

**BEFORE THE INDEPENDENT PANEL
OF KAPITI COAST DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of Private Plan Change 4 ("**PC4**") to the Kāpiti Coast
District Plan ("**Plan**") - 65 and 73 Ratanui Road,
Otaihanga

**STATEMENT OF EVIDENCE OF TORREY JAMES MCDONNELL ON BEHALF OF
WELHOM DEVELOPMENTS LIMITED**

(PLANNING)

16 JANUARY 2026

1. INTRODUCTION

- 1.1 My name is Torrey James McDonnell. I am employed as a Principal Planner by Incite Wellington 2012 Limited (Incite).
- 1.2 I have prepared this statement of evidence on behalf of Welhom Developments Limited ("**Applicant**") in relation to PC4.
- 1.3 Specifically, this statement of evidence summarises the planning assessment provided as part of the Request for PC4, responds to submissions on PC4, and responds to the Section 42A Report produced by Gina Sweetman on behalf of the Kāpiti Coast District Council ("**Council**").

Qualifications and experience

- 1.4 I hold the qualifications of Bachelor of Science (Majoring in Geography) and a Master of Planning both from Otago University.
- 1.5 I currently work for Incite, a specialist resource management consultancy based in Wellington. I provide expert advice on a variety of resource management matters, including national policy development, growth/spatial planning, district and regional plan policy development, and district and regional consenting.
- 1.6 I previously worked for Porirua City Council as a Principal Policy Planner from 2017 to 2023 leading the development of the 2020 Proposed Porirua District Plan from initial issues and options analysis through to final decisions.
- 1.7 Prior to Porirua City Council, my work experience included working as a Senior Analyst for the Ministry for the Environment developing and implementing national direction under the RMA; and working as a planner for Transit New Zealand (now the New Zealand Transport Agency) Otago/Southland regional office where my main duties included both consenting and policy input.
- 1.8 I am a full member of the Te Kōkiringa Taumata / New Zealand Planning Institute, and am the current Chair of its Wellington Branch.

Involvement in Welhom Developments Limited plan change request

- 1.9 I prepared the Private Plan Change Request that was lodged with Council on 2 December 2024. I also prepared and updated Private Plan Change Request that was provided to Council on 26 February 2025 following a request for further information, and became the version that was publicly notified.

Code of Conduct

- 1.10 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and will continue to comply with it while giving oral evidence before the Hearing Commissioners. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

2. SUMMARY OF EVIDENCE

- 2.1 My evidence summarises the planning assessment of PC4, including an assessment of the environmental effects with reference to various subject matter experts who provided technical assessments that accompanied the Request, and expert evidence.
- 2.2 I have considered the matters raised in the Section 42A Report and by submitters. I set out further changes from those notified in PC4 in **Appendix 1** that I consider would be appropriate in response to matters raised by submitters.
- 2.3 I assess PC4 against relevant national, regional and local planning instruments and conclude that the Plan Change achieves consistency with those documents, including the purpose of the RMA.
- 2.4 With reference to the assessments prepared by various subject matter experts, I consider that PC4 enables an appropriate framework for the rezoning of the site, and that potential environmental effects can be appropriately addressed at the resource consent stage. Further, I also consider that a range of positive effects will result from the Plan Change.
- 2.5 Overall, I conclude that:
- (a) the Plan Change appropriately seeks to rezone the site at 65 and 73 Ratanui Road ("**Site**") for residential purposes;
 - (b) the environmental effects of the Plan Change are less than minor and where necessary can be appropriately addressed through a subsequent resource consent;
 - (c) the Plan Change is consistent with relevant statutory requirements; and

- (d) the Plan Change ultimately accords with the purpose of the RMA and can be approved, based on the suite of provisions outlined at **Appendix 1** of my evidence.

3. SCOPE OF EVIDENCE

3.1 This statement of evidence will:

- (a) provide a brief summary of the Plan Change;
- (b) summarise the key findings and recommendations from the Plan Change Request including the section 32 analysis;
- (c) respond to the Council Officer's report; and
- (d) respond to the submissions received.

4. PLAN CHANGE PROPOSAL AND CONTEXT

4.1 On 2 December 2024, the Applicant lodged a private plan change request ("**Request**") with the Council to the Operative Kāpiti Coast District Plan pursuant to Section 73(2) and Clauses 21 and 22 of the First Schedule of the RMA.

4.2 The Request seeks to rezone the Site from its current Rural Lifestyle Zone to General Residential Zone under the District Plan with a Development Area and associated Structure Plan, policies and rules. The Request will enable the residential development of the Site, with specific provision for uses associated with a retirement village. The Request included an Assessment of Environmental Effects, an Evaluation under Section 32 of the RMA, and a range of technical reports as outlined in the following table:

Table 1: Technical reports supporting the Request

Technical Report	Author
Assessment of Environmental Effects, an Evaluation under Section 32 of the RMA	Incite
Landscape and Visual Assessment	Boffa Miskell Limited
Ecological Assessment	BlueGreen Ecology
Archaeological Assessment	Clough & Associates
Transport Assessment	Stantec

Civil Engineering Infrastructure Assessment	Wood & Partners Limited (Woods)
Geotechnical Assessment	Riley Consultants
Economic Assessment	Property Economics
Preliminary Site Investigation (Contamination)	Riley Consultants
Wastewater Capacity Assessment for a Residential Scenario	Wood & Partners Limited (Woods)

- 4.3 On 16 January 2025 Council sent a further information request to the Applicant, with a response provided on 17 February 2025. This resulted in various changes to the Request, including both the Structure Plan and associated provisions.
- 4.4 On 13 March 2025 Council resolved to accept the Request, and it was publicly notified on 30 May 2025. There was a total of 18 submissions and 2 further submissions received.

Site context and Site description

- 4.5 Section 2 of the Request outlines the Site, surrounds and context. This is summarised as follows:
- (a) The Site comprises part of 65 and 73 Ratanui Road, which are two contiguous properties located in Paraparaumu, approximately 3.2km north of the Paraparaumu Metropolitan Centre. The Site has a combined area of 12.65ha.
 - (b) The Applicant has undertaken a subdivision to create a separate title for the southern portion of 65 Ratanui Road along with the existing dwelling on the Site, as such it is not included in this Request¹.
 - (c) The Site is currently used as a rural residential lifestyle block, as per the uses enabled by the current zoning. It contains sheds and farm paddocks.
 - (d) There is a highly modified watercourse running east to west across the middle of the Site, crossed by three culverts in the southern third of the Site.

¹ Note that this Subdivision consent has been granted with s223 and s224 certification approved, titles are yet to be issued however.

- (e) There are natural inland wetlands on the Site, as classified under the National Policy Statement for Freshwater Management 2020 ("**NPS-FM**"), noting that they have all been assessed as being "of low ecological value and function"².
- (f) The surrounding Otaihangā Area is a mix of General Residential Zone ("**GRZ**") and Rural Lifestyle Zoning ("**RLZ**").

4.6 The Request outlines the planning context, which is summarised as follows:

- (a) The Site is zoned RLZ and is adjacent to the GRZ boundary to the northwest of the Site.
- (b) The Site has several mapped overlays. The Site is entirely within the Coastal Environment overlay and parts of the Site are subject to the following flood hazards overlays: Flood Hazard - Stream corridor and Flood Hazard - Ponding Area.

5. ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1 The Request includes an Assessment of Environmental Effects (Section 3) which considers the actual and potential effects of the Request. These are summarised as follows:

- (a) **Positive effects** – the rezoning will contribute to the residential development capacity of the District both in terms of general residential development, but also specifically for the development of a retirement village, which will cater to the Kāpiti Coast District's growing elderly demographic cohort and respond to a growing demand for retirement units³;
- (b) **Landscape and visual amenity effects⁴** – there are likely effects on rural character resulting from a change to a residential character as well as visual amenity effects, both from public and private locations. However, the transitional effects of the proposal will reduce over time, and any residual adverse effects can be appropriately addressed through the future consenting process (including those proposed in the PC4 framework);

² Refer page 3 of Ecological Assessment prepared by Blue Green Ecology, attached as Appendix E to the Request.

³ Refer Section 3.1 of the Request and the Economic Assessment attached as Appendix J.

⁴ Refer Section 3.2 of the Request and the Landscape Effects Assessment attached as Appendix D.

- (c) **Ecological effects⁵** – there are few ecological constraints on the Site, as well as reasonable opportunities to improve the state of existing natural wetlands, stream habitat, and terrestrial biodiversity compared to the current land use. The effects on waterways can be addressed through regional consents, and do not preclude the urban rezoning of the Site;
- (d) **Archaeological effects⁶** – development of the Site could potentially have effects on archaeological values if these are discovered during earthworks and construction for future residential development of the Site. However, this potential risk can be addressed through the framework provided by the Heritage New Zealand Pouhere Taonga Act 2014 including an archaeological authority;
- (e) **Transport effects⁷** – any effects of the Request on the transport network can be addressed through the resource consenting process under the District Plan and through appropriate engineering solutions, including primary multi-modal access to the Site via an intersection as outlined in the proposed Structure Plan;
- (f) **Civil engineering effects⁸** – earthworks effects associated with the development enabled by the Request can be addressed through the relevant consenting framework under the District Plan and through the implementation of appropriate erosion and sediment control measures being put in place during the Site's development. Based on the Civil Engineering Infrastructure Assessment, it is considered that the Site can be suitably serviced from a three waters and utilities perspective;
- (g) **Geotechnical effects⁹** – while known geotechnical issues such as lateral spread have been identified on the Site, these are consistent with similar sites across Paraparaumu. These geotechnical issues do not preclude the proposed rezoning of the Site for general residential use, but these matters will need to be addressed through engineering design and the resource consent/building consent process for any future development of the Site;

⁵ Refer Section 3.3 of the Request and the Ecological Assessment attached as Appendix E.

⁶ Refer Section 3.4 of the Request and the Archaeological Assessment attached as Appendix F.

⁷ Refer Section 3.5 of the Request and the Transport Assessment attached as Appendix G.

⁸ Refer Section 3.6 of the Request and the Civil Engineering Infrastructure Assessment attached as Appendix H.

⁹ Refer Section 3.7 of the Request and the Geotechnical Assessment attached as Appendix I.

- (h) **Contamination effects**¹⁰ – while known contamination issues have been identified on the Site, these effects can be addressed through a consenting process, and do not preclude the residential rezoning of the Site;
- (i) **Economic effects**¹¹ – the rezoning will result in positive effects on the housing and retirement village market in the Kāpiti Coast District and can be supported from an economic perspective;
- (j) **Loss of rural land resource**¹² – the Site is a small landholding and as such, only supports rural lifestyle land uses rather than productive or intensive agriculture, as such, the effects on rural land resource associated with rezoning it to GRZ are negligible; and
- (k) **Cultural effects**¹³ – initial feedback from mana whenua suggests that they do not hold concerns about the Request, particularly in respect of any sites of significance. The Applicant maintains an open dialogue with all three mana whenua groups.

- 5.2 The Assessment of Environmental Effects concludes that overall, all potential adverse effects on the environment associated with the Request can be appropriately managed through the existing national, regional and local RMA regulatory framework, along with the proposed provisions for the Site¹⁴.
- 5.3 The Site can be appropriately serviced by existing infrastructure including the three waters and wider transport network (ie with no upgrades required).
- 5.4 As such, there are no matters identified that preclude the proposed rezoning of the Site for residential purposes, including the potential for a retirement village.
- 5.5 Further, the Request would result in positive economic and social effects including from increased development capacity in the District for residential use, as well as opportunities for positive ecological outcomes through the restoration of degraded waterways and the creation of a centralised indigenous marsh wetland as part of the hydrology management of the Site.

¹⁰ Refer Section 3.8 of the Request and the Preliminary Site Investigation attached as Appendix K.

¹¹ Refer Section 3.9 of the Request and the Economic Assessment attached as Appendix J.

¹² Refer Section 3.10 of the Request.

¹³ Refer Section 3.11 of the Request.

¹⁴ Refer page 38 of the Request.

Planning assessment

5.6 The Request includes an Assessment of the Statutory Framework (Section 4) which can be summarised as follows:

- (a) **Part 2 – Purpose and Principles of the RMA** - The Request aligns with the RMA purpose of sustainable management, addressing housing needs while safeguarding environmental and cultural values. It considers Māori relationships, natural hazards, amenity, and climate change, with active engagement with mana whenua.
- (b) **National Planning Standards** - The proposed zoning, Development Area, and Structure Plan comply with the formatting and content requirements of the National Planning Standards. This ensures consistency and clarity in how the changes are integrated into the District Plan.
- (c) **National Policy Statements** - The Request gives effect to key national policy statements including the NPS-FM, National Policy Statement on Urban Development ("**NPS-UD**"), New Zealand Coastal Policy Statement ("**NZCPS**"), and National Policy Statement on Indigenous Biodiversity ("**NPS-IB**"). It supports well-functioning urban environments, freshwater restoration, coastal character enhancement, and indigenous biodiversity through ecological improvements.
- (d) **Regional Policy Statement** - The Request is consistent with the Wellington Regional Policy Statement, including Proposed Change 1, supporting climate resilience, freshwater health, biodiversity, urban form, and tangata whenua values. It contributes to regional housing capacity and aligns with strategic growth directions.
- (e) **Natural Resources Plan** - Relevant rules under the Greater Wellington Natural Resources Plan (eg, stormwater, earthworks, wetlands) will apply at the consenting stage. The proposal does not conflict with the plan and effects can be managed through standard processes.
- (f) **District Plan** - The Request aligns with the strategic direction and zone-specific provisions of the Plan. It proposes a new Development Area within the GRZ to enable retirement village and residential development, replacing the existing RLZ.

- (g) **Other Plans and Strategies** - The proposal supports broader planning strategies including the Future Development Strategy, Te Tupu Pai Growth Strategy, GPS-HUD, Te Whaitua o Kāpiti Implementation Programme, and Better Later Life Strategy. It addresses housing needs for older persons, supports freshwater restoration, and aligns with iwi aspirations and growth planning.

Section 32 Evaluation

- 5.7 The Request includes an Evaluation under Section 32 of the RMA (Section 5). The Evaluation followed the requirements of Section 32 whether the proposed plan change is the most appropriate way to achieve the Act's purpose and the objectives of the Plan. This included examining the effectiveness and efficiency of the proposed provisions, considering alternative options, and assessing the anticipated environmental, economic, social, and cultural effects.
- 5.8 An analysis of three options was undertaken:
- Option 1 – rezoning to GRZ without specific provision for the Site as a Development Area;
 - Option 2 – the proposed rezoning and addition of a Development Area (including new policies and rules) and a Structure Plan (**preferred option**); and
 - Option 3 – the status quo under the District Plan (ie Non-Complying Activity status for a retirement village in the RLZ).
- 5.9 The proposed provisions (preferred option) included changing the zoning of the Site from RLZ to GRZ and add:
- a new Development Area to the Plan;
 - a Structure Plan that shows the main Site access, the location of the highly modified stream dissecting the Site, an indicative location of the stormwater wetland, and the location of the landscaping and planting boundary treatment; and
 - new policies and rules in the Development Area specific to use and development on the Site, requiring retirement villages, subdivision, or multi-unit residential activity be undertaken in general accordance with the Structure Plan.
- 5.10 The Section 32 evaluation outlines how the Request does not propose any changes to the existing District Plan objectives, which were assessed as

appropriate for guiding development of the Site. These objectives support residential and retirement village development, and the proposed provisions are designed to operate within this framework.

- 5.11 The preferred option was found to be the most effective and efficient means to achieve the Plan's objectives, offering a clear pathway for development while addressing site-specific issues such as landscape integration, infrastructure servicing, and ecological restoration.

Updated and new national direction

- 5.12 On 18 December 2025 the Ministry for the Environment published a set of new and updated national policy statements including:

- Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025.
- National Policy Statement for Natural Hazards 2025.
- National Policy Statement for Infrastructure 2025.
- National Policy Statement for Highly Productive Land Amendment 2025.
- New Zealand Coastal Policy Statement Amendment 2025.
- National Policy Statement for Indigenous Biodiversity Amendment 2025.
- National Policy Statement for Freshwater Management Amendment 2025.
- Resource Management (National Environmental Standards for Freshwater) Amendment Regulations 2025.
- National Policy Statement for Renewable Electricity Generation Amendment 2025.
- National Policy Statement for Electricity Networks Amendment 2025.

- 5.13 These came into effect on 15 January. I have reviewed and considered their application to the request and provide the below summary:

Table 1: Assessment of relevance of new and amended national direction

National direction	Assessment
Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025	This new NES introduces new standards to simplify the process for building detached minor residential units commonly known as granny flats. This NES may be relevant to future development on the Site, however the General Residential Zone proposed already enables Medium Density Residential Standards and up to three residential units per site which provides for minor residential units.

	As such, the new NPS does not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.
National Policy Statement for Natural Hazards 2025	<p>This new NPS sets out how councils must manage natural hazard risks in new developments, based on the level of risk involved. The existing framework in the District Plan broadly aligns with the risk-based approach set out the NPS and is adequate to address natural hazard risks on the Site.</p> <p>As such, the new NPS does not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
National Policy Statement for Infrastructure 2025	<p>This new NPS requires decision-makers to recognise infrastructure as nationally significant under the RMA and provides national direction to support its development, maintenance and upgrades while still addressing adverse impacts. The existing framework in the Plan broadly aligns with the approach set out the NPS and are adequate to address effects on existing infrastructure.</p> <p>As such, the new NPS does not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
National Policy Statement for Highly Productive Land Amendment 2025	<p>Neither the original or amended NPS-HPL apply to land Zoned Rural Lifestyle. I note that changes have been made to exempt LUC 3 land from restrictions on urban rezoning anyway.</p> <p>As such, the NPS amendments do not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
New Zealand Coastal Policy Statement Amendment 2025	<p>Policies 6 and 8 have been amended in the NZCPS to better enable certain activities in the coastal environment. These changes do not relate to urban development.</p> <p>As such, the NPS amendments do not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
National Policy Statement for Indigenous Biodiversity Amendment 2025	<p>These amendments seek to simplify and align consent rules for quarrying and mining.</p> <p>As such, the NPS amendments do not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
National Policy Statement for Freshwater Management Amendment 2025	<p>These amendments seek to simplify and align consent rules for quarrying and mining.</p> <p>As such, the NPS amendments do not preclude the rezoning of the Site or otherwise require the proposed provisions in Appendix A to be amended.</p>
Resource Management (National Environmental	These amendments seek to simplify and align consent rules for quarrying and mining.

Standards for Freshwater) Amendment Regulations 2025	As such, the NPS amendments do not preclude the rezoning of the site or otherwise require the proposed provisions in Appendix A to be amended.
National Policy Statement for Renewable Electricity Generation Amendment 2025	Not relevant as no changes are proposed with regard to the management of electricity generation which is unlikely to occur on site.
National Policy Statement for Electricity Networks Amendment 2025	Not relevant as no changes are proposed with regard to the management of electricity networks which is unlikely to occur on site.

5.14 As outlined in Table 1 above, none of the new or amended national direction impacts on the consideration of PC4.

6. RESPONSE TO SECTION 42A REPORT

6.1 I have read the Section 42A Report prepared for this hearing by Ms Gina Sweetman the reporting officer dated 5 December 2025.

6.2 Overall, the reporting officer considers that PC4 is appropriate and recommends that the Plan Change be accepted by the Panel.¹⁵ The reporting officer states:¹⁶

334. I have undertaken an analysis of PPC4 in respect of the statutory and policy framework in the section above. For the reasons set out in my evaluation, I consider that PPC4: gives effect to the NPS-UD, NPS-IB, NZCPS and NPS-FM to the extent relevant to a plan change

- gives effect to the National Planning Standards
- gives effect to the RPS and has regard to Change 1 to the RPS
- is not inconsistent with the NRP
- has appropriately taken into account the relevant iwi management plans

6.3 However, the reporting officer recommends various amendments to the notified provisions of PC4 based on submissions. The recommended changes are set out in Appendix 4 of the Section 42A Report and reproduced in

¹⁵ Refer paragraph 349 on page 91 of the Section 42A Report.

¹⁶ Refer page 91 of the Section 42A Report.

Appendix 1 of my evidence. These changes are summarised by the reporting officer as follows:¹⁷

342. I generally concur with the evaluation of PPC4 and the proposed provisions, with the exception that:

- I do not support a controlled activity for a retirement village for the reasons given in this report
- I consider further policy direction is required in respect to the natural landform, dunes, landscaped and vegetated buffers and minimising amenity effects on adjacent properties

6.4 The reasons for the changes are set out as follows:¹⁸

347. The Requestor addresses Part 2 in section 4.1 of the PPC4 Request. I have reviewed and agree with the evaluation. However, I consider the amendments I have recommended to the proposed provisions will better recognise and provide for the natural character of the coastal environment and have regard to the maintenance and enhancement of the amenity values of the surrounding environment (s7(c)) and the maintenance and enhancement of the quality of the environment (s7(f)).

6.5 In the below sections I provide my assessment on the reporting officer's recommendations and the submissions that they relate to.

6.6 To assist the Panel, I have set out my evidence in below sections based on the topic-based Section 42A Report structure.

6.7 In summary, there is broad agreement on the overall appropriateness and planning framework between myself and the reporting officer. However, I note several areas where I either do not agree with their assessment or otherwise consider that there is a more appropriate approach with regard to particular matters. I have also highlighted where there is not alignment between technical experts for the Applicant and Council.

6.8 Appendix 1 sets out the notified Development Chapter provisions, with the reporting officer's recommendations in blue underline and ~~strikethrough~~, and my further recommendations in red underline and ~~strikethrough~~.

¹⁷ Refer page 92 of the Section 42A Report.

¹⁸ Refer page 92 of the Section 42A Report.

7. RESPONSE TO SUBMISSIONS AND SECTION 42A REPORT

S42A – 9.6 Providing for and approach to growth – Part 1 – introduction and initial evaluation

- 7.1 This section of the Section 42A Report covers submissions that have raised concerns relating to the need for PC4, the potential for fragmentation of zoning, and that the Council should undertake a wider plan change process for the Otaihanga area.
- 7.2 The reporting officer steps through the higher order direction relevant to these matters. While the reporting officer's assessment aligns with the Request with regard to most higher order direction,¹⁹ with regard to economics and development capacity, the reporting officer outlines their disagreement with the assessment of Policy UD.4 of the RPS in the Request stating:²⁰

151. As I set out earlier, the Requestor's view is that PPC4 falls within the second priority of Policy UD.4, under clause b, as it is planned greenfield growth beyond existing urban zones, due to it being identified in Kāpiti's Growth Strategy. I interpret clause b differently to the Requestor. My interpretation is that to be a second priority, the development must be both sequenced and planned.

152. While "planned" is used as a term through the RPS, there is no definition included. I have therefore sought direction from the NPS-UD policy 8 as to how it defines what is planned. Policy 8 does not use "planned" in the same way as the RPS does, but rather refers to "unanticipated by RMA planning documents" and "out-of-sequence with planned land release". An RMA planning document is defined in the NPS-UD as meaning all or any of a regional policy statement, regional plan or district plan. PPC4 is not anticipated by any of these RMA planning documents. In terms of the RPS, it is also not located within an existing urban zone. Policy UFD-P1, Growth Management, of the District Plan states that new development will only be located within existing urban areas, identified growth areas and other areas. Identified growth areas are defined as "the areas shown on the District Plan Maps as Ngarara Development Area, Waikanae North Development Area, and Future Urban Zone.

153. In terms of the matter of sequence, PPC4 in my view is out-of-sequence with planned land release, as it is identified as a medium-priority rather than a high-priority greenfield growth area in the Council's Growth Strategy. The Growth Strategy states that high-priority greenfield growth areas are located within and adjoining existing urban areas – including in what are known as future urban zones. On page 27, southeast Waikanae, Waikanae and Ōtaki future urban zones and potentially land next to Paraparaumu airport are identified as high-priority growth areas.

¹⁹ Refer Section 8 of the Section 42A Report.

²⁰ Refer page 43 of the Section 42A Report.

The PPC4 site is not located in any of these areas. There is no timing provided for medium-priority growth areas.

154. As I have outlined earlier, the site is also not located in a Priority Development Area under the FDS, which provides more of a regional overview. There is no sequencing for growth that is located outside of a Priority Development Area. I therefore consider that PPC4 cannot be considered as being sequenced for growth under the FDS.

155. As the site is not located within a Future Urban Zone in the District Plan, I do not think it could be defined as being anticipated by RMA planning documents – it is not within an "identified growth area".

156. I therefore consider that PPC4 falls under clause c of Policy UD.3 of the RPS and under Policy 8 of the NPS-UD as an unanticipated or out-of-sequence greenfield urban development. However, I note that clause c of Policy UD.3 of the RPS requires development to be well-connected along transport corridors, be consistent with policies 55 and 56 and adding significantly to development capacity.

7.3 The reporting officer outlined advice provided by Dr Kirdan Lees, Consultant Economist with regard to what constitutes providing for significant development capacity, in respect to Policy UD.3 of the RPS. Dr Lees considers that PC4 meets the significant development capacity test of Policy 8 NPS-UD, because it:²¹

- will make a significant local contribution to meeting demand for housing identified in the previous HBA
- responds to demonstrated demand for the proposed land use type in the medium term
- contributes to increasing housing affordability through a general increase in supply.

7.4 Dr Lees also considers:

The benefits are substantial at a local level, since land supply remains tight within the Kāpiti Coast District; but these benefits are not so clear at a regional or national level, given the scale of development, the number of other retirement villages in the area and lower than forecast population growth.

7.5 Ms Sweetman addressed concerns expressed by the submitters that rezoning the PC4 site may compromise the potential wider rezoning of the area, by

²¹

Refer paragraph 161 on page 44 of the Section 42A Report.

removing the ability for a comprehensive structure plan process for the whole area. She finds:²²

In my opinion, while the fragmentation of the PPC4 Site is not an optimal or best practice outcome, its rezoning would not result in the land to the west being land-locked and unable to be rezoned and developed through a future plan change exercise. I consider that the rezoning of PPC4 in advance of the more expansive area to the east would not impact the location of the Site on the western edge of the RLZ area. I also note that proposed DEV3-P2(1) requires specific consideration be given to additional connectivity to adjacent sites should the land be used for residential purposes, which would ensure opportunities for future connections are provided. My understanding of a retirement village development is that they do not provide connectivity to adjacent sites as part of site operation, and I do not consider any amendments to DEV3-P1(1) are required. Further, I note that there is GRZ land located further to the east, which is surrounded by RLZ land, so that this outcome would not be a unique outcome. In addition, the same outcome of a retirement village with a lack of connectivity to the surrounding area could still occur as a restricted discretionary activity under GRZ-R41, even if the entire area was rezoned to GRZ, given there are no matters of discretion in that rule relating to connectivity.

- 7.6 Ms Sweetman does not consider that these concerns preclude the rezoning of the site.²³

My assessment

- 7.7 I agree with the reporting officer with regard to the appropriateness of rezoning this area in advance of the wider Otaihanga RLZ area.
- 7.8 I consider that the wider rezoning of the area is a matter for Council to consider when it implements the Growth Strategy Te Tupu Pai 2022. Further rezoning of the Otaihanga RLZ area would need to be supported by an evidence base and Section 32 Evaluation that demonstrates that the zoning is most appropriate and potential adverse effects can be addressed, including matters such as infrastructure capacity for the additional development that would be enabled with an urban zoning across the entire area.
- 7.9 I do not interpret Policy UD.4.b in the same way as the reporting officer. Policy UD.4.b does not specify that "planned" requires that the development be identified in an RMA document nor does Policy 8(b) of the NPS-UD. I consider that it is likely the intent of the authors who drafted this policy that future development areas in growth strategies constitute "planned" developments.

²² Refer paragraph 168 of page 45 of the Section 42A Report.

²³ Refer paragraph 331 of page 90 of the Section 42A Report.

The Council's growth strategy should be given weight in RMA processes as it was developed with community consultation under the Local Government Act and has been formally adopted by Council under this Act. While the Site is listed as a medium-priority area rather than high priority area, the Growth Strategy doesn't specifically set out a sequence that must be followed for rezoning.

- 7.10 If the Panel agree with the reporting officer that Policy UD.4.c is relevant, I consider that the development is consistent with this policy regardless.
- 7.11 Clause 'c' of Policy UD.4 of the RPS requires development to be well-connected along transport corridors, be consistent with Policy 55 (Providing for appropriate urban expansion – consideration) and Policy 56 (Managing development in rural areas – consideration) and adding significantly to development capacity.
- 7.12 Mr Heath has addressed this the significance of development capacity in his evidence, he finds that the proposal does have significant economic benefits:²⁴

2.13 Overall, after evaluating the associated economic costs and benefits of PC4, I consider that the proposed development would generate significant net economic benefits for the local market and community.

- 7.13 I accept the evidence of Mr Heath and Dr Lees that the development adds significantly to development capacity, and I therefore consider that PC4 is consistent with policy UD.4.c of the RPS. I consider that the development is well-connected along transport corridors and consistent with Policies 55 and 56 as set out in Appendix 2 of the Request.
- 7.14 I agree with the reporting officer that none of the matters raised by submitters with regard to this topic prelude the rezoning of this Site.

S42A – 9.7 Land suitability and development

- 7.15 This section of the Section 42A Report addresses Submission 11 which relates to the retention of the sand dune at the northern boundary of the Site and potential geotechnical risks if it is removed.
- 7.16 With regard to the relief sought, the reporting officer recommends:²⁵

²⁴ Evidence of Mr Heath (Economics) on behalf of the Applicant dated 16 January 2026 at paragraph 2.13 on page 4.

²⁵ Refer para 181 page 48 of the Section 42A Report.

182. I recommend that submission S11.1 that sought amendment to PPC4 in respect of geotechnical matters be accepted in part insofar as PPC4 and existing District Plan provisions address the concerns raised.

- 7.17 Ms Sweetman relies on commentary from a Consultant Geotechnical Engineer Mr Charles McDermott who considers that works within or near the dune can be addressed from a geotechnical perspective through a consenting process.
- 7.18 Ms Sweetman also references the Civil Engineering Infrastructure Assessment provided with the Request which states that:²⁶

Some parts of the Site may need to be set aside as undevelopable, unless the contributing constraints can be resolved. These include:

The large hills at the north end of the Site, which straddle the boundary. It is unlikely to be physically feasible to remove these hills without agreement from the neighbouring landowner.

My assessment

- 7.19 I accept the advice of Mr McDermott as well as the findings of the Civil Engineering Infrastructure Assessment that works within or near the dune can be addressed from a geotechnical perspective through a consenting process and appropriate engineering.
- 7.20 While not specifically addressed by the reporting officer, with regard to the reference to geotechnical constraints raised by the Submission 7.1, Mr Black has addressed these in his statement of evidence as follows finding that there are available mitigation measures²⁷:

As referenced in the submission by Derek Robert Foo and Helen Patricia Foo (Submission 7), liquefaction lateral spread hazard will need to be considered and addressed when free faces (i.e. for stormwater basins) are formed to facilitate the proposed land use. Liquefaction hazard to neighbouring properties is to be maintained at a level no worse than that prior to development. Mitigation measures are available and feasible to maintain liquefaction hazard on neighbours to pre-development levels.

- 7.21 In summary with regard to this topic, I consider that the effects of the development can be appropriately managed by the existing regulatory framework alongside the proposed Development Chapter in **Appendix 1**. I

²⁶ Refer page 9 of the Civil Engineering Infrastructure Assessment prepared by Woods and attached as Appendix H to the Request.

²⁷ Evidence of Mr Black (Geotechnical) on behalf of the Applicant dated 16 January 2026 at paragraph 6.2 on page 5.

consider that no changes are required to the Development Chapter with regard to these matters.

S42A – 9.8 Infrastructure servicing – water and wastewater

- 7.22 This section of the Section 42A Report addressed two submission points raised by Submitter 15 that opposes PC4 based on water and wastewater matters.
- 7.23 The reporting officer recommends that this submission be rejected based on engineering advice provided with the Request that has been peer reviewed by Ms Kate Waterland, Consultant Water Network Planner, and M. Brian Robinson, Consultant Water Engineer.

My assessment

- 7.24 Mr Mark Thomson has reviewed these submissions, the Section 42A Report, and Ms Waterland and Mr Robinson's evidence. Mr Thomson considers that:²⁸

8.2 The site can be integrated into KCDC's existing three-waters networks without adverse downstream effects or the need for major public-infrastructure upgrades.

- 7.25 I agree with the reporting officer's recommendation to reject the submission point based on the advice of the technical experts for both the Council and the Applicant. I consider that the effects of the development can be appropriately managed by the existing regulatory framework alongside the proposed Development Chapter in **Appendix 1**.

S42A – 9.9 Stormwater and flood risk

- 7.26 This section of the Section 42A Report assesses various submissions seeking PC4 be rejected or amended in relation to stormwater and flood risk issues.
- 7.27 The reporting officer recommends that these submissions be rejected based on engineering advice provided with the Request that has been peer reviewed by Ms Rita O'Brien, Council's Stormwater and Coastal Asset Manager.
- 7.28 The reporting officer agrees with Ms O'Brien's conclusions that:

205. In summary, she concludes that there are no matters raised by the submitters that cannot be addressed through any subsequent resource consent and that would mean PPC4 should

²⁸ Evidence of Mr Thomson (Civil Engineering) on behalf of the Applicant dated 16 January 2026 at paragraph 8.2 on page 15.

be rejected from either a stormwater or flooding perspective. Further, she considers that the existing provisions in the District Plan, alongside the Structure Plan and proposed Development Area provisions, will allow for final determination of the extents of restoration wetland and stormwater management, including compensatory flood storage areas to be confirmed. She notes that she expects these areas to be located to facilitate natural overland flow paths and stormwater management. In respect to stormwater and flooding impacts beyond the site, she advises that the existing District Plan overlays and the new flood modelling alongside the existing District Plan stormwater and flood management policy and rule framework will ensure that any downstream impacts can be appropriately managed at resource consent stage.

My assessment

- 7.29 In addition to the information and assessment provided in the Request, stormwater management is addressed by Mr Thomson in his statement of evidence finding:²⁹

7.26 In respect of development sequencing, optimisation of the stormwater management regime for the Site will require that a comprehensive array of soakage testing will be required across the Site before finalising the design of the centralised stormwater management areas. This will ensure that stormwater management regime as a whole is sufficient to mitigate the impacts of development and is optimised to provide an efficient design that is not larger than necessary.

7.27 Stormwater quality mitigation will also be provided within the stormwater management area in accordance with KCDC and Greater Wellington Regional Council requirements. These requirements, in addition to the presence of groundwater, will influence that the stormwater treatment system is based on created natural systems, such as wetlands.

- 7.30 While not specifically addressed by the reporting officer, Mr Thomson also assesses issues raised by Submission 14.1, including the issue of soakpits, finding:³⁰:

7.23 Where feasible due to infiltration rates and masterplan, soakpits would be designed and constructed throughout the Site to dispose of some of the stormwater runoff from roofs, thereby reducing the size of the centralised stormwater management areas. The sizing of the soakpits would be in accordance with the methods set out in KCDC Land Development Minimum Requirements document (referencing NZBC E1/VM1). It is my experience that soakpits sized in accordance with this method offer a reasonable balance between disposing of a reasonable

²⁹ Evidence of Mr Thomson (Civil Engineering) on behalf of the Applicant dated 16 January 2026 at paragraph 7.34 on page 9.

³⁰ Evidence of Mr Thomson (Civil Engineering) on behalf of the Applicant dated 16 January 2026 at paragraph 7.26 on page 9.

flowrate and volume of stormwater, while not requiring significant land area to be set aside. This is particularly important in a retirement village context where available footprint is at a premium.

7.24 Regardless of the extent of soakpits across the Site, or the specific design method used to size these devices, the overarching requirement from KCDC to replicate the pre-development hydrological regime remains.

7.31 I consider that these matters can be addressed through design at the consenting stage and does not preclude the rezoning of the site.

7.32 Based on the evidence of Mr Thomson and Ms O'Brien, I consider that the effects of the development can be appropriately managed by the existing regulatory framework alongside the proposed Development Chapter in **Appendix 1**.

S42A – 9.10 Transportation / traffic

7.33 This section of the Section 42A Report assesses various submissions seeking PC4 be rejected or amended in relation to transport / traffic issues. One submission in opposition seeks that a full structural plan for the Otaihangā area be required before any rezoning is approved.

7.34 The reporting officer recommends:³¹

227. I recommend that the submissions that seek that PPC4 be declined in respect of transportation be rejected [S1.1, S3.1, S4.1, S9.1, S14.1, S15.2, S17.2].

228. I recommend that the submissions that seek amendment to PPC4 in respect of transportation be accepted in part insofar as PPC4 and existing District Plan provisions address the concerns raised [S2.2, S7.1, S8.2, S10.5, S13.1, S13.2, S18.1, S18.3].

7.35 The reporting officer makes these recommendations based on engineering advice provided with the Request that has been peer reviewed by Mr Colin Shields, Consultant Transport Planner.

My assessment

7.36 Mr Mark Georgeson has reviewed these submissions, the Section 42A Report, and Mr Shields evidence.

³¹

Refer page 64 of the Section 42A Report.

7.37 Mr Georgeson has addressed these transport matters in his statement of evidence concluding:³²

6.2...the additional traffic that could be generated by development of the Site will not noticeably change the function of Ratanui Road, with key intersections able to continue to operate safely and efficiently. The width of the carriageway will remain sufficient for two-way vehicle movement, allowing for generous traffic growth considerations.

7.38 With regard to public transport access, Mr Georgeson finds:³³

5.18 Given the distance from the Site to the nearest existing bus route on Mazengarb Road, I consider that the bus service uptake from the development of the Site will be low.

5.19 Public transport provision typically responds to demand and routes can be re-evaluated as part of future service reviews. If a bus route is to connect the residential areas of Paraparaumu Beach and Waikanae in the future, Ratanui Road - Otaihang Road - Old SH1 would appear to be a logical new route.

5.20 For the retirement village proposal planned by Summerset, village residents will be able to enjoy an on-demand service provided by a village shuttle, which will offer a convenience superior to a public bus service.

7.39 With regard to speed limit changes, Mr Georgeson finds:³⁴

6.6 Submitters 7 and 13 suggest a speed limit reduction on the 60km/h section of Ratanui Road. This may be a matter to be considered further through the next land use consent phase, and KCDC may decide this is an appropriate change in the future, however for now a new intersection and pedestrian crossing point with refuge island in the location proposed is not reliant on a speed limit reduction east of the Site.

7.40 With regard to urbanisation of Ratanui Road, Mr Georgeson finds:³⁵

6.13 Submitter 7 raises upgrades to urbanise Ratanui Road. As intended by the new Site access point and associated treatment, the Ratanui Road frontage of the Site would be urbanised, including kerb and channel, a footpath and street lighting, at the time of development. This same form can be extended eastwards by KCDC in the future as they consider necessary.

³² Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.2 on page 8.

³³ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.2 on page 8.

³⁴ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.6 on page 9.

³⁵ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 16 on page 10.

- 7.41 With regard to issues raised as to the proximity of the proposed access to the preschool, Mr Georgeson finds:³⁶

6.16 Three submitters comment on the proximity of the proposed access relative to the preschool entry driveway. The location of the access was a key matter considered during development of the Site masterplan for a retirement village, and an earlier location closer to the preschool was discounted in favour of the proposed location. I have assessed the location as being suitably separated from the preschool entry driveway, with a suitable eastbound diverge taper able to be provided without impacting the operation of the preschool driveway.

- 7.42 With regard to construction traffic, Mr Georgeson finds³⁷:

6.17 Concerns with construction traffic effects are raised by Submitters 4 and 7. In my view, construction traffic will be able to be safely managed and accommodated on Ratanui Road, just as construction traffic has been for the Mansell Development. In my experience, it would be normal practice for a Construction Traffic Management Plan ("CTMP") to be prepared post consent, that sets out the details and expectations of construction activity, to the satisfaction of KCDC. This is a requirement through the Construction Environmental Management Plan conditions for the Mansell Development, as well as a consent requirement for Somerset's Waikanae village development.

- 7.43 With regard to Submission 3.1 and concerns raised with regard to funding roading and footpath upgrades, I consider that Council has existing mechanisms that are implemented under the Local Government Act to ensure developer pays an appropriate contribution towards public infrastructure including through development contributions and rates.
- 7.44 With regard to submission 4.1 related to healthcare capacity, while these are not matters that would preclude the rezoning of the Site, the proposal assists with reducing load on local healthcare system through providing hospital level care on site where that would otherwise be provided in the public healthcare system.
- 7.45 Based on the evidence of Mr Georgeson and Mr Shields, I consider that the transport effects of the development can be appropriately managed by the existing regulatory framework alongside the proposed Development Chapter in **Appendix 1**.

³⁶ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.16 on page 11.

³⁷ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.17 on page 11.

S42A – 9.11 Landscape, natural character, visual amenity and urban design

- 7.46 This section of the Section 42A Report assesses various submissions seeking PC4 be rejected or amended in relation to these matters.
- 7.47 The reporting officer recommends that submissions that seek that PC4 be declined in respect of landscape, natural character, visual amenity and urban design be rejected.³⁸
- 7.48 The reporting officer recommends various changes in Appendix 4 of the report in response to submissions that seek amendment to PC4 in respect of landscape, natural character, visual amenity and urban design matters.³⁹
- 7.49 These recommendations were informed by advice from Ms Angela McArthur, Consultant Landscape Architect, and Ms Deyana Popova, Consultant Urban Designer.
- (a) In summary the reporting officer recommends: Changes to the two policies to "address the interface between the Site and the surrounding area in terms of amenity and reverse sensitivity". This includes some clarification as to the nature and purpose of the vegetated and landscaped buffers, including an "anticipated minimum width of 5m";
 - (b) Changes to the policies to require the tallest buildings be located towards the middle of the site "where practicable"; and
 - (c) Changes to rule DEV3-R1 to amend the activity status for retirement villages from controlled to restricted discretionary.
- 7.50 I note that there are several recommendations from Council's expert officers that the reporting officer did not reflect in recommended changes to provisions including:⁴⁰
- 256...Ms. Popova has recommended that the northern dune with a setback or a wider buffer be specifically located on the structure plan.
- 7.51 The reporting officer outlines the reasons for this as follows:
- 257...I generally accept Ms. Popova and Ms. McArthur's advice regarding the retention of the dunes; however, there are already other policies and provisions that provide direction, including the landscaping/vegetated buffer provisions and EW-P1, and geotechnical consideration which will inform how these areas can

³⁸ Submissions 1.1, 1.2, 8.1, 14.1, and 15.3.

³⁹ Submissions 6.1, 7.2, 8.3, 10.6, 11.2, 11.3, 15.6, and 18.2

⁴⁰ Refer paragraph 256 on page 75 of the Section 42A Report.

be developed. Further, the imposition of a setback through a rule would require justification as a qualifying matter under s77J of the RMA. In my view, as supported by Ms. McArthur, the site does not have high or outstanding natural character that would justify imposing this setback under the NZCPS, and justification would be under amenity purposes under s77L. I do not consider that there are site-specific circumstances that would justify making the MDRS less enabling, should the site be rezoned.

- 7.52 This results in a recommendation outlined by the reporting officer in the body of the Section 42 Report that appears to have not made it through to Appendix 4.⁴¹

...DEV3-P1 and DEV3-P2 to include an amendment to clause d so that it reads:

Development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters and natural landforms will be retained and enhanced including through the planting of indigenous species where practicable).

- 7.53 The reporting officer considers that a restricted discretionary activity status is more appropriate than a controlled activity status for retirement village activities as:

274. The activity status for a retirement village in the GRZ is otherwise a restricted discretionary activity under GRZ-R41. Any development of the site would otherwise remain subject to all relevant District Plan provisions, which includes GRZ-R33, the permitted activity rule for new buildings and structures. This rule, however, only permits up to three retirement units on a site. It also contains all the standards relating to height, setbacks, height in relation to boundary and outdoor living courts for buildings, including retirement units. The default where GRZ-R33 is not complied with in respect to retirement villages is GRZ-R41. Ultimately, what the Requestor is therefore seeking is the ability to breach the general standards included in GRZ-R33 as a controlled activity, with no ability for the Council to refuse consent. In my view, this is inappropriate and could lead to applications for development of the site at a scale that is incommensurate with the anticipated and planned built form of the Site and the surrounding environment.

...

277. In my view, it would only be appropriate to support a controlled activity consent for a retirement village where standards 2 to 11 of GRZ-R33 are complied with. I note that matters such as earthworks, stormwater and flooding will still be subject to other District Plan rules and may also trigger additional consents. Given the size of the site and the earthworks and natural hazard rule, I consider it is highly unlikely that any future development of the site would ever fall solely as a controlled activity.

278. However, in saying this, having reviewed the matters of discretion in GRZ-R41 and proposed policy DEV3-P1, I consider that the consideration of these matters and the policy clauses will require the exercise of discretion to a degree that is not appropriate for a controlled activity. In my view and from my

⁴¹

Refer paragraph 258 on page 75 of the Section 42A Report.

experience, a controlled activity status should only be applied where there is limited evaluation required and general certainty of the outcome. I do not consider that this applies in this instance. I agree with Ms. Popova and Ms McArthur that the provisions as proposed for a future retirement village do not provide for the outcomes, would not meet submitters concerns and do not provide certainty. I recommend that the controlled activity status in DEV3-R1 be amended to restricted discretionary and the matters of control be renamed as matters of discretion.

- 7.54 The reporting officer also recommends an advice note in DEV3-R1 clarifying that GRZ-R41 does not apply in addition to rule DEV3-R1 be moved to the title so that it forms part of the rule thereby providing greater certainty for plan users.

My assessment

- 7.55 Ms Alex Gardiner has reviewed these submissions, the Section 42A Report, and Ms McArthur and Ms Popova's evidence.
- 7.56 There appears to be a difference in opinion of the experts with regard to the level of naturalness, the reporting officer notes:⁴²

...I do note however that both the LEA and Ms. McArthur have assessed the natural character of the site to be low (LEA) or moderate (Ms. McArthur). Neither considers the site to have high natural character, which requires protection; rather management is required under Policy 36...

- 7.57 With regard to the assessment of "naturalness", Ms Gardiner provides the following commentary on this matter:⁴³

6.6 In my opinion, a moderate rating overstates the natural qualities of the Plan Change area. It is a modified landscape with rural appearing qualities. While the physical landform remains largely intact, there is very little naturalness or natural character remaining across the Plan Change area. The landscape has been cleared of vegetation to facilitate grazed pasture and vegetation that does remain within the boundary is largely comprised of exotic species. The original swampland has been drained and the stream which passes through the Plan Change area is channelised. There are a notable lack of natural patterns and processes or experiential qualities associated with the Plan Change Area. Further, the large pond on the site is understood to be a constructed pond. Based on this, I maintain my low naturalness rating.

- 7.58 I agree that the site can be characterised as being highly modified with regard to landcover (pasture), it has little native biodiversity, and the only stream on site is channelised into a straight drain. I also note that the wetland features on

⁴² Refer paragraph 253 on page 74 of the Section 42A Report.

⁴³ Evidence of Ms Gardiner (Landscape and Visual) on behalf of the Applicant dated 16 January 2026 at paragraph 6.6 on page 12.

site have all been assessed as being "of low ecological value and function".⁴⁴ I therefore accept the views of Ms Gardiner that the site has a low level of naturalness over the views of Ms McArthur.

7.59 With regard to dune management / protection, Ms Gardiner considers:⁴⁵

6.9 The LVEA acknowledges that there are legible topographic patterns on the site, such as the northern dune. The proposed DEV3 provisions require that development platforms be "sensitively and effectively integrated into the existing terrain, particularly at the northern and eastern edges". This approach enables earthworks to achieve practical development outcomes while maintaining a natural transition at the site's edge. It does not preclude modification to the landforms, however promotes sensitive earthworks such as minimising abrupt level changes and favouring natural batters over retaining walls. This will achieve the intent of the LVEA by mitigating adverse effects on landform and visual character, without locking in an inflexible constraint that may not be warranted given the site's overall level of modification.

7.60 I prefer the evidence of Ms Gardiner and consider that the Development Chapter provides sufficient policy direction with regard to managing the effects of development on landform. I consider that the low level of naturalness as outlined by Ms Gardiner does not justify the protection of existing features of the site from development including the northern dune feature.

7.61 With regard to vegetated and landscaped buffers Ms Gardiner considers:⁴⁶

6.12 The intent of the LVEA recommendations is to deliver targeted mitigation where visual sensitivity is greatest, specifically along boundaries where neighbouring properties have direct views into the site. Applying buffers indiscriminately would not deliver meaningful landscape outcomes and could create an artificial edge that is inconsistent with the evolving character of the wider area, which is anticipated to undergo further urban development over time. In this context, a site-wide perimeter buffer risks isolating the development rather than enabling its integration into the surrounding urban fabric.

...

6.12 In my opinion, a more nuanced approach, focused on areas of high visual sensitivity and informed by detailed design at the resource consent stage, will better achieve the intent of the LVEA to ensure sensitive and effective integration into the existing terrain and local context.

6.13 Similarly, there is discussion across the relevant s.42a reports regarding the proposed width of the vegetated and landscape buffers. The Reporter has recommended

⁴⁴ Refer page 3 of Ecological Assessment prepared by Blue Green Ecology, attached as Appendix E to the Request.

⁴⁵ Evidence of Ms Gardiner (Landscape and Visual) on behalf of the Applicant dated 16 January 2026 at paragraph 6.9 on page 12.

⁴⁶ Evidence of Ms Gardiner (Landscape and Visual) on behalf of the Applicant dated 16 January 2026 at paragraph 6.12 on page 13.

amendments to two clauses in DEV3-P1 (clauses (c) and (e)) which require a minimum width of 5m for these buffers.

6.14 In my s.92 response, further information was provided on the nature of each of the buffers proposed. The vegetated buffer was intended in locations where more substantial screening or filtering of views into the site was required from neighbouring residential properties. The landscape buffer was proposed to ensure an appropriate integration between the Plan Change Site and adjacent landscape. A nominal 5m buffer width was indicated as it is considered that this would allow enough space for planting which would create a meaningful and effective screen.

6.15 In further consideration following the submission of the s.92 response, applying a uniform 5-metre width across the entire site boundary would not reflect the varying levels of visual sensitivity around the perimeter. In some locations, such as where the site adjoins land that is likely to be urbanised in the future, a narrower buffer or alternative treatment may be more appropriate and consistent with the intent of integrated urban form.

6.16 In my view, the plan change provisions should set out the principle of providing landscape and vegetated buffers to manage visual effects and soften transitions, leaving the detailed design to be determined at the resource consent stage and ensuring flexibility to respond to site-specific conditions and future context, while still achieving the outcomes anticipated in the LVEA.

7.62 From a planning perspective and based on the evidence of Ms Gardiner, I disagree with the reporting officer's recommendation to include a minimum width for vegetated buffers in the Development Chapter as I consider:

- (a) The width should be determined at a consenting level based on the nature and potential effects of the actual development including the bulk and location of any buildings;
- (b) The approach is inconsistent with other properties zoned GRZ on the same rural / urban boundary which only have a 1 or 1.5m setback.⁴⁷ This setback applies all along the area marked in red in Figure 1 below with no requirement for landscaped boundary treatment; and
- (c) The area already has a relatively urban character due to being a pocket of RLZ zoned land bordered by urban development.

⁴⁷

Refer rule GRZ-R33 in the District Plan which requires a 1.5m setback for buildings and structures from road boundaries and 1m from side and rear boundaries.

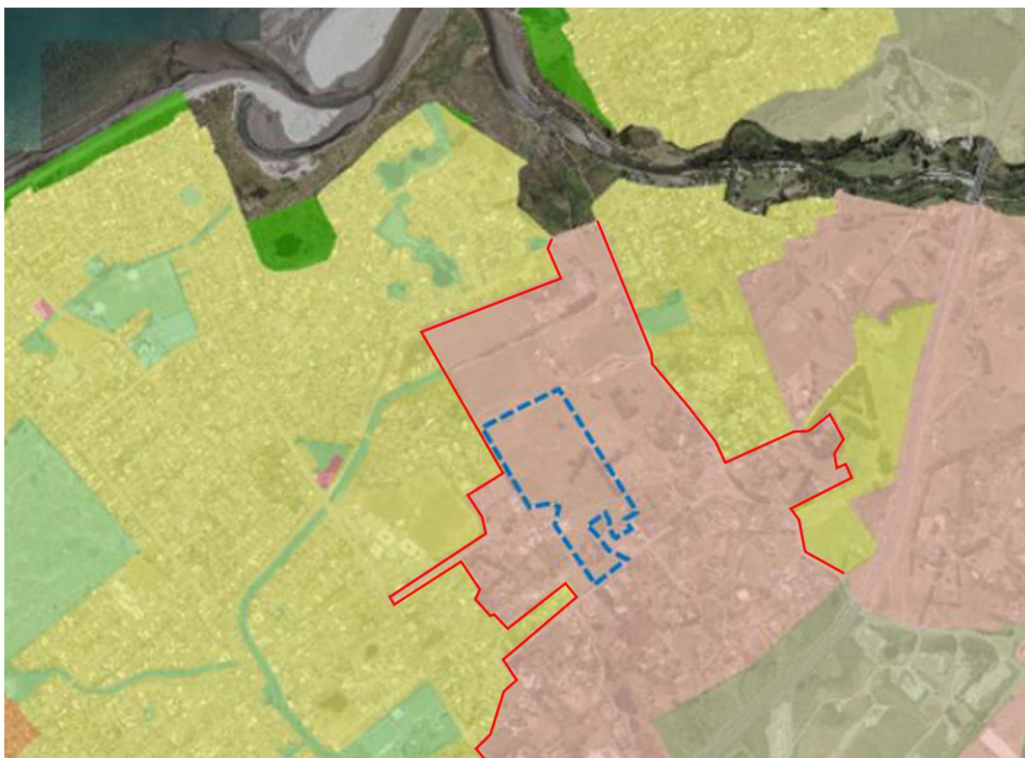


Figure 1: Urban-rural boundary approximately in red where 1/1.5m setback applies with site in blue where 5m is sought

- 7.63 It should also be noted that the site is identified for future residential growth in Council's Growth Strategy which means that there should be a reasonable level of expectation that the area will have a more urban character in the future. Ms Popova acknowledges this stating:⁴⁸

...the proposed restrictions/controls on development (re buffer/setbacks and landscape boundary treatment) would most likely not have been necessary if the wider area was rezoned at the same time. This means that under a future wider area rezoning, development on the Site under the PPC would appear somewhat segregated from its anticipated urban surroundings;

- 7.64 For the above reasons, I disagree with specifying a minimum width for landscaping or planting buffers in the Development Chapter. **Appendix 1** shows my recommended changes to the reporting officer's version of the Development Chapter in ~~red strikethrough~~ with regard to this matter.
- 7.65 With regard to locating tall buildings in the middle of the site, Ms Gardiner considers:⁴⁹

⁴⁸ Evidence of Ms Popova (Urban Design) on behalf of the Council dated 24 October 2025 at paragraph 62 on page 16.

⁴⁹ Evidence of Ms Gardiner (Landscape and Visual) on behalf of the Applicant dated 16 January 2026 at paragraph 7.16 on page 18.

7.16 I acknowledge the submitters' concerns regarding the potential visual impact of taller buildings and outdoor spaces near shared boundaries. The LVEA recommends managing these effects through sensitive earthworks and landscape integration, rather than through prescriptive height controls. Specifically, it advises that development platforms should be sensitively and effectively integrated into the existing terrain, with retaining walls minimised in favour of natural batters where practicable, and that vegetated buffers be provided to soften transitions and screen sensitive views. Where outdoor spaces are located near boundaries, layered planting can further reduce visual intrusion and maintain amenity and sunlight. This approach allows flexibility to respond to site-specific conditions while achieving the outcomes anticipated by the LVEA. Imposing fixed height limits, density limits, or rigid buffer dimensions at the plan change stage would unnecessarily constrain design options and is not considered required to achieve these landscape outcomes.

- 7.66 From a planning perspective and based on the evidence of Ms Gardiner, I disagree with the reporting officer's recommendation to include policy direction in the Development Chapter requiring "a form of development where the tallest buildings are located towards the middle of the site, where practicable". As I have outlined above, the approach is inconsistent with other properties zoned GRZ on the same rural / urban boundary which only have a 1 or 1.5m setback for buildings (see Figure 1 above), without landscaping vegetated buffers. The area already has a relatively urban character due to being a pocket of RLZ zoned land bordered by urban development. **Appendix 1** shows my recommended changes to the reporting officer's version of the Development Chapter in ~~red strikethrough~~ with regard to this matter.
- 7.67 I otherwise agree with the other changes recommended by the reporting officer to DEV3-P1 and DEV3-P2, for the reasons given by the reporting officer. However, building on one recommended change from the reporting officer, I recommend a further change in **Appendix 1** to the following sub-policy (again, my addition in red to the reporting officer's in blue):
- f. provide filtering of views into the site from adjacent dwellings where practicable, and
- 7.68 I consider that this clause could use more specificity by relating the filtering of views to and from dwellings, and adding the qualifier "where practicable". This provides some flexibility where there is a view into the site that cannot be filtered, such as through the site entrance, through the stream corridor, or where topographical constraints otherwise make it impractical to achieve a complete filtering.
- 7.69 With regard to the activity status for retirement villages, I do not agree with the recommended elevation to restricted discretionary activity status

recommended by the reporting officer. I consider that a controlled activity status is appropriate for the reasons outlined in the Request including:⁵⁰

The proposed Development Area proposes a controlled activity rule for a retirement village on this Site as this enabling activity status better recognises the large evidence base that has already been prepared by the Requestor in support of the Structure Plan. The level of detail provided for the Structure Plan is similar to what would be required as part of a resource consent application. The rules provide a level of control to ensure any development is in general accordance with the Structure Plan and recommendations in technical assessments which are articulated in DEV3-P1.

Further, the Request is for a publicly notified plan change, and neighbouring properties and the wider community will be able to consider any relevant effects and have the opportunity to make a submission and be heard on the proposal. A controlled activity status would provide regulatory certainty that the Site is appropriate for a retirement village subject to the Structure Plan, without the need for limited or public notification (unless special circumstances exist).

7.70 I do not have the same concerns that have been articulated by the reporting officer with regard to the activity status. Matters that have effects that may require the discretion for Council to decline a consent are already provided by relevant rules in other chapters that would still apply to the site in addition to the Development Chapter, including those in the GRZ Chapter (including bulk and location rules for buildings), Subdivision Chapter, Earthworks Chapter and Transport Chapter.

7.71 I agree with the reporting officer that the overall activity status would be higher than controlled for any substantial development of the site. This are set out in the Request as follows:⁵¹

The characteristics of the potential development scenarios and the characteristics of the Site itself mean that various consents would be required pursuant the District Plan, including:

- Consent under Rule TR-R10 for a number of daily vehicle movements exceeding standards in TR-R2 (discretionary activity);
- Earthworks in a ponding area under NH-FLOOD-R11 (Restricted Discretionary Activity); and
- Earthworks exceeding 50m³ per year under EW-R5 (Restricted Discretionary Activity).

7.72 However, I consider that retirement villages as a land use activity are entirely appropriate in residential zones, and is almost exclusively limited to these zones elsewhere in the District and around the country. I do not consider that a retirement village should be declined based on its merits as a land use. The consistency with the structure plan can be managed through conditions. Any other potential adverse effects can be managed in accordance with other

⁵⁰ Refer page 70 of the Request.

⁵¹ Refer page 56 of the Request.

chapters in the District Plan. In my view, the reporting officer does not raise any matters that suggests there is a potential basis for decline of a proposal. Identically framed matters of control and discretion have the same breadth of discretion, subject to the ability to decline. If both approaches are equally effective, then the more efficient approach should prevail.

7.73 I therefore recommend that the controlled activity status is retained for Rule DEV3-R1 for retirement villages as shown in **Appendix 1**.

7.74 I otherwise agree with the amendment to DEV3-R1 with regard to the advice note for the reasons outlined by the reporting officer.

S42A – 9.12 Ecology

7.75 This section of the Section 42A Report assesses changes sought by Submitter 12 to DEV3-P1(4)(c)(iii) and DEV3-P2(4)(c)(iii), and concerns raised by Submitter 8 with regard to trees, birds and earthworks.

7.76 The reporting officer recommends:

294. I recommend that submission 12 that seeks amendment to PPC4 in respect of ecology be accepted.

295. I recommend that submission 8 that seeks amendment to PPC4 in respect of ecology be accepted in part insofar as proposed PPC4 and existing District Plan provisions and my recommended amendments address these concerns.

7.77 The Section 42A Report refers to evidence provided by Ms Astrid Dijkgraaf, Council's Consultant Ecologist. Ms Dijkgraaf recommends a number of matters that should be addressed through any subsequent resource consent process, which she is satisfied fall within the scope of what the NES-F, District Plan and PPC4 provisions require.

My assessment

7.78 I agree with the reporting officer's recommended changes to the Development Chapter for the reasons outlined in the Section 42A Report as they better achieve consistency with Policy FW.3 of the RPS and ensure consistency with Policy 24A of RPS Change 1.

7.79 Dr Vaughan Keesing has reviewed these submissions, the Section 42A Report, and Ms Dijkgraaf's evidence, making the following observations:

8.2 First, Dr Dijkgraaf questions my consideration of wetland 2 and 17 as excluded as natural inland wetlands because they were either purposefully created wetland or are a result of a deliberately created waterbody. Dr Dijkgraaf offers an appraisal

of those areas by way of viewing the Retrolens 1942 aerial photograph. I examined this photo (and others) when undertaking my initial assessment. While it is clear that there is a dark shaped area in the photo at wetland areas 2 and 17, the photograph does not show any edge vegetation or any vegetation in the dark area. In a 1954 aerial there does appear to be vegetation limited to within the "hole", however later it is clearly a highly modified and developed feature (1980-1991-2005).

8.3 I maintain the exclusion of the wetlands and suggest that it cannot be determined that the historic features met the definition of a natural inland wetland from the photos, ie that there are wet adapted plants over 50% in cover and wet adapted animals present. It will be a matter for future debate and assessment at a resource consent process and will simply affect the effects management response and likely the quantum of offset proposed for natural inland wetland disturbance.

- 7.80 The status of these features is relevant to the Structure Plan as the area of the central restoration wetlands was determined to provide for all future offsetting for wetland reclamations on site. Further, wetland 2 needs to be filled in to provide for the main site access (shown in blue in **Figure 2** below). Based on the evidence of Dr Keesing, I consider that the Structure Plan does not need to be amended.

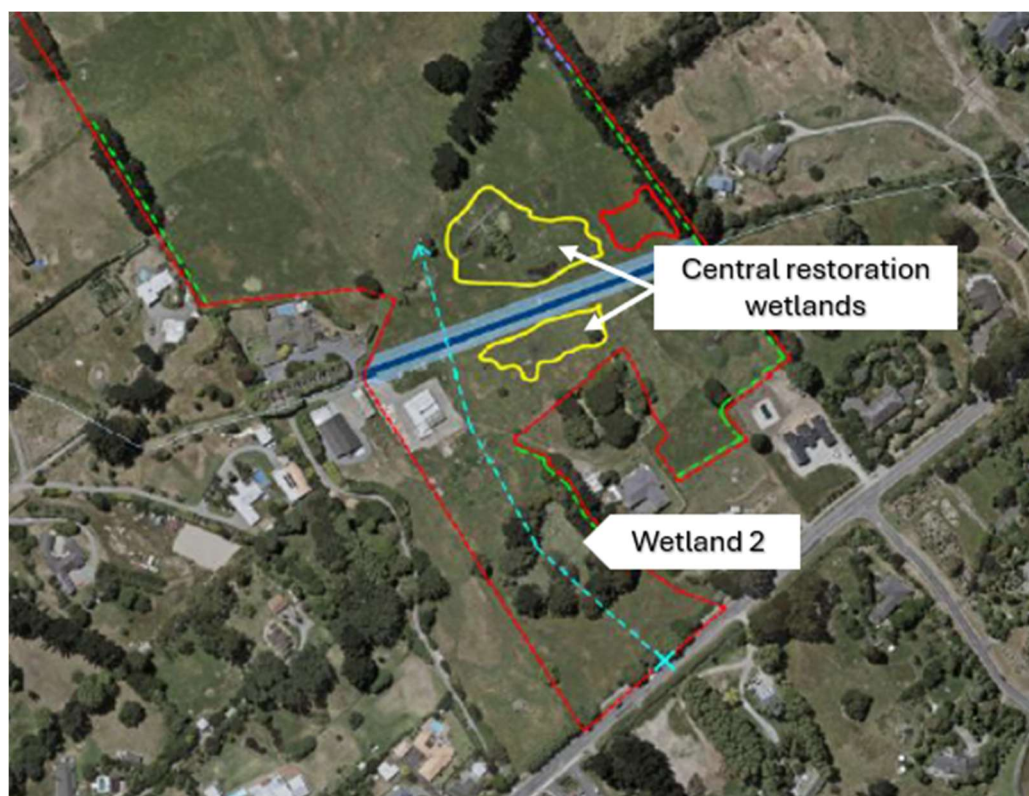


Figure 2: Excerpt from Structure Plan showing Wetland 2 and central wetland restoration areas

S42A – 9.13 Construction effects

7.81 This section of the Section 42A Report assesses various submissions that seek that PC4 be declined or amended due to construction effects. Other submissions raise general questions / issues.

7.82 The reporting officer recommends:⁵²

309. I recommend that submission 2.3 that seeks that PPC4 be declined in respect of construction effects be rejected.

310. I recommend that the submissions that seek amendments to or clarification of PPC4 in respect of construction effects be accepted in part [S6.1, S6.2, S6.4, S10.2, S10.3, S16.2] insofar as proposed PPC4 and existing District Plan provisions address these concerns.

7.83 The reporting officer considers that effects resulting from construction can be appropriately managed and consider that this can be addressed by specific assessment at the time of subdivision or land use consent through existing mechanisms.

My assessment

7.84 Mr Thomson has addressed these matters in his statement of evidence finding with regard to earthworks and construction effects:⁵³

7.2 Several parties have submitted regarding construction-phase effects and the effect that enacting development of the Site may have on the surrounding environment with regard to noise, vibration, dust, and erosion and sediment control generated by construction activities.

7.3 The KCDC District Plan and Land Development Minimum Requirements document include standard mechanisms to require developers to address these matters through the provision of management plans at the time of resource consent.

7.4 In my opinion, the matters raised thematically in submissions with regard to the above noted construction-phase effects can be appropriately managed through the application of the standard suite of management plans, and by the imposition of standard conditions at the time of resource consent.

7.85 Mr Georgeson has reviewed submissions and the Section 42A Report with regard to construction traffic effects and finds:⁵⁴

⁵² Refer page 86 of the Section 42A Report.

⁵³ Evidence of Mr Thomson (Civil Engineering) on behalf of the Applicant dated 16 January 2026 at paragraph 7.2 on page 5.

⁵⁴ Evidence of Mr Georgeson (Transport) on behalf of the Applicant dated 16 January 2026 at paragraph 6.17 on page 11.

6.17 Concerns with construction traffic effects are raised by Submitters 4 and 7. In my view, construction traffic will be able to be safely managed and accommodated on Ratanui Road, just as construction traffic has been for the Mansell Development. In my experience, it would be normal practice for a Construction Traffic Management Plan (CTMP) to be prepared post consent, that sets out the details and expectations of construction activity, to the satisfaction of KCDC. This is a requirement through the Construction Environmental Management Plan conditions of the Mansell Development, as well as a consent requirement for Summerset's Waikanae village development.

- 7.86 Based on the evidence of Mr Thomson and Mr Georgeson, I agree with the reporting officer's recommendations for the reasons outlined in the Section 42A Report.
- 7.87 I agree with the reporting officer with regard to a number of submissions raising matters that are beyond the scope of the RMA and would be managed through existing mechanisms, including the Property Law Act and other legislation.

S42A – 9.14 Planning

- 7.88 This section of the Section 42A Report assesses various submissions that seek that PC4 be declined or amended due to planning matters.
- 7.89 The reporting officer does not consider that there are any determinative planning matters that would justify PPC4 being rejected.
- 7.90 The reporting officer recommends:⁵⁵

327. I recommend that the submissions that seek that PPC4 be declined in respect of planning matters be rejected [S1.1, S2.1, S4.1, S14.1, S15.1, S17.2].

328. I recommend that the submissions that seek amendment to or clarification of PPC4 in respect of planning matters be accepted in part insofar as proposed PPC4 and existing District Plan provisions and my recommended amendments address these concerns [S2.2, S6.1 – S6.4, S10.1, S12.7, S12.8, S15.7].

- 7.91 The reporting officer provides outlines reasons for these recommendations including:⁵⁶

319. Several submitters raise concerns about reverse sensitivity and potential nuisance effects that may arise. I note that the rezoning of the PPC4 Site to GRZ would not change the noise rules that apply to activities within the RLZ. I also note that under NOISE-R2(4), in rural zones, livestock noise mobile sources associated with primary production activities and temporary activities required by normal agricultural and horticultural practice, such as cropping and harvesting are exempt from the

⁵⁵ Refer page 89 of the Section 42A Report.

⁵⁶ Refer page 89 of the Section 42A Report.

noise standards. Matters relating to odours and smoke are already regulated under the Natural Resources Plan for the Wellington Region, and the general permitted activity condition "shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property"¹³³ or similar.

...

321. Submitters also raise matters that are addressed under separately to the RMA, including

- Keeping animals safe on a property, which on the property is the landowner's responsibility
- The use of firearms for pest control, which is regulated under the Arms Act 1983
- Insurance liability, which is a matter addressed through the Property Law Act 2007

My assessment

7.92 I agree with the reporting officer's recommendations for the reasons outlined in the Section 42A Report.

7.93 While I acknowledge that the PC4 will lead to a change in character and amenity, I consider that this is appropriate as:

- (a) While the Site is notably rural in character, the Landscape Effects Assessment prepared by Boffa Miskell notes that it is influenced by residential development along its boundaries, and in views from elevated locations within the Site.⁵⁷
- (b) The Site has been identified within a "Medium-priority greenfield growth area" in Growth Strategy Te Tupu Pai in 2022. As such the Council anticipates that the wider area is a candidate to be rezoned for urban uses.
- (c) The Structure Plan and proposed provisions provide for boundary treatments which seek to soften the transition between the rural and residential environments.
- (d) The Plan Change results in net positive effects as outlined in the Assessment of Environmental Effects in Section 3.1 of the Request, and in Mr Smail's evidence,⁵⁸ including increased residential development capacity of the district both in terms of general residential development, but also specifically for the development of a retirement village, and opportunities for positive ecological effects with regard to restoring degraded waterbodies on Site.

⁵⁷ Refer page 4 of the Landscape Effects Assessment prepared by Boffa Miskell and as outlined in the Evidence of Ms Gardiner (Landscape and Visual) on behalf of the Applicant dated 16 January 2026 at Paragraph 4.6.

⁵⁸ Evidence of Mr Smail (Corporate) on behalf of the Applicant dated 16 January 2026 at 2.3.

- 7.94 With regard to submissions that the community's views have not been considered (Submission 1.1), community engagement has been undertaken by the Applicant which has informed structure plan and associated provisions, including both targeted engagement with owners of nearby properties, as well as through a community drop-in event held on 18 June 2025 at the Otaihangā Boat Club. The community also has a chance to have a say through the plan change process itself.
- 7.95 Several submitters seek that the proposed plan change be extended to cover their properties and / or the entirety of Otaihangā zoned RLZ (Submission 2.1, S14.1, 15.4, 15.5, FS1). I consider that the wider rezoning of the area is a matter for Council to consider when it implements the Growth Strategy Te Tupu Pai 2022. This rezoning would need to be supported by an evidence base and Section 32 Evaluation that demonstrates that the zoning is appropriate and potential adverse effects can be addressed, including matters such as infrastructure capacity for the additional development that would be enabled with an urban zoning across the entire area.
- 7.96 While not specifically addressed by the reporting officer, Submission 2.2 also raises issues with regard to contaminated soil management. Mr Hermann has addressed these in his Statement of Evidence finding:⁵⁹
- 6.1...The submission from Lang Family Trust also highlights concerns regarding the movement of contaminated soil being a health hazard to people and the land and recounts their observations about poorly managed construction projects having adversely affected their neighbours.
- 6.2 The extensive site contamination investigations have only identified one localised area of potential concern to health, being the arsenic detection near a shed. This small area will be delineated, safely removed from site and validated, prior to bulk earthworks commencing on site and would require consent under the NES-CS.
- 6.3 The remaining soils across the Site do not present any health or environmental risks from future disturbance. However, a land use consent will be required to be applied for prior to future earthworks which will include conditions requiring that site earthworks are undertaken in accordance with a Council-certified Site Management Plan, in addition to WorkSafe requirements for contractors such as a Construction Management Plan and Environmental Management Plan.
- 7.97 I agree with Mr Herrmann and consider that these matters can be appropriately addressed through a later consenting process.

⁵⁹ Evidence of Mr Hermann (Contamination) on behalf of the Applicant dated 16 January 2026 at paragraph 6.1 on page 5.

S42A – 9.15 Providing for and approach to growth – Part 2 – overall evaluation

7.98 In this section of the Section 42A Report, the reporting officer circles back to concerns raised by submitters relating to the need for PC4, fragmentation of the surrounding area, and that Council should undertake a wider plan change process for the Otaihangā area.

7.99 The reporting officer makes the following recommendations:

332. I recommend that the submissions that seek that PPC4 be declined in respect of the objective of PPC4 and growth matters be rejected [S1.1, S4.1, S14.1, S15.1, S15.2, S15.3, S17.1].

333. I recommend that the submissions that seek amendment to PPC4 in respect of the objective of PPC4 and growth matters be accepted in part [S2.1, S10.1, S15.4, S15.5].

7.100 The reporting officer outlines how there is considerable policy direction provided in both the RPS and Plan. Overall, she concludes that the proposal is generally consistent with the policy direction in both planning documents.

7.101 The reporting officer has one area of concern being:⁶⁰

As I have outlined earlier, the only area of concern in respect to the proposed rezoning is in respect to the potential fragmentation of the land, creating a pocket of RLZ land to the east. While I concur with Ms. Popova that this is not a best practice outcome, I do not consider it would preclude the future rezoning or development of that land. I also do not consider it would preclude its use in the interim, given the proposed PPC4 provisions, as recommended to be amended and District Plan provisions adequately address reverse sensitivity and other effects. I also do not consider the RLZ and GRZ to be incompatible.

My Assessment

7.102 I agree with the reporting officer's recommendations for the reasons outlined in the Section 42A Report.

8. CONCLUSION

8.1 In my opinion, the Plan Change appropriately seeks to provide for the residential re-zoning of the Site to enable its residential use, with a particular emphasis on the provision of retirement housing options. Housing and more specifically retirement housing and aged care demand is increasing in the Kāpiti District and with inadequate supply available.

⁶⁰

Refer paragraph 331 on page 90 of the Section 42A Report.

- 8.2 After reviewing submissions and additional evidence provided by the Applicant's technical experts, I remain of the view that the environmental effects of the PC4 will be no more than minor, or that where necessary, environmental effects can be appropriately addressed at the resource consent stage. I consider that the Plan Change enables an appropriate framework to consider such effects at the resource consent stage. Further, I also consider that a range of positive effects will result from the Plan Change.
- 8.3 I remain of the view that the Plan Change achieves consistency with relevant national, regional and local planning instruments. I consider that the Plan Change is the most appropriate means to achieve the 'objectives of the RMA and the Plan.
- 8.4 In my opinion, the Plan Change should be approved, subject to minor amendments I propose in **Appendix 1**.

Torrey James McDonnell

16 January 2026

APPENDIX 1 – PROPOSED CHANGES TO THE DISTRICT PLAN

Note:

- Changes originally proposed by Welhom Developments Ltd as part of the Request are shown underline and strikethrough.
- Changes proposed by officer recommendations are blue underline and blue strikethrough.
- Further changes proposed in response to Council section 42A report and submissions are shown in red underline and red strikethrough.

Maps

- Change the zoning of the Site from Rural Lifestyle Zone to General Residential Zone in the area outlined below.



Development Area

- Insert new section titled: 'DEV3 - Ratanui Development Area', with text as underlined below.

DEV3 - Ratanui Development Area

Introduction

The Development Area provides for either a retirement village or residential development at the Site identified in DEV3- Figure 1: Ratanui Development Area Structure Plan.

This Section contains policies, rules and standards relating specifically to the Ratanui Development Area. The provisions in this chapter apply in addition to the underlying General Residential Zone provisions and the provisions contained in the Part 2: District-Wide Matters chapters.

<u>DEV3- P1</u>	<u>Retirement Villages</u>
<u>Enable retirement villages in DEV3 – Ratanui Development Area where the development is generally consistent with DEV3- Figure 1: Ratanui Development Area Structure Plan including:</u>	
<ol style="list-style-type: none"> <u>providing site access via a T-intersection with a right turn bay in the area indicated in the Structure Plan;</u> 	

2. creating a flood storage area in the general area indicated in the DEV3-Figure 1: Ratanui Development Area that provides for compensatory flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the impacts of the development from removing existing floodplain storage on the Site;
3. creating large-centralised wetland areas in locations indicated in the DEV3-Figure 1: Ratanui Development Area Structure Plan to provide for stormwater management and for offsetting any loss of wetland habitat on the site. The wetland areas will:
 - a. provide flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the stormwater impacts of the development on the downstream catchment;
 - b. provide stormwater treatment outcomes in accordance with Council's Land Development Minimum Requirements 2022;
 - c. provide for the offsetting of wetland loss elsewhere on the site by creating offset wetlands within the centralised wetland area(s) where:
 - i. the primary function of the offset areas is to create natural inland wetlands;
 - ii. the secondary function of offset areas is to provide flood storage and stormwater treatment functions;
 - iii. the offset areas are established and managed to ensure [at least a net gain in indigenous biodiversity outcomes; positive environmental gain;](#)
 - iv. the offset areas within the wetlands are clearly identified in plans and will exclude first flush areas designed to be cleaned out when sediment builds up;
4. ensure that development within the Site occurs in such a way that landscape and visual effects are managed, the development is sensitively integrated into the surrounding landscape, and an attractive and biodiverse planting structure is created for the Site including:
 - a. appropriate street tree and amenity planting, including riparian planting along the highly modified stream;
 - b. planting species and arrangements reflecting predominantly indigenous species which are typical of the coastal area [and naturally occurring in the local area,](#) as well as appropriate exotic amenity plantings;
 - ~~c.~~ vegetated buffers [on the southern extent of the Site in areas indicated in the DEV-3 – Figure 1: Ratanui Development Area Structure Plan](#) that;

- i. comprise predominantly indigenous species ranging from shrubs to mature trees; with an anticipated minimum width of 5m
 - ii. reflect the ~~more 'wooded'~~ parkland character of the rural residential properties along Ratanui Road
 - iii. provide filtering of views into the site from adjacent dwellings where practicable, and
 - iv. do not apply where a transport connection is provided to adjacent sites;
- d. development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters where practicable); and
- e. ~~providing an appropriate~~ landscaped ~~and/or vegetated~~ buffers in areas indicated in the DEV3- Figure 1: Ratanui Development Area Structure Plan to soften the transition from a residential to rural lifestyle land use;
 - i. comprise treatments including landscaping, planting, fencing and/or earthbunds, as appropriate, ~~with an anticipated minimum width of 5m,~~
 - ii. ensure integration between the new development and adjacent sites and the wider landform ~~soften the transition from a residential to rural lifestyle land use;~~ and
 - iii. do not apply where a transport connection is provided to adjacent sites.; and
- f. ~~have a form of development where the tallest buildings are located towards the middle of the site, where practicable;~~
- 5. ensure building foundations are designed to resist liquefaction induced settlement; and
- 6. ensure any increase in lateral spread hazard and/or effects to neighbouring properties is avoided, including through providing a minimum setback for buildings or other protection or mitigation measures for adjacent property boundaries.

DEV3- P2	<u>Residential Activities and associated subdivision</u>
<p><u>Enable residential activities and associated subdivision in DEV3 – Ratanui Development area where the development is generally consistent with DEV3- Figure 1: Ratanui Development Area Structure Plan including:</u></p> <ol style="list-style-type: none"> 1. <u>providing primary site access via a T-intersection with a right turn bay in the area indicated in the Structure Plan as well as providing additional connectivity to adjacent sites;</u> 2. <u>considering the need for community facilities or reserves within the Site;</u> 	

3. creating a flood storage area in the general area indicated in the DEV3-Figure 1: Ratanui Development Area that provides for compensatory flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the impacts of the development from removing existing floodplain storage on the Site;
4. creating large-centralised wetland areas in locations indicated in the DEV3-Figure 1: Ratanui Development Area Structure Plan to provide for stormwater management and for offsetting any loss of wetland habitat on the site. The wetland areas will:
 - a. provide flood storage for events up to a 1% AEP event (including allowing for sea level rise and increased rainfall intensity) to mitigate the stormwater impacts of the development on the downstream catchment;
 - b. provide stormwater treatment outcomes in accordance with Council's Land Development Minimum Requirements 2022;
 - c. provide for the offsetting of wetland loss elsewhere on the site by creating offset wetlands within the centralised wetland area(s) where:
 - i. the primary function of the offset areas is to create natural inland wetlands;
 - ii. the secondary function of offset areas is to provide flood storage and stormwater treatment functions;
 - iii. the offset areas are established and managed to ensure [at least a net gain in indigenous biodiversity outcomes positive environmental gain](#);
 - iv. the offset areas within the wetland areas are clearly identified in plans and will exclude first flush areas designed to be cleaned out when sediment builds up;
5. ensure that development within the Site occurs in such a way that landscape and visual effects are managed, the development is sensitively integrated into the surrounding landscape, and an attractive and biodiverse planting structure is created for the Site including:
 - a. appropriate street tree and amenity planting, including riparian planting along the highly modified stream;
 - b. planting species and arrangements reflecting predominantly indigenous species which are typical of the coastal area [and naturally occurring in the local area](#), as well as appropriate exotic amenity plantings;
 - c. vegetated buffers [on the southern extent of the Site in areas indicated in the DEV-3 – Figure 1: Ratanui Development Area Structure Plan](#) that;

- i. comprise predominantly indigenous species ranging from shrubs to mature trees; ~~with an anticipated minimum width of 5m~~
 - ii. reflect the ~~more 'wooded'~~ parkland character of the rural residential properties along Ratanui Road
 - iii. provide filtering of views into the site, and
 - iv. do not apply where a transport connection is provided to adjacent sites;
 - d. development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters where practicable); and
 - e. ~~providing an appropriate~~ landscaped ~~and/or vegetated~~ buffers in areas indicated in the DEV3- Figure 1: Ratanui Development Area Structure Plan to soften the transition from a residential to rural lifestyle land use;
 - i. comprise treatments including landscaping, planting, fencing and/or earthbunds, as appropriate, ~~with an anticipated minimum width of 5m,~~
 - ii. ensure integration between the new development and adjacent sites and the wider landform ~~soften the transition from a residential to rural lifestyle land use;~~ and
 - iii. do not apply where a transport connection is provided to adjacent sites.; and
 - f. ~~have a form of development where the tallest buildings are located towards the middle of the site, where practicable;~~
6. ensure building foundations are designed to resist liquefaction induced settlement; and
7. ensure any increase in lateral spread hazard and/or effects to neighbouring properties is avoided, including through providing a minimum setback for buildings or other protection or mitigation measures for adjacent property boundaries.

DEV3-R1	Retirement Villages within the Ratanui Development Area	
	<u>GRZ-R41 does not apply in addition to this Rule.</u>	
<u>Controlled Activity</u> <u>Restricted discretionary activity</u>	1. <u>Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P1.4 that contains the following information:</u> <ul style="list-style-type: none"> a. <u>Details of plantings proposed for the</u> 	Matters of control discretion <ol style="list-style-type: none"> 1. <u>The degree to which the development is in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</u> 2. <u>The matters in policy DEV3-P1.</u> 3. <u>The matters of discretion in GRZ-R41.</u>

	<p><u>vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</u></p> <p>b. <u>Details of design for the landscaped buffer (landscaping, fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p>Note:</p> <ul style="list-style-type: none"> • <u>No buildings shall be located in landscaped or vegetated buffers.</u> • <u>For the avoidance of doubt GRZ-R41 does not apply to retirement villages within DEV3 — Ratanui Development Area.</u> 	
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DEV3-R2	Subdivision within the Ratanui Development Area	
<u><i>Restricted Discretionary Activity</i></u>	<p>1. <u>Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P2.5 that contains the following information:</u></p> <p>a. <u>Details of plantings proposed for the vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</u></p> <p>b. <u>Details of design for the landscaped buffer (landscaping, fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p>Note:</p>	<p><u>Matters of discretion</u></p> <p>1. <u>The degree to which the development is in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</u></p> <p>2. <u>The matters in policy DEV3-P2.</u></p>

	<ul style="list-style-type: none"> • <u>No buildings shall be located in landscaped or vegetated buffers.</u> 	
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DEV3-R3	<u>Residential Activities within the Ratanui Development Area where there are four or more residential units per site</u>	
<u>Restricted Discretionary Activity</u>	<ol style="list-style-type: none"> 1. <u>Where a Landscape and Earthworks Plan is provided by a suitably qualified and experienced landscape architect addressing the matters listed in DEV3-P2.5 that contains the following information:</u> <ol style="list-style-type: none"> a. <u>Details of plantings proposed for the vegetated buffer shown in DEV3- Figure 1: Ratanui Development Area Structure Plan; and</u> b. <u>Details of design for the landscaped buffer (landscaping, fencing and/or planting) shown in DEV3- Figure 1: Ratanui Development Area Structure Plan.</u> <p>Note:</p> <ul style="list-style-type: none"> • <u>No buildings shall be located in landscaped or vegetated buffers.</u> 	<p><u>Matters of discretion</u></p> <ol style="list-style-type: none"> 1. <u>The degree to which the development is in general accordance with DEV3- Figure 1: Ratanui Development Area Structure Plan.</u> 2. <u>The matters in policy DEV3-P2.</u>

DEV3-R4	<u>Any activity that is listed as a controlled or restricted discretionary activity that does not comply with one or more of the activity standards</u>
<u>Non-complying Activity</u>	

DEV3- Figure 1: Ratanui Development Area Structure Plan

