, the cost of the lost, or delayed development opportunities outweighs any benefits.

The effectiveness of this option is low because the existing zoning of the site is not considered to be the most appropriate to ensure the effective and efficient use of the site. The relatively restrictive nature of the existing zone would discourage the establishment of residential development and activities on the site that is compatible with surrounding and adjoining residential areas.

9.2.6 Overall Assessment of Option 2

This option is not recommended because it delays (or potentially disregards) the realisation of the development potential of the site and the potential opportunity costs of this outweigh any benefits. The existing zoning of the site does not appropriately reflect the constraints and attributes of the site and would result in the site being underutilised for an undetermined period of time, with no guarantee of rezoning occurring at the time of any plan review. As such, this option does not meet the sustainable management purpose of the RMA.

9.3 EVALUATION OF OPTION 3 (NEXT BEST ALTERNATIVE TO PREFERRED OPTION 4)

Option 3 is the best alternative to preferred Option 4. This option involves rezoning the entire site (including Stage 1 and 2) to General Residential Zone but adding a 'Deferred Residential Precinct' over Stage 2 (which incorporates the soils currently mapped as LUC 2) until such a time as those soils are no longer classified as 'highly productive' under the NPS-HPL, so that the PPC does not represent an 'urban rezoning' of that land in the meantime.

9.3.1 Opportunities for Economic Growth and Employment

This option provides for enhanced economic growth as it allows for the site to be developed for residential purposes in the near future. It would allow for a density of development that is consistent with the zoning of surrounding and adjoining residential sites. The additional development potential would result in opportunities for economic growth and employment

through the subdivision process and the construction of new dwellings enabled by the rezoning as well as the infrastructure required to support the residential development.

While the Deferred Residential Zone precinct would temporarily delay the economic growth opportunities within Stage 2, this is unlikely to be for an extended period. It is anticipated that by October 2025, GWRC will notify their updated maps which are expected to reflect the findings of the site-specific soil assessment provided by LandVision (Appendix 10).

9.3.2 Benefits

The rezoning of the site to General Residential would allow for increased residential development, creating 40-45 allotments (over Stages 1 & 2), which could accommodate up to three residential units each. The density of development arising from the proposal would be comparable to what could be achieved on the residential properties adjoining and adjacent to the site and across the wider Waikanae township.

There would be certainty associated with any further development of the site as this would be considered against the objectives, policies and rules pertaining to the General Residential Zone.

It would allow the Council to better meet its housing supply targets and provide alignment with the outcomes and objectives of the NPS-UD and the KCDC growth strategy – ‘Growing Well’, when compared to retaining the existing zone.

The addition of a Deferred Residential Precinct over Stage 2 would allow for consistency to be achieved with the relevant objectives and policies of the NPS-HPL and the National Planning Standards immediately.

9.3.3 Costs

The costs associated with the plan change process, including the preparation of expert reports to support the plan change. The deferral of Stage 2 will add costs to the future subdivision and development consenting process which will require two separate resource consent processes to occur.

It would be more efficient to stage the development from the northern end adjacent to the road access and services (which is Stage 2 under Option 3) and work back up hill into the site extending the road and services as required. For this reason, there is less efficiency and as a result, higher costs, to implementing the subdivision and development resulting from Option 3.

The negligible environmental, social, cultural and economic benefits of retaining 0.8ha of LUC 3 soil (as determined in The LandVision Report, Appendix 10) do not warrant the costs of the delay and inefficiencies to the subdivision and development progressing in the meantime, i.e. while the Deferred Residential Precinct remains in place.

9.3.4 Risk of Acting or Not Acting

With acting on this option there is a prime opportunity to ensure efficient and effective zoning to meet the objectives expressed in the 'Growing Well' strategy and give effect to the NPS-UD, albeit delayed within Stage 2. This option would give effect to higher order guidance, including the NPS-HPL. Expert assessments and reports show that the site is suitable for residential development.

By not acting, the site retains the General Rural zoning that is not considered to be the most appropriate or efficient use of resources (given that the site is not considered viable for productive uses, and given that the expert landscape report has not identified any landscape reasons to retain the site with Rural Zone development densities) to meet the purpose of the RMA.

9.3.5 Efficiency and Effectiveness

The efficiency of this option is moderate to high because the benefits would outweigh the costs. The proposal would provide for a more appropriate scale of development on the site than the status quo, with appropriate mitigation options available through the resource consent process. The proposal is not as efficient at achieving the objective of the PPC given that subdivision and development consents for Stage 1 can commence while Stage 2 will be deferred. It is again noted that without the Deferred Residential Precinct in place, development would be more efficiently commenced from the northern (or Stage 2) end of the site due to its proximity to services.

The effectiveness of this option is moderate because while it would achieve the objective of the PPC and allow Council to better meet its requirements under the NPS-UD and the housing targets set in Council's 'Growing Well' strategy, there will be a deferred timeframe for this to be achieved within Stage 2.

9.3.6 Overall Assessment of Option 3

This option would require additional provisions to respond to the NPS-HPL (as set out in Section 10).

The environmental, social, cultural and economic benefits of retaining 0.8ha of LUC 3 soil (as determined in Appendix 10) and the greater area of currently mapped LUC2 land in a deferred residential precinct does not outweigh the environmental, social, cultural and economic costs of the delay to subdivision and development progress. This is particularly given that the subdivision would be most efficiently developed from the northern or Stage 2 end.

This option would appropriately mitigate constraints and any potential adverse effects on the attributes of the site and give effect to all higher order guidance, including the NPS-HPL.

9.4 EVALUATION OF OPTION 4 (PREFERRED OPTION)

This option involves rezoning the entire site (including Stage 1 and 2) to General Residential Zone. This option does not require any new provisions or changes to the District Plan, other than to the maps to change the zoning.

9.4.1 Opportunities for Economic Growth and Employment

This option provides for enhanced economic growth as it allows for the plan change site to be developed for residential purposes. It would allow for a density of development that is consistent with the zoning of surrounding residential properties. The additional development potential would result in opportunities for economic growth and employment through the subdivision process and the construction of new dwellings enabled by the rezoning as well as the infrastructure required to support the residential development.

9.4.2 Benefits

The rezoning of the site to General Residential would allow for increased residential development. It would allow the Council to better meet its housing supply demand under the NPS-UD and its Urban Growth Strategy when compared to the existing zone.

The residential rezoning allows for a more integrated and comprehensive subdivision and development plan for the full site, which is beneficial over Option 3 which likely divides the subdivision and development across two separate resource consent processes and development phases. Option 3 would also result in the need to commence development in the Stage 1, or southern area of the site which would be less efficient and more costly than commencing development in the northern area adjacent to existing service connections.

The density of development arising from the proposal would be comparable to what could be achieved on the residential properties adjoining and adjacent to the site and across the wider Waikanae township.

There would be certainty associated with any further development of the site as this would be considered against the objectives, policies and rules pertaining to the General Residential Zone.

9.4.3 Costs

The costs associated with the plan change process, including the preparation of expert reports to support the plan change.

The loss of land currently mapped as LUC2 to land based primary production is a theoretical opportunity cost in consideration of the NPS-HPL. As demonstrated by the LandVision assessment in Appendix 10, however, that cost is negligible in reality.

9.4.4 Risk of Acting or Not Acting

By acting, there is a prime opportunity to ensure efficient and effective zoning to meet the objectives expressed in the Growing Well strategy and to give effect to the NPS-UD. Expert assessments and reports show that the site is generally suitable for residential development.

A risk of acting on the preferred option, is that the rezoning would not meet the provision for urban rezoning under Policy 5/ Clause 3.6(1) of the NPS-HPL regarding land currently mapped as LUC 2, pending completion of the GWRC mapping exercise required by the NPS-HPL and removal of LUC3 land from the NPS-HPL in turn. However, the evidence in Appendix 10 does conclude that the soils, when viewed at a local level, include only 0.8ha of LUC 3 (with no LUC 1 or 2 soils present) and does not have productive potential. Accordingly, this risk is theoretical only and would not actually result in the loss of land with potential for primary production.

The risk of not acting is that the site retains the General Rural zoning, which is not considered to be the most appropriate to meet the sustainable management purpose of the RMA.

9.4.5 Efficiency and Effectiveness

The efficiency of this option is high because the benefits would outweigh the costs. The proposal would provide for a more appropriate scale of development on the site than the status quo, with appropriate mitigation in place for all potential constraints. Efficiency is also greater than for Option 3, as it would allow for the logical progression of development from the northern end of the site closest to road and reticulated service connections.

The effectiveness of this option is moderate. It would achieve the outcome of the PPC, while allowing Council to meet its requirements under the NPS-UD, and the targets set in Council's Growing Well strategy. However, it would not give full effect to all higher order RMA instruments, namely the NPS-HPL until such a time as the mapped LUC 2 land within the site is able to be remapped correctly and the small area of LUC 3 is not considered 'highly productive land'. It is anticipated however, that the impact of this inconsistency with the NPS-HPL is temporary and less than minor in effect given the findings in Appendix 10 that there is no LUC 1 or 2 soil on the site and that only 0.8ha of LUC 3 exists, which the Government has indicated will be removed from the definition of 'highly productive land'.

9.4.6 Overall Assessment of Option 4

This option would result in the most appropriate zoning and future use of the site when viewed at a strategic level. This option would not require any new district plan provisions to respond to the identified issues and opportunities on the site as they are appropriately addressed by the operative objectives, policies and provisions of the District Plan.

The environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of the 0.8ha of LUC 3 land to urban development.

This option would appropriately mitigate constraints and any potential adverse effects on the attributes of the site but would not currently give full effect to the NPS-HPL. However, any costs or risks are considered temporary in this regard, given that there is sufficient evidence that the soils are non-productive both in extent (being 0.8ha and not being contiguous to other useable areas of highly productive land) and soil properties (being LUC 3). The Government has indicated LUC 3 will be removed from the definition of 'highly productive land' in 2024/2025. For the reasons discussed in section 5.2.2, this option would also better promote the RMA purpose enabling more integrated and comprehensive development than less efficient staged development progressing from the stage 1 area.

9.5 CONCLUSION

Option 4 (rezoning the entire site to General Residential Zone) is the recommended approach for the PPC as it is the most appropriate way to promote sustainable management and achieve the objective of the PPC.

Options 1 and 2 are not appropriate for achieving the objective of the PPC and the sustainable management purpose of the RMA. Option 3 addresses the current inconsistency with the NPS-HPL, however, would not result in the most efficient development of the site given that roading and service connections are from the northern end of the site. On balance, Option 4 is considered to be the most appropriate option available for this PPC.

Option 4 is the most efficient option because the benefits outweigh the associated costs. It is the most effective option as it would assist Council to meet its requirements under the NPS-UD, including the housing targets set for District Growth in the District Plan and the outcomes of the Growing Well strategy, which encourage growing 'out' and 'up', in an integrated and comprehensive way. There is sufficient evidence provided (refer to Appendix 10) that this option would fully give effect to the NPS-HPL, once the site is remapped by GWRC in October 2025.

Should the decision makers consider Option 3 to be preferable (or required) in relation to the NPS-HPL to avoid any "urban rezoning" of the Stage 2 land in the meantime, a set of specified (Deferred Residential Precinct) provisions have been assessed in section 10 and it is recommended that these would be applied to Stage 2 of the PPC.



10. EVALUATION OF PROPOSED PROVISIONS – RELEVANT TO THE CONSIDERATION OF OPTION 3 ONLY

This section provides suggested provisions relating to Option 3 of the PPC only which would pertain to Stage 2 land only.

Sections 32(1)(b), (2) and (3) of the RMA set out the matters that must be considered when assessing the appropriateness of the provisions in achieving the purpose and objective of the PPC, the existing objectives of the District Plan and the purpose of the RMA.

10.1 OVERVIEW OF PROVISIONS

The PPC seeks to rezone the site at 100 and 110 Te Moana Road from General Rural Zone to General Residential Zone. Approval is sought for the rezoning of Stage 1 and 2 of the PPC simultaneously. The provisions are introduced below.

10.1.1 Stage 1

Stage 1 does not require any new district plan provisions, nor alter any existing provisions. The existing provisions have been assessed through this report and are considered to provide for the social, economic, cultural and environmental wellbeing and for the efficient use of land and supporting infrastructure. They have been tested and found to meet the purpose of the RMA initially through a Schedule 1 process and more recently through the prescribed Intensification Streamlined Planning Process for Plan Change 2. There is no need to amend any of the existing plan provisions, already assessed as being efficient and effective in relation to this plan change.

10.1.2 Stage 2

Stage 2 does not amend any existing district plan provisions, which as set out above have already been tested and found to meet the purpose of the RMA.

Stage 2 does propose the introduction of a ‘Deferred Residential Precinct’ which applies only to the land currently deemed ‘highly productive’ under the NPS-HPL, with a proposed policy and two rules proposed to apply to this new precinct.

The PPC does not include any new objectives as it is considered that Objective DO-O3 – ‘Development Management’ as set out in section 5.9) remains appropriate to address the identified issues appropriately and provide sufficient guidance.

An evaluation of the proposed new provisions is provided below in relation to the Stage 2 land area. Changes proposed are shown in blue and underlined.



10.2 EVALUATION OF PROPOSED POLICY AND RULES FOR STAGE 2

The PPC seeks to introduce a new Deferred Residential Precinct to the General Residential Zone chapter, which is evaluated below. The proposed policy is underlined as a way to identify that it is proposed and new to the District Plan.

10.2.1 Part 2 – Urban Form and Development Changes

The following addition is proposed to policy UFD-P13 to allow for an additional precinct:

UFD-P13 – Zoning Framework

Subdivision, use and development in the Residential Zones will be managed through the following zoning framework:

1. General Residential Zone, including the following precincts:
 - a. Coastal Qualifying Matter Precinct;
 - b. Waikanae Garden Precinct;
 - c. County Road Ōtaki Precinct;
 - d. Beach Residential Precinct;
 - e. Ōtaki Takiwā Precinct;
 - f. Deferred Residential Precinct;

10.2.2 Part 3 – Area Specific Matters - General Residential Zone

The following changes are proposed to the General Residential Zone chapter, including a description of the Deferred Residential Precinct, a new policy and a new rule as set out below and in Appendix 13:

Deferred Residential Precinct [Chapter Description]

The purpose of the Deferred Residential Precinct is to recognise sites where subdivision and development in accordance with the provisions of the General Residential Zone are deferred until such time as a constraint preventing residential development is addressed.

- Deferred Residential Precinct – 100 & 110 Te Moana Road will be lifted when the Land Use Capability Class of the soils within it are no longer classified as ‘highly productive’ under the National Policy Statement for Highly Productive Land.

GRZ-Policy XXX – Deferred Residential Precinct

Subdivision, use and development within the Deferred Residential Precinct will be undertaken in accordance with the General Rural Zone provisions (including the objectives and policies) so that the main purpose of this area remains rural until the Deferred Residential Precinct is uplifted, and the General Residential Zone provisions take effect.



[GRZ Rule XXX – Uplifting of Deferred Residential Precinct – 100 & 110 Te Moana Road](#)

[The Deferred Residential Precinct will be uplifted, and the General Residential Zone provisions will take effect when the land within it is no longer defined as ‘highly productive’ under the National Policy Statement for Highly Productive Land.](#)

10.2.3 Why are these Provisions Proposed?

Should the decision makers consider Option 3 as preferable to Option 4, the provisions allow for the purpose of the PPC to be achieved in the near future, while ensuring there is no urban rezoning of land which is currently defined as ‘highly productive’ under the NPS-HPL in the meantime.

The proposed Policy will defer the application of General Residential Zone provisions on LUC 2 land within the site to align with the Objective of the NPS-HPL that *‘Highly productive land is protected for use in land-based primary production, both now and for future generations’*.

The proposed rule requires that the current General Rural Zone provisions will continue to apply to the Deferred Residential Precinct until such a time as the deferral is lifted (upon the land no longer being deemed highly productive under the NPS-HPL) and the site becomes subject to the General Residential Zone provisions (at which point the ‘urban rezoning’ of this part of the site would come into effect).

10.2.4 How do these Provisions Achieve the Existing Objectives and Purpose of the RMA?

As the PPC does not contain or state any new objectives to be included in the District Plan, this assessment focuses on evaluating the extent to which the provisions proposed are the most appropriate way to achieve the existing objective/s of the District Plan and the purpose of the RMA.

The provisions remain aligned with the existing objectives of relevance in the District Plan. The provisions align with ‘DO-O3 – Development Management’ in that they provide for a consolidated urban form in the future while sustaining areas currently characterized with ‘productive potential’ at present.

The provisions will retain alignment with the Objective of the NPS-HPL that *‘Highly productive land is protected for use in land-based primary production, both now and for future generations’* until such a time as the land is no longer considered highly productive, which is anticipated by October 2025, through the remapping and notification process by GWRC in combination with the LUC3 category no longer being considered as highly productive land under the NPS-HPL which has been signalled as an RMA Phase 2 reform by the Government.

The provisions proposed create a pathway for the future development and subdivision of the land within Stage 2 for when it is no longer classified as ‘highly productive land’. The provisions



allow for the future efficient use of a well-located land resource deemed suitable for residential development, while addressing higher order documents. The resulting development will help achieve social and economic wellbeing across the Kāpiti District by increasing housing supply, albeit with a temporary delay.

10.2.5 Costs and Benefits including Opportunities for Economic Growth and Employment

The provisions have a cost in that they delay the provision of new housing and therefore the economic growth and employment associated with residential development within Stage 2. They will also increase the development costs for Stage 2, as given the location of road and service connections it would be more efficient and less costly to develop the northern end of the site, being Stage 2, before progressing to the southern end and Stage 1.

10.2.6 Risk of Acting or Not Acting if there is uncertain or insufficient information about the subject matter of the provisions

The outcome of the provisions is to avoid applying the General Residential Zone rules over Stage 2 until the land is no longer classified as ‘highly productive land’ under the NPS-HPL.

Based on the findings of the Soil Report (Appendix 10), it is anticipated that the land use classification will change on this site to LUC 3 when GWRC notifies its maps in October 2025. With the Government’s intention to remove LUC 3 from the definition of ‘highly productive land’ with phase 2 of its RMA reforms in 2025, it is considered highly likely that the Deferred Residential Precinct could be lifted within the next year. In the event that LUC3 land remains within the NPS-HPL definition of highly productive land, it is considered that upon the GWRC remapping exercise, the urban development of a 0.8ha isolated pocket of LUC3 land would be able to be justified under the tests of clause 3.6 and stage 2 could then progress at that point regardless.

The constraints and attributes of the site have been comprehensively assessed, and any remaining development limitations are able to be addressed through the existing district plan provisions and any future resource consent process.

Therefore, the provisions provide a high level of certainty of providing the outcomes sought.

10.2.7 Efficiency and Effectiveness of the Proposed Provisions

The efficiency of the proposed provisions is high because the benefits outweigh the costs. The effectiveness of the proposed provisions is high because the outcomes sought can be achieved.

10.2.8 Other Reasonably Practicable Options for Achieving the Purpose of the RMA

The other reasonably practicable option for achieving the purpose of the RMA would include delaying the PPC over Stage 2 (and the rezoning to General Residential) until such a time as the land is no longer deemed highly productive land.

Delaying the PPC would be effective in the same way as the proposed provisions are. However, this option comes at the cost of an additional plan change process in the near future, for that portion of the site. It is therefore not considered efficient in comparison to the introduction of the proposed provisions.

When compared to the other reasonably practicable option available, the provisions are still considered the most efficient and effective for achieving the purpose of the RMA.

11. CONCLUSION

The PPC seeks to rezone the property at 100 and 110 Te Moana Road from General Rural Zone to General Residential Zone under the Kāpiti Coast District Plan. The site is approximately 5.5ha in area and currently vacant.

The PPC is divided into two parts, including land that is considered highly productive under the NPS-HPL (Stage 2) and land that is not (Stage 1). It is proposed that both Stages are approved concurrently by this PPC, to best achieve sustainable management under the RMA. Approving both stages aligns with the purpose of the PPC, which is to provide for additional housing development in a District which is under growth pressure, with housing targets to meet.

While it is acknowledged that part of the site (Stage 2) is currently defined as LUC 2 and therefore defined as ‘highly productive land’ under the NPS-HPL, a localized soil assessment has determined that there is no LUC 2 soil present, and rather 0.8ha of the land is better defined as LUC 3.

The Government's ‘Going for Housing Growth Policy’² proposes to remove LUC 3 soils from the definition of ‘highly productive land’ under the NPS-HPL. The changes will be made through a Resource Management Amendment Bill and a national direction process. Further ministerial decisions on this are likely in 2025.

With the removal of LUC 3 from the definition of ‘highly productive land’ and the remapping of the site at a localised level by GWRC (which is anticipated to reflect the findings by LandVision), the site is unlikely to contain ‘highly productive land’ by October 2025.

A number of technical reports have been prepared which support this PPC (Stage 1 and 2) being approved. Where constraints exist, appropriate mitigation can be achieved through adherence with the existing objectives, policies and rules of the District Plan, which will ensure appropriate conditions in future subdivision consent processes.

The PPC is consistent with the relevant provisions of the RMA and can give effect to relevant National Policy Statements, the National Planning Standards and the Regional Policy Statement for the Wellington Region.

The PPC has been evaluated under the requirements of Section 32 of the RMA and is the best available means to achieve the objective of the PPC and the sustainable management purpose of the RMA.

² https://assets.national.org.nz/Plan_Going_for_Housing_Growth.pdf





1



APPENDIX 1

Record of Titles



APPENDIX 2

Concept Plan



3



APPENDIX 3

Archaeological Assessment – Heritage
Solutions



4

APPENDIX 4

Ecological Assessment – RMA Ecology



APPENDIX 5

Infrastructure Report - Cuttriss



6

APPENDIX 6

Transport Report – LBC Traffic
Engineers



APPENDIX 7

Geotechnical Report - CGW
Consulting Engineers



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APPENDIX 8

Landscape and Visual Assessment -
Wayfinder



9

APPENDIX 9

Flooding Assessment Report - Awa



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APPENDIX 10

Soil Resources – Land Vision Ltd



APPENDIX 11

Letter of Approval – Mana Whenua



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APPENDIX 12

Letter to Adjoining Landowners



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APPENDIX 13

Changes to the District Plan – Relevant
to Option 3 Only



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APPENDIX 14

Surrounding Land Owners



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APPENDIX 15

QEII Covenant