Operative Kapiti Coast District Plan 2021

Private Plan Change 4 – Welhom Developments Limited

Section 42A Report

Request to rezone part of 65 and 73 Ratanui Road, Otaihanga

5 December 2025

Report prepared by
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Acronyms used in this report

The following table is a list of acronyms used in this report.

Acronym	Full wording
Council	Kāpiti Coast District Council
District Plan	Operative Kāpiti Coast District Plan
FDS	Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054
GWRC or the Regional Council	Greater Wellington Regional Council
Growth Strategy	Te Tupu Pai Growth Strategy 2022
GRZ	General Residential Zone
HBA	Wellington Regional Housing and Business Development Capacity Assessment 2023
IMP	Iwi Management Plan
LDMR	Land Development Minimum Requirements
MDRS	Medium density residential standards
NES-CS	National Environmental Standard on Assessing and Managing Contaminants into Soil to Protect Human Health
NES-F	National Environmental Standard for Freshwater
NPS-FM	National Policy Statement for Freshwater Management
NPS-HPL	National Policy Statement on Highly Productive Land
NPS-IB	National Policy Statement on Indigenous Biodiversity
NPS-UD	National Policy Statement on Urban Development
NRP	Natural Resources Plan for the Wellington Region
NZCPS	New Zealand Coastal Policy Statement
NZPI	New Zealand Planning Institute
PC1 – NRP	Proposed Plan Change 1 to the Natural Resources Plan
PC1 – RPS	Proposed Change 1 to the Regional Policy Statement
PC2	Plan Change 2 to the Kāpiti Coast District Plan
PPC4 or the Plan Change	Proposed Plan Change 4
RLZ	Rural Lifestyle Zone
RPS	Regional Policy Statement for the Wellington Region
RMA or the Act	Resource Management Act 1991
Welhom or the Requestor	Welhom Developments Ltd
WRLC	Wellington Regional Leadership Committee

1 Executive Summary

1. This section 42A report was released on 5 December 2025.

2. My key conclusions are:
   - Having assessed Private Plan Change 4 to the Kāpiti Coast District Plan in relation to the key issues raised in submissions and through technical evidence and against the relevant statutory requirements, I consider that it is broadly appropriate. I can therefore support most aspects of PPC4 as detailed in this report and summarised in Section 14.
   - I have recommended amendments to address the interface between the Site and the surrounding area in terms of amenity and reverse sensitivity, the retention and enhancement of natural character of the coastal environment and the activity status for retirement villages. I consider these amendments are appropriate having regard to the issues raised in submissions, technical advice and relevant District Plan and RPS provisions.
   - I consider overall that PPC4 achieves the purpose of the Resource Management Act 1991 (the RMA or the Act).

2 Introduction

2.1 Qualifications and Experience

3. My full name is Gina Marie Sweetman. I am a consultant planner with over thirty-two years' experience working as a planner. I hold a Bachelor of Planning and a Master of Planning (First Class Honours), both from the University of Auckland. I am a Fellow of the New Zealand Planning Institute (NZPI), former editor of the Planning Quarterly (the Journal of the NZPI), a former three-term councillor and Branch chair of the NZPI, and in 2014 I was a recipient of the NZPI Distinguished Service Award. I hold a Chair Endorsement under the Making Good Decisions Programme for independent commissioners, and I am a government-appointed Development Contributions Commissioner.

4. I have worked as a planner in both the private and public sector, both for local and central government. During my career I have been involved in many resource consent and plan and policy making processes, as reporting officer, manager and commissioner, and consequently have been involved in many local authority hearings. I have extensive experience dealing with policy development and private plan changes, as well as structure plan processes. I have been involved with several retirement villages and large-scale residential developments, as processing planner for private plan changes and resource consent, and as a commissioner. For the last three years, I have been contracted part time as Consultant Chief Advisor at the Ministry for the Environment, working on resource management reforms.

2.2 Scope of Report

5. I have been asked by the Council to prepare this report under section 42A (s42A) of the Resource Management Act to document the assessment of the subject private plan change request (PPC4) to the Operative Kāpiti Coast District Plan (District Plan).

6. This report effectively acts as an independent review and assessment of:
   - The detailed information lodged with PPC4 lodged with the Council on 2 December 2024 and prepared by Incite on behalf of Welhom Developments Ltd ("Welhom" or "the requestor")

- The further information and updated PPC4 as submitted in February 2025
- The submissions and further submissions on PPC4
- PPC4 against the relevant statutory framework.

7. A full copy of the plan change request, the amended request as a result of a Request for Further Information, submissions, summary of submissions, further submissions, and other relevant documentation can be found on the Council's website[1].

8. The purpose of this report is to both assist the Hearing Panel in evaluating the request and deciding on submissions made on PPC4, and to assist submitters in understanding how their submission affects the planning process. This report includes recommendations on matters raised in submissions, and any changes to the District Plan considered appropriate having considered the statutory requirements.

9. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

10. In preparing this report I have:
    a) Visited the site and the surrounding area on a number of occasions.
    b) Reviewed the original plan change request, the Request for Further Information ('RFI') and the updated plan change documents received in response.
    c) Read and summarised all the submissions received on the plan change request.
    d) Considered the statutory framework and other relevant planning documents.
    e) Reviewed, and where necessary relied on, the peer reviews provided by other technical experts engaged by the Council to assist with the reporting on PPC4, as follows:

Appendix 5:	Economics
Appendix 6:	Transportation
Appendix 7:	Urban Design
Appendix 8:	Geotechnical
Appendix 9:	Water
Appendix 10:	Wastewater
Appendix 11:	Stormwater and flood risk
Appendix 12:	Landscape, natural character and visual amenity
Appendix 13:	Ecology

11. This report seeks to provide as little repetition as possible and identifies only those parts of the request that are not supported or remain unresolved. If a matter is not specifically dealt with in this report, then there is no dispute with the position set out in the request.

3 The Plan Change Proposal

12. The site and its environment are described in section 2.2 of PPC4. PPC4, including a s32 evaluation report, is linked as Appendix 1[2]. I generally adopt this description and do not repeat it for brevity. However, I do provide a high-level overview to assist the Panel.

[1] https://www.kapiticoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-welhom-developments-ltd/
[2] As amended in response to the Further Information Request.

13. PPC4 relates to the sites shown in the aerial photograph in Figure 1 below, being part of 65 and 73 Ratanui Road:

Figure 1: Aerial photograph showing the site



14. In brief, PPC4 seeks to:
    - Rezone the land from its current Rural Lifestyle Zone to General Residential Zone
    - Include a new Development Area Chapter within the Operative District Plan
    - Include a new Structure Plan within the Operative District Plan
    - Include bespoke provisions within the Development Area Chapter, associated with the Structure Plan. This would include specific provision for a retirement village.

15. The requestor provided the following information within the PPC4 request:
    - The PPC4 request document itself (as updated with further information)
    - The Structure Plan (as updated with further information)
    - Amendments to the District Plan Maps
    - Technical assessment documents as follows:
        - Landscape and visual assessment
        - Ecological assessment
        - Archaeological assessment
        - Integrated transport assessment
        - Civil engineering infrastructure assessment including information on flooding, wastewater capacity, water supply capacity, and on-site stormwater soakage testing
        - Geotechnical assessment
        - Economic assessment
        - Preliminary site investigation (report into contaminated land issues)
    - Letters of support from Ātiawa ki Whakarongotai and Te Rūnanga o Toa Rangatira

16. In response to the Council's further information request, the requestor provided:
    - Further information in respect to landscape, urban design and ecology
    - Further information regarding traffic and transport
    - An updated structure plan, showing more information to guide any future development
    - Updated provisions

17. At the Council's request, this further information was incorporated into the updated PPC4 request prior to public notification.

18. The proposed Structure Plan is shown in Figure 2 below.
    Figure 2: Proposed structure plan



19. The following policies and rules are proposed in the new Development Area Chapter and would apply in addition to those in the District Plan.

Provision	Purpose
DEV3-P1	A policy that enables retirement villages where the development is generally consistent with the structure plan and includes consideration of six different matters.
DEV3-P2	A policy that enables residential activities and associated subdivision where the development is generally consistent with the structure plan and includes consideration of seven different matters.
DEV3-R1	A controlled activity rule for retirement villages, which includes a standard requiring the provision of a landscape and earthworks plan.

	This Rule notes that GRZ-R41 relating to retirement villages would NOT apply.
DEV3-R2	A restricted discretionary activity rule for subdivision, which includes a condition requiring the provision of a landscape and earthworks plan.
DEV3-R3	A restricted discretionary activity rule for residential activities involving four or more residential units, which includes a condition requiring the provision of a landscape and earthworks plan.
DEV3-R4	A non-complying activity rule for any controlled or restricted discretionary activity that does not comply with one of more of the activity standards.
DEV3-Figure 1: Ratanui Development Area Structure Plan	This is the structure plan for the Development Area

4 Plan Change Site and Context Description

20. The characteristics and context of the site are comprehensively described in section 2.2 of the PPC and in section 4.1 of the Landscape Effects Assessment. For the sake of brevity, I have not repeated that description. The key aspects I highlight are:
    - The site is a rural-residential lifestyle block, predominantly covered in pasture and with some buildings
    - Its topography is undulating, characteristic with Kāpiti coastal duneland
    - There is a highly modified stream running east to west across the middle of the site, which is identified as an open channel stormwater channel on Council's GIS, and a drain on Greater Wellington Regional Council's (GWRC) Natural Resources Plan (NRP) online map viewer.[3]
    - There are 14 natural inland wetlands on the site
    - Ratanui Road is identified as a local community collector route within the District Plan's transport network hierarchy[4], with one traffic lane in each direction, operating in a 50km/hour speed limit area, then to 60km/hour to the east.
    - The site is connected to the reticulated water and wastewater network
    - The site has high liquefaction potential, similar to other sites in Paraparaumu
    - It is not located on the Regional Council's Selected Land Use Register, but an area of the site has been identified as having arsenic concentration exceeding national standard levels
    - The surrounding land uses are a mixture of rural residential and residential activities
    - The site is approximately:
        - A 7-minute drive or 14-minute cycle from the Paraparaumu town centre
        - A 700m walk from the closest bus stop on Mazengarb Road
        - A 2-minute drive from Main Road (old State Highway 1)
        - A 3.9km drive from the Kapiti Expressway
        - A 3-minute drive from the Waikanae River and its network of walking trails and other open space and recreation facilities
        - An 8-minute drive or 12 minute cycle from Paraparaumu Beach.

21. Section 2.2.11 sets out information on the legal description and titles, including:
    - 65 Ratanui Road has an area of 9.431ha. Only part of the site is proposed to be rezoned
    - 73 Ratanui Road has an area of 5.375ha.

[3] https://experience.arcgis.com/experience/8ca4cb5241604ee0a981935b9be3fd4c/page/Natural-Resources-Plan
[4] See TR-Table 7: https://eplan.kapiticoast.govt.nz/eplan/rules/0/185/0/15235/0/245

- 73 Ratanui Road is subject to a consent notice, which contains three conditions relating to on-site stormwater disposal, foundation design and access design. This is included as Appendix C to the PPC request.

22. Section 2.2.1 sets out that the requestor intends to undertake a subdivision to create a separate title for the southern portion of 65 Ratanui Road, along with the existing dwelling on the site, and confirms this land is not included in PPC4.

23. Reproduced as Figure 3 below, Figure 1 of the PPC4 request provides a local context plan, showing the site in context of the wider Paraparaumu area.

Figure 3: Site context



24. The relevant notations, zonings and overlays for the site are set out below. Figures 8 and 9 in the request show these on the planning maps.
    - Rural Lifestyle Zone (RLZ)
    - Flood Hazard – Stream Corridor Overlay
    - Flood Hazard – Ponding Area Overlay
    - Coastal Environment Overlay

25. As can be seen from these maps, apart from where the north-western corner of the site adjoins the General Residential Zone (GRZ), the site otherwise adjoins the RLZ. There is GRZ land close to the south-western boundary and further to the east.

5 Statutory Framework

26. PCC4 proposes to amend the District Plan. The District Plan is a document prepared to assist the Council to carry out its functions under Section 31, which is set out below:

> *(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
>
> *(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
>
> *(aa) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
>
> *(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
>
> *(i) the avoidance or mitigation of natural hazards; and*
>
> *(ii) [Repealed]*
>
> *(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
>
> *(iii) the maintenance of indigenous biological diversity:*
>
> *(c) [Repealed]*
>
> *(d) the control of the emission of noise and the mitigation of the effects of noise:*
>
> *(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
>
> *(f) any other functions specified in this Act.*
>
> *(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.*

27. The process for making a plan change request and how this is to be processed is set out in the 1st Schedule of the RMA.

28. Section 73(2) of the RMA allows for any person to request that a change be made to the District Plan, in accordance with the process set out in Part 2 or Part 5 of Schedule 1.

29. Clause 21(2) of Part 2 of Schedule 1 requires that the plan change request: explain the purpose of, and reasons for, the proposed change; contain an evaluation report prepared in accordance with section 32 of the RMA; and where environmental effects are anticipated, describe those effects in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change.

30. In this case, the tests to be applied to the consideration of PPC4 under Schedule 1 Part 2 of the RMA are summarised below and include whether:

a) It accords with and assists the Council to carry out its functions (s74(1)(a) and s31).
b) It accords with Part 2 of the Act (s74(1)(b)).
c) It accords with a national policy statement, a national planning standard and any regulation (s74)1(ea) and (f)).
d) It will give effect to any national policy statement, national planning standard or operative regional policy statement (s75(3)(a)(ba) and (c)).
e) The objectives of the request (in this case, being the stated purpose of the request) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)).

f) The provisions in the plan change are the most appropriate way to achieve the objectives of the District Plan and the purpose of the request (s32(1)(b)).

31. In evaluating the appropriateness of PPC4, the Council must also:
    a) Have particular regard to an evaluation report prepared in accordance with s32 (s74(1)(d) and (e)).
    b) Have regard to any proposed regional policy statement, management plans and strategies prepared under any other Acts, consistency with the plans or proposed plans of adjacent territorial authorities and any emissions reduction plan and national adaptation plan made in accordance with s5ZS of the Climate Change Response Act 2002 (s74(2)).
    c) Take into account any relevant planning document recognised by an iwi authority (s74(2A)).
    d) Not have regard to trade competition or the effects of trade competition (s74(3)).
    e) Ensure that it is not inconsistent with a water conservation order or regional plan (s75(4)).
    f) Have regard to actual and potential effects on the environment, including, in particular, any adverse effect in respect to making a rule (s76(3)).

32. The functions of Council set out in s31 of the Act that are required to be maintained when evaluating the appropriateness of PPC4 include the establishment, implementation and review of objectives, policies, and methods to:
    a) Achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources (s31(1)(a)).
    b) To ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)).
    c) Control any actual or potential effects of the use, development, or protection of land (s31(1)(b)).

33. The request considers the actual and potential effects of PPC4 on the environment, and where necessary, I have made further comment and assessment of these later in this report. Similarly, an assessment of PPC4 against the various statutory documents that it is required to have regard to is set out further below.

5.1 Medium density residential standards and policy 3 of the NPS-UD

34. Another requirement when rezoning land to a residential zone is section 77G of the RMA, which requires Tier 1 territorial authorities to incorporate the medium density residential standards (MDRS) and give effect to policy 3 of the NPS-UD into the district plan. Policy 3 of the NPS-UD does not apply to PPC4 so I do not consider it further. The Council has already amended its District Plan to give effect to section 77G. In summary, if rezoned to GRZ, the MDRS provides for three three-storey buildings on a site, subject to standard height in relation to boundary, setback, building coverage, outdoor living space, outlook space, windows to street and landscaped area controls.

35. Under section 77I, a council may only make the MDRS requirements less enabling of development to the extent necessary to accommodate a qualifying matter. That is, the MDRS must apply, unless there are qualifying matters that justify less lenient provisions. Existing qualifying matters that are relevant to PPC4 and already contained within the District Plan can be found within the District-wide chapters of the district plan, for example provisions that manage significant risks from natural hazards. There are no site-specific new qualifying matters proposed within PPC4.

6 PPC4 Acceptance, Further Information, Notification and Submission Process

36. PPC4 was lodged with the Council on 2 December 2024. A request for further information under clause 23 of Part 2 of Schedule 1 of the RMA was issued by the Council on 16 January 2025. The further information request was responded to by 27 February 2025.

37. PPC4 was accepted for public notification at Council's meeting held 13 March 2025 (under clause 25(2)(b)).

38. PPC4 was publicly notified on 30 May 2025, with the submission period closing on 1 July 2025. Eighteen submissions were received. These were then summarised and publicly notified for further submissions on 15 August 2025 with the period for further submissions closing on 29 August 2025. Two further submission was received by that date.

39. The further submission of Alex Metcalfe (FS2), who is also a primary submitter, supports the submission from John Le Harivel.

40. The further submission of Katherine Corich (FS1) does not support or oppose any primary submissions and therefore it does not meet the requirements of Clause 8(2) of Schedule 1 of the RMA. I recommend that it be rejected accordingly.

41. The submissions, submission summary and further submissions are available on the plan change webpage[5].

42. Of the 18 submissions received, eight oppose PPC4, one is unclear, and nine either oppose or support it in part and seek amendments.

43. PPC4 has reached the point where a hearing is now required (Clause 8B of the First Schedule to the RMA). Following the hearing, the Council is required to give a decision on the plan change and whether to accept or reject the associated submissions in full or in part (Clause 10 of the First Schedule to the RMA).

7 Consultation undertaken

44. As this is a private plan change request, the applicant is responsible for undertaking any consultation. Section 6, Consultation, of PPC4 sets out who the requestor has consulted with, and it includes the Council, Greater Wellington Regional Council, Ngā Hapū o Otaki, Ātiawa ki Whakarongotai and Te Rūnanga o Toa Rangatira. The request includes letters of support from Ātiawa ki Whakarongotai and Te Rūnanga o Toa Rangatira. I am also aware from a conversation with the Requestor's planner that the requestor undertook a letter drop and attended a Paraparaumu Community Board meeting subsequent to lodging the PPC request with the Council.

[5] https://www.kapiticoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-welhom-developments-ltd/

8 Policy Framework

45. This section provides an overview of the policy framework under which PPC4 must be considered.

46. As noted earlier, the District Plan (including as amended by any plan change) must give effect to any national policy statement (s75(3)(a)), any New Zealand coastal policy statement (s73(3)(b)), a national planning standard (s75(3)(ba)) and any regional policy statement (s75(3)(c)); have regard to a proposed regional policy statement (s74(2)(a)(i)); a proposed regional plan (s74(2)(a)(ii)); any management plan or strategy prepared under other Acts (s74(2)(b)(i)); the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities (s74(2)(c)) and any emissions reduction plan or national adaptation plan made under the Climate Change Response Act 2002 (s74(2)(d) and (e)); take into account any relevant planning document recognised by an iwi authority and lodged with the local authority, to the extent that its content has a bearing on the resource management issues of the district (s74(2A)); and must not be inconsistent with any water conservation order or regional plan (s75(4)(b)). There are no relevant water conservation orders to consider. The content of these documents as they relate to PPC4 is discussed in the application and is set out further below.

47. In my view, the documents that are most pertinent to consideration of PPC4 are:
- The National Policy Statement on Urban Development 2020 (the NPS-UD)
- The National Policy Statement for Freshwater Management 2020 (the NPS-FM)
- The New Zealand Coastal Policy Statement 2010 (the NZCPS)
- The National Policy Statement on Indigenous Biodiversity 2023 (the NPS-IB)
- The National Planning Standards 2019
- The National Environmental Standard on Assessing and Managing Contaminants into Soil to Protect Human Health 2011 (NES-CS)
- The National Environmental Standard for Freshwater 2020 (NES-F)
- The Regional Policy Statement for the Wellington Region 2013 (the RPS)
- Proposed Change 1 to the RPS (PC1 – RPS)
- The Natural Resources Plan for the Wellington Region 2023 (the NRP)
- Proposed Change 1 to the NRP (PC1 – NRP)
- The Operative Kapiti Coast District Plan 2021 (District Plan)

48. While the following are not statutory documents, they have been promulgated in accordance with requirements of the NPS-UD and therefore provide relevant context to be had regard to.
- The Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 (FDS)
- The Wellington Regional Housing and Business Development Capacity Assessment 2023 (HBA)
- Te Tupu Pai Growth Strategy 2022 (Growth Strategy)

49. The following iwi management plans are also relevant:
- Nga Korero Kaupapa mo Te Taiao: Policy Statement Manual for Kapakapanui: Te Runanga o Ati Awa ki Whakarongotai 2001
- Te Haerenga Whakamua – A review of the District Plan Provisions for Māori: A vision to the Future for the Kāpiti Coast District Council District Plan Review 2012
- Whakarongotai o te moana o te wai Kaitikitanga Plan for Te Ātiawa ki Whakarongotai 2019

50. As a request to rezone land to a General Residential Zone to enable residential subdivision within an area identified as suitable for future urban development, I do not consider there to be a necessity to be consistent with the plans or proposed plans of adjacent territorial authorities.

51. The PPC request also references the following as being relevant:
    - The Government Policy Statement on Housing and Urban Development 2021
    - Better Later Life – He Oranga Kaumātua 2019 to 2034
    - Te Whaitua o Kāpiti Implementation Programme.

52. The applicant has addressed and assessed the policy framework in section 4 of the request. Given the coverage provided by the applicant's request, I cross-reference to it where appropriate to avoid repetition.

53. I concur with the requestor's position outlined in section 4.3 of the request that the National Policy Statement on Highly Productive Land 2022 does not apply to PPC4, for the reasons stated by the requestor. I have not addressed the NPS-HPL any further.

8.1 National Policy Statement on Urban Development 2020 (NPS-UD)

54. The Government gazetted the National Policy Statement for Urban Development 2020 (NPS-UD) on 20 July 2020, and it came into force on 20 August 2020. The NPS-UD was in response to growth pressures being faced nationally and it replaces the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC).

55. The NPS-UD defines an 'urban environment' as being an area of land that is or is intended to be predominantly urban in character; and is or is intended to be part of a housing and labour market of at least 10,000 people (regardless of size, and irrespective of local authority or statistical boundaries). Kāpiti District is within a Tier 1 urban environment.

56. The NPS-UD contains eight objectives and 11 policies, supported by implementation methods, for planning for well-functioning urban environments under the RMA.

57. The Council gave effect to Policy 3 of the NPS-UD and sections 77G and 80F of the RMA[6] through Plan Change 2 (PC2) to the District Plan, which I address later in this report. In my view, policies 1 and 8 of the NPS-UD are the key consideration in respect to PPC4.

58. NPS-UD Policy 1 states:

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

[6] These two sections of the RMA relate to a Tier 1 territorial authority's obligations to notify an intensification planning instrument to give effect to the Medium Density Residential Standards and Policy 3 of the NPS-UD.

59. NPS-UD Policy 8 states that:

> *local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*
>
> *a) unanticipated by RMA planning documents; or*
>
> *b) out-of-sequence with planned land release.*

60. In short, Policy 1 provides the context for what a well-functioning urban environment looks like under Policy 8 and informs whether Objective 1 would be achieved through PPC4. Policy 8 'opens the door' for private plan changes to be considered for blocks of land that were not identified for urban development in the District Plan i.e. they are 'unanticipated by an RMA planning document', or out-of-sequence with planned land release. This includes the subject site as it is not anticipated for urban development in an RMA planning document, and is located within an area scheduled within Council's growth strategy as a 'medium priority greenfield growth area'[7]. It likewise enables the opportunity to consider whether development of the site to different densities or zones would produce a better overall outcome or a 'well-functioning urban environment'. An RMA planning document is defined in the NPS-UD as meaning all or any of a regional policy statement, a regional plan or a district plan.

61. In order to be able to pass through the Policy 8 doorway, plan changes need to meet two tests, namely that the plan change would add significantly to development capacity, and secondly that it would contribute to a well-functioning urban environment as described within Policy 1.

8.1.1 Development Capacity

62. Objective 6 of the NPS-UD seeks that local authority decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and are responsive, particularly in relation to proposals that would supply significant development capacity.

63. This Objective is implemented by:

- Policy 2, which requires that "at least" sufficient development capacity is provided within the district to meet the expected demand for housing, in the short, medium and long terms.
- Policy 6, which guides decision-makers to have particular regard to (amongst others) "*any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity";* and
- Policy 8, as addressed above.

64. Further direction in terms of the application of Policy 8 is found within the NPS-UD itself. Subpart 2 – Responsive Planning, Clause 3.8 'Unanticipated or out of sequence developments' sets out that:

> *(2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:*
>
> a) *would contribute to a well-functioning urban environment; and*
>
> b) *is well-connected along transport corridors; and*
>
> c) *meets the criteria set under subclause (3); and*

[7] *Te tupu pai - Growing Well, Kapiti Coast District Council 2022. At page 16:* https://www.kapiticoast.govt.nz/media/42mmy4nr/growth-strategy-2022.pdf

(3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

65. The Greater Wellington Regional Council (GWRC) amended its RPS through Change 1 to address Clause 3.8(3). I address this later in this report.

66. PPC4 is unanticipated by the RPS and District Plan. In order to be considered under Policy 8 it therefore first needs to be capable of delivering 'significant development capacity'. In considering this, Council must use evidence and analysis, particularly the HBA.[8]

67. The NPS-UD defines development capacity as follows:

means the capacity of land to be developed for housing or for business use, based on:

a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and

b) the provision of adequate development infrastructure to support the development of land for housing or business use

68. The definition of development infrastructure includes water, wastewater and stormwater as well as land transport infrastructure. Therefore, if a proposal cannot be adequately serviced by the necessary infrastructure it cannot be said to contribute to development capacity. Whether or not the site can be adequately serviced is addressed further in this report.

8.1.2 A well-functioning urban environment

69. As noted above, the provision of significant capacity is the first of two policy tests. The second test set out in Policy 8 is whether that additional capacity is located such that it will 'contribute to a well-functioning urban environment'. Such an assessment is informed by the other objectives and policies of the NPS-UD which work as a package.

70. Policy 1 of the NPS-UD sets out what constitutes a 'well-functioning urban environment' and requires that planning decisions contribute to such environments.

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

(a) have or enable a variety of homes that:

i. meet the needs, in terms of type, price, and location, of different households; and

ii. enable Māori to express their cultural traditions and norms; and

(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and

(e) support reductions in greenhouse gas emissions; and

(f) are resilient to the likely current and future effects of climate change.

71. Whether or not the site contributes to a well-functioning urban environment is addressed in this report.

[8] As required by NPS-UD, Clause 3.11.

72. In short, these policies direct that councils are responsive to PPCs that would add significantly to development capacity, where they also contribute to well-functioning urban environments, regardless of whether they are planned for or not. Council must use the evidence and information provided by the HBA in drawing any conclusions on the significance of the development capacity that would be provided. Implementation Clause 3.11 of the NPS-UD also requires that local authorities must use evidence, in particular any relevant HBAs, about land and development markets and the results of monitoring, to assess the impact of different options for urban development, including in s32 and s32AA reports.

73. The requestor addresses the NPS-UD in Section 4.3.2 and Appendix B of the PPC4 request. I agree the objectives, policies and implementation clauses are those relevant to PPC4. My assessment of PPC4 against the NPS-UD is undertaken through the rest of this report.

8.2 New Zealand Coastal Policy Statement 2010 (NZCPS)

74. The requestor addresses the NZCPS in Section 4.3.1 and Appendix B of the PPC4 request. I agree that the site is located within the mapped coastal environment overlay contained in the District Plan and the objectives and policies that are relevant to PPC4 relate to natural character degraded habitats. My assessment of PPC4 against the NZCPS is undertaken through the rest of this report.

8.3 National Policy Statement for Freshwater Management 2020 (NPS-FM)

75. The NPS-FM came into force on 3rd September 2020 and was amended in October 2024. The NPS-FM contains one objective and 15 policies, which are set out in section 4.3.3 of the PPC4 request. I concur that the NPS-FM is primarily directive to regional councils, to be given effect to by regional policy statements and regional plans, through freshwater planning instruments. The Greater Wellington Regional Council has commenced giving effect to the NPS-FM through Proposed Change 1 to the RPS and Proposed Change 1 to the NRP, which I address later. The NPS-FM will still need to be considered through any subsequent regional consenting process, should PPC4 be approved.

76. I agree with the request that while the NPS-FM is not directive to the District Plan, land use activities will impact water quality. I address the NPS-FM where relevant in this report.

8.4 National Policy Statement for Indigenous Biodiversity (NPS-IB)

77. The NPS-IB came into effect in 2023. It was subsequently amended in October 2024. It applies to terrestrial indigenous biodiversity (the NPS-FM applies to aquatic indigenous biodiversity). The requestor addresses the NPS-IB in section 4.3.4 of the PPC4 request. I agree that the objective and relevant policies of the NPS-IB set out in the request are relevant. I concur that there are no significant natural areas (SNAs) identified on the site and that Implementation clause 3.16 is relevant to indigenous biodiversity located outside of SNAs. I address the NPS-IB where relevant in this report.

8.5 National Environmental Standard for Freshwater 2020 (NES-F)

78. The majority of the NES-F came into effect on 3rd September 2020. Those parts that did not come into effect at that time are not relevant to PPC4. Regulation 5 of the NES-F is clear that it deals with the functions of regional councils under s30 of the Act and does not deal with the functions of territorial authorities under s31.

79. What is relevant to PPC4 are the regulations contained in Part 3 – Standards for other activities thar relate to freshwater. Regulations 38 to 56 in Subpart 1 – natural wetlands – includes permitted, restricted discretionary, discretionary, non-complying and prohibited activity rules relating to natural wetlands. These rules cover, in summary, vegetation clearance, earthworks or land disturbance and the taking, use, damming, diversion, or discharge of water within or within a specified setback from natural wetlands for a range of different activities.

80. The NES-F works in tandem with the NPS-FM, particularly in that its regulations implement the policies required to be inserted under Clauses 3.22, 3.24 and 3.26. Until such time as regional plans give effect to the NPS-FM, these Clauses are relevant considerations that must be had regard to by a regional council for any resource consent pursuant to section 104(1)(b) of the Act. I address the NES-F where relevant in this report.

8.6 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

81. As this is a request for a zone change, and not to determine the actual use of the site, the NES-CS does not strictly apply. The requirements of the NES-CS will have to be appropriately addressed at any subsequent subdivision or building consent stage and, depending on the nature of any future activity, may either satisfy the permitted activity requirements or require resource consent under the NES-CS. I address the NES-CS where relevant in this report.

8.7 National Planning Standards

82. The requestor addresses the National Planning Standards in section 4.2 of the request. I agree with the requestor that PPC4 has been developed in accordance with the National Planning Standards, including the use of a Development Area. I do not address this further.

8.8 Regional Policy Statement for the Wellington Region (RPS)

83. The RPS was made operative in 2013. Proposed Change 1 to the RPS is subject to appeal to the Environment Court. The Requestor has provided extensive coverage of the RPS including Change 1 in Appendix B of the request, which I do not repeat. The most recent version is the September 2025 Appeals Version.

84. The most relevant objective to PPC4 and the concerns raised in submissions is Objective 22 in respect to regional form, design and function. This objective is subject to appeal.

> ***Objective 22***
> *A compact, well-designed, climate-resilient, accessible, and environmentally responsive regional form with well-functioning urban areas and rural areas, where:*
> *a) there is sufficient development capacity to meet the needs of current and future generations, improve housing affordability and quality, and provide access to a diversity of housing typologies within neighbourhoods which enable choice; and*
> *b) Māori are able to express their culture and traditions, and the relationship of mana whenua / tangata whenua with their culture, ancestral land, water, sites, wāhi tapu and other taonga is provided for; and*
> *c) Te Mana o te Wai is given effect to; and*
> *d) intensification occurs within existing urban zones in appropriate places where it is environmentally responsive; and*
> *e) subdivision, use and development is located, designed, and constructed in a way that is climate-resilient and contributes to reducing greenhouse gas emissions; and*

f) built environments, including integrated transport infrastructure, meet the health and wellbeing needs of all people, with multi-modal access including active transport, between housing, jobs, community services, centres, green space, and open space; and

g) the biophysical characteristics, location, recognised values, capability and limitations of land inform its use and development; and

h) the productive capacity of rural land is retained; and

i) existing urban-zoned land, and infrastructure capacity is used effectively and efficiently; and

j) new or upgraded infrastructure is integrated and sequenced with development; and

k) development densities are sufficient to support the provision and ongoing maintenance of infrastructure; and

l) a variety of residential, commercial, mixed use and industrial development in appropriate locations is provided which contributes to viable and vibrant centres at a range of scales, and industrial-based employment locations; and the safe and efficient operation of regionally significant infrastructure is protected from potential reverse sensitivity effects.

85. Proposed Policies 55, 56, UD.3 and UD.5 implement the Objective and give effect to the NPS-UD. I set these out below:

Policy 55: Managing greenfield development to contribute to well-functioning urban areas and rural areas ~~Maintaining a compact, well-designed and sustainable urban form~~ consideration

~~When considering an~~ An application for a resource consent, notice of requirement, or a change, variation or review of a district plan for urban development beyond the region's existing urban zones ~~urban areas (as at March 2009)~~, will contribute to achieving a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form if: ~~particular regard shall be given to whether:~~

a) the location, design and layout of the urban ~~proposed~~ development ~~is the most appropriate option to achieve Objective 22~~:

1. contributes to well-functioning urban areas, as articulated in Policy UD.5; and

2. is well-connected to the existing urban area, which means it:

(i) is adjacent to existing urban zones with access to employment and amenities, and either,

(ii) is along existing or planned transport corridors that provide for multi-modal transport options, including public transport, or

(iii) supports the efficient and effective delivery of planned new or upgraded transport infrastructure including for public transport; and

3. concentrates building heights and densities to:

(i) maximise access to, and efficient use of, existing infrastructure,

(ii) use land to be zoned urban efficiently,

(iii) support viable and vibrant neighbourhood, local, town, metropolitan and city centres, and

(iv) support reductions in greenhouse gas emissions by use of low and zero-carbon emission transport modes, including efficient provision of public transport services; and

4. applies specific management or protection for values or resources required by this Regional Policy Statement, including:

(i) managing subdivision, use and development in accordance with the risk from natural hazards as required by Policy 29,

(ii) protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23,

(iii) protecting outstanding natural features and landscape values as identified by Policy 25,

(iv) protecting historic heritage values as identified by Policy 22,

(v) giving effect to Te Mana o te Wai consistent with Policy 42,

(vi) providing for climate resilience and supporting a low and zero-carbon multi-modal transport network consistent with

(vii) Policies CC.1, CC.4, CC.4A, CC.9, CC.14 and CC.14A,

(viii) providing for mana whenua / tangata whenua values, including their relationship with their culture, ancestral lands, water, sites, wāhi tapu and other taonga,

(ix) protecting Regionally Significant Infrastructure from incompatible or inappropriate adjacent land uses, consistent with Policy 8,

(x) protecting significant mineral resources from incompatible or inappropriate adjacent land uses, consistent with Policy 60, and

(xi) managing effects on natural character in the coastal environment, consistent with Policy 36; and

b) it ~~the proposed development~~ has regard to ~~is consistent with~~ the Future Development Strategy ~~the Council's growth and/or development framework or strategy~~ that describes where and how future urban development ~~should~~ will occur ~~in that district~~; and~~/or~~

c) a structure plan has been prepared to a level of detail commensurate to the scale of the urban development, in partnership with mana whenua / tangata whenua where undertaken by a local authority.; and

d) for a plan change, it would add significantly to development capacity in accordance with Policy UD.3.

Explanation

Policy 55 gives direction to the matters that must be considered in any proposal that will result in urban development occurring beyond the region's existing urban areas, which is any greenfield development. This involves ensuring that Objective 22 is achieved. Clause (a) includes managing values or resources as required elsewhere in the Regional Policy Statement.

Policy 55 seeks that greenfield developments demonstrate appropriate development densities to use the new urban-zoned land efficiently. They should also be located, zoned, laid out, and designed to best support existing urban development or existing or new centres (for example through mixed use zoning) and provide for low and zero-carbon travel, to support compact, connected, climate- resilient, diverse and low-emission neighbourhoods.

Clause (b) requires consideration to be given to the consistency of the development with the Future Development Strategy which will look to deliver well-functioning urban environments through a regional spatial plan.

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

Clause (d) requires consideration of a plan change that would add significantly to development capacity, which gives effect to Policy 8 of the National Policy Statement on Urban Development 2020.

[note – the struck-out text of the explanation has not been included)

Policy 56: Managing development in rural areas – consideration

When considering an application for a resource consent or a change, variation or review of a district plan for subdivision, use, and development, in rural areas ~~(as at March 2009),~~ seek to manage adverse effects on rural areas by considering whether the proposal: ~~particular regard shall be given to whether~~:

a) ~~the proposal will result in a loss of~~ retains the productive ~~capability~~ capacity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production ~~and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals~~; and

b) minimises the potential for reverse sensitivity issues, including on existing production activities, and extraction and distribution of aggregate minerals operations; and

c) ~~the proposal will reduce~~ retains or enhances the amenity ~~aesthetic~~, cultural and open space values in rural areas between and around settlements; and

d) provides for mana whenua / tangata whenua values, including the relationship with their traditions, ancestral lands, water, sites, wāhi tapu and other taonga; and

e) ~~the proposals location, design or density will~~ supports reductions in greenhouse gas emissions ~~minimise demand for non-renewable energy resources~~ through appropriate location, design and density of development; and

f) is climate-resilient; and

g) gives effect to Te Mana o Te Wai; and

h) for urban development, is consistent with Policy 55; and

i) for other development ~~the proposal~~

(i) has regard to ~~is consistent with~~ the Future Development Strategy ~~the relevant city or district council growth and/or development framework or strategy that addresses future rural development~~, or

(ii) where inconsistent with the Future Development Strategy ~~(i) in the absence of a framework or strategy, the proposal~~ would ~~will~~ increase pressure for public services and infrastructure beyond existing infrastructure capacity.

Explanation

Policy 56 considers urban development and rural residential development within the region's rural areas, including potential mixed use development within a settlement zone. The policy seeks to ensure rural development occurs in a manner that maintains the rural environment's character and values, and recognises that development in the rural area can lead to the cumulative erosion of the productive capability of the rural area if not appropriately managed.

The policy also seeks to ensure that reverse sensitivity issues are appropriately considered, and that the amenity, open space, and mana whenua values of the rural area are maintained. Where development in the rural area occurs, it should be consistent with the relevant growth strategy or framework to ensure that rural residential development achieves well-functioning rural areas and aligns with the desired regional form. Development should also be climate-resilient to ensure that rural communities and future urban communities are able to respond to the effects of climate change.

Policy UD.3: Plan changes that provide for significant development capacity – consideration

For local authorities with jurisdiction over part, or all, of an urban environment, when determining whether a plan change for urban development will be treated as adding significantly to development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release, the following criteria must be met:

a) the plan change makes a significant contribution to meeting a need identified in the latest Housing and Business Development Capacity Assessment, or a

(i) shortage identified through monitoring or otherwise for

(ii) a variety of housing that meets the regional, district, or local shortage of housing in relation to the particular type, size, or format, or

(iii) business space or land of a particular size or locational type, or

(iv) community, cultural, health, or educational facilities; and

b) a plan change will make a significant contribution to a matter in (a) if it:

(i) is of high yield relative to either the forecast demand or the identified shortfall,

(ii) will be realised in a timely manner, and

(iii) responds to demonstrated demand for the land use types proposed, for the short-medium term in that location; and

c) where it provides for housing, the plan change will:

(i) as part of a mix of housing typologies, provide for high density development or medium density development, and

(ii) contribute to increasing housing affordability through a general increase in supply or through providing non-market housing; and

d) the required infrastructure can be provided effectively and efficiently for the proposal, and without material impact on the capacity provided by existing or committed infrastructure

for other feasible, reasonably expected to be realised developments, in the short-medium term; and

e) *the plan change justifies the need for additional urban-zoned land in that particular location to meet housing and business demand, demonstrating consideration of existing feasible, reasonably expected to be realised development capacity within existing urban zones; and*

f) *the plan change can demonstrate it will mitigate any potential adverse effects on the ability of existing urban areas and rural areas to be well-functioning, including by minimising potential reverse sensitivity effects and impacts on the feasibility, affordability, or deliverability of urban development anticipated by the district plan.*

Explanation

Policy UD.3 outlines the criteria that need to be met for a development to be considered to provide 'significant development capacity' as required by clause 3.8(3) of the National Policy Statement on Urban Development 2020. Responsive planning applies to both greenfield and brownfield (infill/intensification) developments. All of Policy 55 will also need to be considered for any out-of-sequence or unanticipated plan change for greenfield development.

For proposals that are providing for housing, they can provide for high density development or medium density development through a relevant residential zone, a centre zone or a mixed use zone, and by clustering housing to suit the site characteristics if necessary.

Policy UD.5: Contributing to well-functioning urban areas – consideration

When considering an application for a resource consent, a notice of requirement, or a change, variation or review of a district plan for urban development, including housing and supporting infrastructure, seek to achieve well-functioning urban areas by:

a) *providing for the characteristics of well-functioning urban environments, in a way that uses land efficiently; and*

b) *where providing housing, seeks to improve housing affordability, quality and choice and provide a diversity of typologies; and*

c) *providing for safe multi-modal access between housing, employment, services, amenities, green space, and local centres, preferably within walkable catchments and using low and zero-carbon emission transport modes; and*

d) *providing for and protecting mana whenua / tangata whenua values, sites of significance to mana whenua / tangata whenua, and their relationship to their culture, ancestral lands, water, sites, wāhi tapu and other taonga; and*

e) *avoiding or mitigating potential adverse effects, including cumulative effects, of urban development on the natural environment, including on freshwater consistent with Policy 42; and*

f) *coordinating development with infrastructure while prioritising, where possible, the effective and efficient use of existing infrastructure; and*

g) *the operation and safety of regionally significant infrastructure from potential reverse sensitivity effects.*

Explanation

Policy UD.5 articulates what contributing to well-functioning urban areas, as sought in Objective 22, means in the Wellington Region. This policy applies to all areas zoned residential, commercial or industrial and all local authorities in the Wellington Region, and seeks to support the efficient use of urban-zoned land and infrastructure.

Clause (a) references the characteristics of well-functioning urban environments as defined in Policy 1 of the National Policy Statement on Urban Development 2020. Meeting clause (a) involves providing for a range of housing typologies, particularly including modest (i.e. small footprint) and multi-unit housing, to contribute to housing affordability and choice. This also includes non-market or partially subsidised affordable housing. Using land efficiently means that both brownfield and greenfield development demonstrate compact development patterns.

Clause (e) provides for environmentally responsive and integrated urban development, which manages impacts on freshwater in accordance with Policy 42. Clause (f) requires existing infrastructure to be used efficiently, while also ensuring that the impacts of urban development on existing infrastructure are anticipated, coordinated and appropriately managed. It requires consideration of how the pattern and location of development might affect the natural environment and provide population densities necessary to the ability to continue to maintain infrastructure.

86. Policy UD.3 provides the criteria for determining whether a development provides 'significant development capacity'. Policy UD.5 articulates what contributing to well-functioning urban areas in the Wellington Region.

87. Policy UD.4 is also relevant as it directs councils through their district plans to prioritise subdivision, use and development to support growth, using a hierarchy. I set out UD.4 below.

> *Policy UD.4: Achieving a compact regional form – district and regional plans*
> *District and regional plans shall include objectives, policies, rules and/or other methods requiring that subdivision, use and development occurs in a way that supports compact growth by prioritising:*
> a) *first, urban development (including unanticipated or out-of-sequence brownfield development) within existing urban zones, with a preference for activities and along existing or planned public transport corridors; then*
> b) *second, sequenced and planned greenfield urban development beyond existing urban zones, consistent with Policies 55 and 56; then*
> c) *third, unanticipated or out-of-sequence greenfield urban development that is well-connected along transport corridors, consistent with Policies 55 and 56, and adds significantly to development capacity consistent with Policy UD.3; then*
> *d) fourth, residential or mixed use development in rural areas, consistent with Policy 56; and*
>
> *District and regional plans shall apply this hierarchy to enable development capacity while:*
> *i enabling Māori to express their culture and traditions, and*
> ii *requiring all infrastructure necessary to support development to be provided in an integrated and efficient way which prioritises the use or upgrading of existing infrastructure over the creation of new infrastructure; and*
> iii *providing for a range of housing typologies and land uses, including mixed use development; and*
> iv *for clauses (b) and (c), demonstrating that additional urban-zoned land is necessary and the most appropriate option to enable sufficient development capacity.*

88. I note that these five policies are subject to appeals to the Environment Court. I return to the objective and these policies and the RPS later in this report.

89. The RPS anticipates plan changes to rezone land for urban development, subject to particular matters being considered. The RPS also contains objectives and policies relevant to climate change, the coastal environment, fresh water, indigenous ecosystems, natural hazards and tangata whenua.

90. I have reviewed the issues, objectives, policies and methods set out in Appendix B of the request and I agree that they are relevant to PPC4. My assessment of PPC4 against these is undertaken through the rest of this report.

8.9 Operative Kāpiti Coast District Plan (District Plan)

91. The District Plan was publicly notified in 2021. There have subsequently been eight plan changes made operative, and there is one Council plan change and one other private plan change currently being processed. Plan Change 2 (PC2) is the most relevant to PPC4, which was made operative in part by the Council on 1 September 2023 and in part by the Minister for the Environment on 1 November 2023. As I addressed earlier, PC2 was the Council's Intensification Planning Instrument (IPI) in response to Policy 3 of the NPS-UD and sections 77G and 80F of the RMA. In summary, in relevance to PPC4, PC2:
    - Incorporated the medium density residential standards on most sites in the General Residential Zone (GRZ)
    - Enabled increased levels of development in and around Kāpiti's centres and train stations at Paekākāriki, Paraparaumu and Waikanae
    - Introduced new design guides
    - Incorporated the Land Development Minimum Requirements April 2022 document.

92. The applicant has provided extensive coverage of the District Plan in section 4.7 and Appendix B of the request, which I do not repeat. I have reviewed the objectives, policies, rules and methods set out in section 4.7 and Appendix B and agree that they are relevant to PPC4. My assessment of PPC4 against these is undertaken through the rest of this report.

8.10 The Wellington Regional Housing and Business Development Capacity Assessment (HBA)

93. The HBA assesses the development capacity available to meet future housing and business demand for all the councils that are part of the Wellington urban environment and form part of the Wairarapa–Wellington–Horowhenua region. The HBA informed the Council's Long-term Plan 2024–34 and the FDS. Chapter 5 of the HBA is specific to the Kāpiti District.

94. Table 5.9 of that report, set out as Table 2 below, sets out the sufficiency of realisable development capacity to meet forecast demand over the short, medium and long term.

Table 2: sufficiency of realisable development capacity to meet forecast demand over the short, medium and long term

Type	2021-2024	2024-2031	2031-2051	TOTAL
Demand (inflated with 20%/15% buffer)	1,549	3,928	8,411	13,888
Development capacity (realisable)		32,673		
Balance	31,124	27,196	18,785	+18,785
Sufficiency	Yes	Yes	Yes	

95. The report concludes that there is sufficient development capacity available to meet short, medium and long-term demand for the Kāpiti Coast district. The assessment also identifies a surplus of realisable capacity of 18,785 dwellings, which suggests enough capacity to cover any shifts towards a higher level of growth over time.

96. In terms of the demand for and supply of housing for older persons, the HBA includes the following commentary:

The Kāpiti Coast District has one of the oldest populations nationally, with 19% of its population over 70 compared to the national average of 10%. Similarly, the District has a high proportion of one person households at 29% compared to the national average of 21%.

Future forecasts expect the over 70 age group to grow further to 25% by 2051. This is driven by the natural aging of New Zealand's population, but also the continued attraction of the Kāpiti Coast District area as a retirement location with Kāpiti providing a large proportion of the regions retirement living, with further retirement villages in development supporting this growth.

Council also provides a small portfolio of housing to support older persons that are able to live independently. This includes 118 one-bedroom units. 56% of this stock is in Ōtaki (66 units) with 38% in Paraparaumu and less than 3% each in Waikanae and Paekākāriki.

Council currently has 63 approved applicants on the register for future places and has continued to see increasing demand for these places as pressure has increased over the last few years. Council is currently undertaking a review of its older persons housing under its housing strategy to support better housing outcomes in the District. This will include looking at suitability of existing housing provision, including accessibility and how best to support growth and ensure sustainability. Community feedback has indicated support for intergenerational housing opportunities.

97. Council's Manager Urban Planning and Research provides an update on the HBA in the memorandum included in Appendix 2 of this report. This sets out that updated 2025 forecasts project between 16,400 – 22,900 additional people in the District over the 2024 – 2054 period (50% - 75% percentile scenarios). The memo also identifies that there will be a surplus of realisable plan-enabled housing capacity compared to anticipated growth and demand projections. In this regard, I note that Policy 2 of the NPS-UD requires that Tier 1 local authorities provide at least sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long terms. That is, there is no requirement to supply just enough development capacity.

98. The Requestor addresses the HBA in Appendix J of the Request. I address the HBA where relevant in this report.

8.11 The Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 Future Development Strategy (FDS)

99. The purpose and content of a FDS is set out in Clause 3.13 of the NPS-UD, as follows:

(1) The purpose of an FDS is:

- *to promote long-term strategic planning by setting out how a local authority intends to:*
  - *(i) achieve well-functioning urban environments in its existing and future urban areas; and*
  - *(ii) provide at least sufficient development capacity, as required by clauses 3.2 and 3.3, over the next 30 years to meet expected demand; and*

(b) assist the integration of planning decisions under the Act with infrastructure planning and funding decisions.

(2) Every FDS must spatially identify:

(a) the broad locations in which development capacity will be provided over the long term, in both existing and future urban areas, to meet the requirements of clauses 3.2 and 3.3; and

(b) the development infrastructure and additional infrastructure required to support or service that development capacity, along with the general location of the corridors and other sites required to provide it; and

(c) any constraints on development.

(3) Every FDS must include a clear statement of hapū and iwi values and aspirations for urban development.

100. The Wellington Regional Leadership Committee (WRLC) promulgated the FDS which covers the Wairarapa-Wellington-Horowhenua area. The WRLC is a joint regional partnership involving mana whenua, local government and central government. Page 7 sets out what the Wairarapa-Wellington-Horowhenua region is planning for:

- 200,000 more people
- 99,000 more homes
- A greater supply of business and industrial land
- New community services and amenities, in accessible locations
- Upgraded and new infrastructure to meet our current and growing needs
- The region becoming more climate and natural hazard resistant

101. Page 9 of the FDS sets out the four spatial aspects of the FDS. Aspect 4 is "how we prioritise areas for development". It sets out:

We will prioritise well designed, well-functioning urban environments in the region's towns and cities in this order:

a. Areas of importance to iwi for development.

b. Areas along strategic public transport network corridors with good access to employment, education and 'active mode connections' such as walking, cycling, scootering and skateboarding.

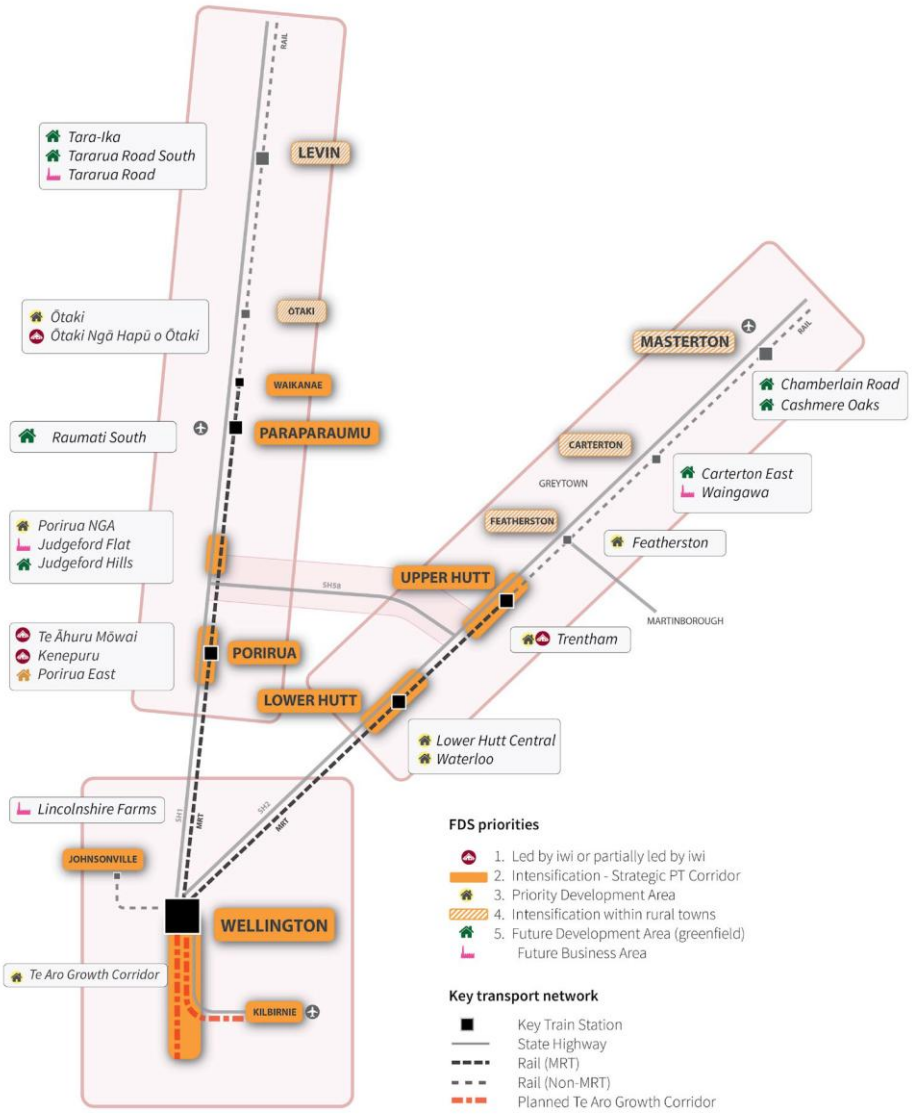
c. Priority Development Areas

d. Within existing rural towns around current and proposed public transport nodes and strategic active mode connections.

e. Greenfield developments that are well connected to existing urban areas in our towns and cities and can be easily serviced by existing and currently planned infrastructure, including by public and active transport modes, and where the location and design would maximise climate and natural hazard resilience supporting low-carbon lifestyles.

Any areas not specifically identified as priorities for development may still be appropriate to develop according to local needs and constraints but will not be prioritised at a regional level.

102. Diagram 8 below sets out "A corridor view of where we will develop"



103. The PPC4 site does not appear to be identified as an area where development is to be avoided or is subject to constraints[9]. From reviewing Diagram 8 in conjunction with Diagram 9 "Prioritised development in the metro areas (Hutt Valley, Wellington, Porirua and Kāpiti (excluding Ōtaki)) Appendix 1 and Diagram 26 in Appendix 2, the PPC4 site is not in a Priority Development Area. Page 35 of the FDS states:

> *While we understand that, currently, housing development outside the areas identified in this Future Development Strategy will happen throughout the region as District Plans allow for it, the Future Development Strategy prioritises areas for development that we can collectively support as a region to achieve our strategic direction.*

104. Section 5 in Appendix 1, Prioritised Areas for Development, states the following regarding greenfield development:

> *Greenfield development that are well connected to existing urban areas in our towns and cities, can be easily serviced by existing and planned infrastructure (including by public and active transport modes), and where the location and design would maximise climate and natural hazard resilience.*

[9] See page 14 and Diagrams 5 and 6 of the FDS

Development of greenfield areas sits lowest in the priority for development due to the significant capacity for growth within our existing urban areas in our towns and cities. Furthermore, this type of development results in permanent loss of our productive soils and natural areas and has a much greater adverse impact on the natural environment than housing redevelopment in our towns and cities. In the future greenfield developments in our region will look different to the standalone homes of the past. In Appendix 3 we talk about the principles of good growth.

Greenfield developments should be in areas with easy access to, or the ability to be easily serviced by, more frequent public transport, walking and cycling infrastructure that connects people to employment, services, amenities and education. Access to sustainable transport options is a particular priority for reducing emissions from our greenfield developments, given that transport is the regions second largest source of regional greenhouse gas emissions and that historically in our region residents of greenfield developments have often needed to get into their cars and leave their communities to get their daily needs met. For most of the greenfield areas in the region, this easy access to public transport is probably one of the biggest area to address, with many of them not currently achieving this.

Greenfield developments will be located in areas that avoid significant natural hazard risks, including those which will be exacerbated by climate change, to ensure the safety of our growing population.

Greenfield areas in the region that currently could be easily serviced by existing and planned infrastructure (including by public and active transport modes), and where the location and design would maximise climate and natural hazard resilience (or we know we need to do work to achieve this) include the following housing areas Cashmere Oaks, Chamberlain Road, Carterton East, Judgeford Hills and St Patricks Upper Hutt. And the following business areas - Tararua Road, Levin, expansion of Waingawa Industrial Estate, Carterton and Judgeford Flats, Porirua.

105. In terms of residential development capacity, on page 77, the FDS states:

There is sufficient District Plan-enabled residential development capacity in Kapiti and Horowhenua to meet expected demand for the next 30 years. Currently, this demand is expected to be met through a mix of infill and greenfield development.

The Intensification Planning Instruments for Kāpiti have released increased housing capacity through high-density development and the incorporation of the MDRS, in line with the requirements of the NPS-UD. Due to the uncertainty about where infill development will occur, there is a need to be flexible and responsive to growth in planning and providing infrastructure.

106. The relationship between the vision, direction and prioritisation in the FDS translate into Kapiti is set out on page 78 of the FDS, where is states:

Kāpiti's approach to enabling sustainable growth is set out in Te Tupu Pai: Growing Well, which seeks to deliver resilient, accessible and connected communities in a way that protects and enhances the environment as we grow. The approach emphasises making the best use of our land by mainly 'growing up' (increasing density) with some 'growing out' (development of new areas).

107. Page 78 also states that the key developments prioritised for Kāpiti are:
- Intensification of Paraparaumu and Waikanae
- Ōtaki priority development area
- Raumati South

108. The requestor addresses the FDS in Section 4.8.1 of the PPC4 request. My assessment of PPC4 against the FDS is undertaken through the rest of this report.

8.12 Te Tupu Pai Growth Strategy

109. Te Tupu Pai is the Council's own growth strategy, adopted by the Council in February 2022. In the overview, it states that the district is anticipating growing by about 32,000 more people between 2021 and 2051.

110. The Growth Strategy's six specific growth principles are:
1. *Supporting Mana Whenua aspirations*
2. *Valuing our environment*
3. *Fostering strong communities*
4. *Encouraging low-carbon living*
5. *Embracing the opportunities of growth, and*
6. *Enabling choice*

111. In terms of the Growth Strategy approach, as relevant to PPC4, it states that how Kāpiti will grow includes:
- *Growing both up and out, with an emphasis on intensification and opening up some greenfields progressively over time, with our greenfields development also being denser and more connected into public transport*
- *Protecting, enhancing and living sensitively with our beautiful whenua, wai and green spaces (those naturally occurring and those that have been developed for recreation)*
- *Offering different kinds of homes and more options for how people live, such as papakāinga, apartments, semi-detached and terraced houses, and including more affordable homes*
- *Improving access and public transport and active transport options, making our communities and communal spaces more welcoming, walkable and connected, and supporting low-carbon living*

112. The Map on page 16 sets out where intensification and greenfield growth is proposed. The PPC4 site is located within a medium-priority greenfield growth area. Page 27 provides an explanation of medium-priority greenfield growth areas as follows:

> *We will look to centre any major new developments along transport routes, particularly rail, and as extensions to the current urban area. The areas currently identified in this category, as with the high-priority areas, require further investigation of constraints, including what infrastructure development would be required.*
> *…*
> *Development will happen over the medium term of the strategy as these areas need considerably greater expansion and development of infrastructure. Some of these areas reflect those initially indicated in the Wellington Regional Growth Framework (although other indicative WRGF areas were not considered feasible) and would need to be supported by future rail services.*

113. I note that there is no specific timeframe contained in the Growth Strategy for when medium term growth areas are anticipated to come online.

114. The memorandum from the Council's Manager Urban Planning and Research, included in Appendix 2 of this report, sets out that the Council intends to review the Growth Strategy in 2026. It also states that recent updates to the HBA has resulted in population growth being revised as considerably lower than the figures in the Growth Strategy.

115. The requestor addresses the Growth Strategy in Section 4.8.2 of the PPC4 request. My assessment of PPC4 against the Growth Strategy is undertaken through the rest of this report.

8.13 Iwi Management Plans (IMPs)

116. Under s74(2A) of the RMA, the Council, in considering this plan change, must take into account any IMP that has been lodged with the Council. I have set out the three IMPs earlier in this report. Te Ātiawa ki Whakarongotai has expressed support to the PPC request, and as such, I assume that they are comfortable that the request appropriately takes into account their IMPs. Ngā Hapū o Otaki has deferred to Te Ātiawa ki Whakarongotai. Te Rūnanga o Toa Rangatira does not have an IMP and has provided a letter of support for PPC4. I have not addressed the IMPs further.

8.14 Other relevant documents

117. The requestor has referenced three other documents in the request:
- The Government Policy Statement on Housing and Urban Development 2021
- Better Later Life – He Oranga Kaumātua 2019 to 2034
- Te Whaitua o Kāpiti Implementation Programme

118. I have reviewed these and the requestor's assessment of them. I note that the first has been superseded by a change in Government and the new "Going for Housing Growth" programme which is part of the Government's broader plan to address New Zealand's housing shortage. I consider that this is a high-level document that is particularised in an RMA context through the RMA and the NPS-UD, and I have not considered it further. The Better Later Life was also developed by the former Government, and I consider the RMA and NPS-UD to provide more relevant direction. In respect of the third, this is again a higher-level document intended to inform future changes to the NRP. At this point in time, the Government has amended the RMA to push out the dates for regional councils to give effect to the NPS-FM through freshwater planning instruments and is also consulting on amendments to the NPS-FM. The Regional Council has paused the Plan Change 1 process to the NRP. The Government also intends to introduce new resource management legislation by the end of the year. Accordingly, I have given this little consideration in the current uncertain freshwater space.

8.15 Consistency with the plans of adjacent territorial authorities

119. To the extent possible and relevant to a private plan change seeking rezoning of a site in Kāpiti, I have considered the plans of adjacent territorial authorities, as well as plans which are or have been subject to similar contemporary private plan changes. As with the experts who have provided me with relevant inputs, I have been particularly mindful of contemporary best practice, in particular, what are generally expected inputs into a structure plan which forms part of such a private plan change and adherence to the National Planning Standard provisions for new development areas. These observations have informed my section 42A report.

8.16 Overall comments

120. In my opinion, the RPS is the most critical document for consideration of PPC4, given its age and the timing of Change 1. The RPS post-dates the NZCPS, however I am aware that there are issues of timing with the RPS notification and the NZCPS being gazetted.

121. Change 1 to the RPS was promulgated to give effect to the NPS-UD and NPS-FM, more recent amendments to the RMA and to ensure coverage of the NZCPS. The NPS-IB was gazetted after Change 1 was notified and was considered through the hearing process. In saying this, I note that there are appeals to the RPS, so it is still relevant to consider those higher-level planning documents where necessary.

122. The other critical document is the District Plan itself, given the requirement under s32 of the RMA that when examining whether the provisions are the most appropriate to achieve the objectives in respect to a plan change to a district plan, that examination must relate to:
    - The provisions[10] and objectives of the amending proposal; and
    - The objectives of the existing proposal[11] to the extent that those objectives are relevant to the objectives of the plan change and would remain if the plan change were to take effect.

123. The District Plan was made operative in 2021 and as such can be assumed to give effect to the NZCPS, with the exception of coastal hazard provisions which are not relevant to PPC4[12]. As set out earlier, PC2 was promulgated to give effect to aspects of the NPS-UD and put the MDRS into place. Except for those parts addressed by PC2, it also predates Change 1 to the RPS and therefore cannot be considered to give effect to Change 1.

9 Assessment of the Request and Issues Raised by Submitters

124. This section provides an assessment of:
    - the material included within the request, both in terms of environmental effects and the statutory and policy framework, and
    - submissions and further submissions received.

125. It also outlines the expert advice received to inform the overall recommendations within this report. For ease, I have grouped these into topics, which each topic covering both the assessment of the request and the submissions.

9.1 Approach to submissions

126. Submissions on PPC4 raised a range of issues. Some of the submissions are addressed under a number of issue headings because they contain submission points that relate to more than one issue, or the submission point involved many reasons. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

127. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on an issues-based approach, as opposed to a submission-by-submission approach. I

[10] Policies, rules and other methods
[11] The existing district plan
[12] The coastal hazard provisions in the District Plan are taken from the former District Plan 1999. The Council is yet to review the District Plan to give effect to the NZCPS coastal hazard provisions. The District Plan does however give effect to other aspects of the NZCPS, such as natural character.

have organised the evaluation in accordance with the issues raised in the submissions. Where proposed provisions relate to these issues, I address the provision in addressing the issue.

128. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix 3. The reasons for whether I recommend accepting, accepting in part or rejecting submission points are contained in the relevant sections of this report.

129. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. I have provided a marked-up version of the requested amendments to the District Plan with my recommended amendments in response to submissions as Appendix 4.

9.2 Section 32AA evaluation

130. Section 32AA of the RMA states the following in respect to any amendments made in response to submissions:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

131. I have addressed s32AA, where I have recommended amendments to PPC4 as notified as relevant through the assessment, and at the end of this report.

9.3 Format of consideration of the issues

132. For each identified issue, I have considered the submissions in the following format:

- Introduction /overview of the issue (where this is relevant)
- Statutory and policy provisions (where this is relevant)
- Matters raised by submitters
- Assessment (of the request, submissions and statutory and policy framework) and s32AA evaluation where relevant
- Summary of recommendations.

133. In respect of the matters raised by submitters, I have set out submission points where a specific relief is sought in respect to that issue. For those submissions that seek an overall decline or support as the specific relief, for the sake of brevity I have summarised the relevant reasons cited by submitters as to why the plan change should be declined or approved in respect of that issue.

9.4 Issues in contention

134. I consider that the key issues either raised by submitters, or necessary to be considered in ensuring that the Council's statutory functions and responsibilities are fulfilled in terms of assessing this plan change, are:
    a) Providing for and approach to growth
    b) Land suitability and development
    c) Infrastructure Servicing - water and wastewater
    d) Stormwater and flood risk
    e) Transportation/Traffic
    f) Landscape, visual amenity and urban design
    g) Construction effects
    h) Ecology
    i) Planning

135. I note that there were eight submissions that sought that PPC4 be rejected. All of these cited reasons they sought it be declined. Rather than address these together, I have instead addressed the relief sought by the reason cited, under the topics listed above.

9.5 Approach to assessment of the issues

136. I have carefully considered how best to approach the assessment of these matters. In my opinion, the key overarching matter is whether PPC4 as a whole meets the relevant policy direction which is set out in the NPS-UD, the RPS and the District Plan. The RPS contains very detailed policy direction on determining whether a plan change which is beyond the region's existing urban zones[13] will contribute to well-functioning urban areas. All the matters raised by submitters ultimately "feed" into determining whether the policy direction is met. I have, therefore, for each issue identified whether I consider the relevant policy direction is achieved and then provided a final overall evaluation against the policy framework.

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

9.6.1 Introduction

137. I have titled this section "providing for and approach to growth" as it covers submissions that have raised concerns relating to the need for PPC4, that PPC4 would result in fragmentation and that the Council should undertake a wider plan change process for the Otaihanga area.

138. Sections 3.1 and 3.9 of PPC4 request cover positive effects and economic effects respectively. PPC4 proposes to provide approximately 153 lots through residential subdivision, and approximately 235 dwellings. If the site was developed as a retirement village, it would accommodate approximately 260 independent living units and 90 care suites[14]. The request is also accompanied in Appendix J by an economic assessment prepared by Property Economics.

[13] Policies 55 and UD.5
[14] Page 26 of the PPC4 request

139. The reasons to rezone the land are set out in section 2.3.2 of the Request. I set these out below:

1. *The Kāpiti Coast District is experiencing high levels of population growth with an aging demographic. The Request 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 on the Site which will cater to a growing elderly demographic cohort and respond to a growing demand for retirement housing. There is also potential to make existing dwellings available in the balance of the district for owners who choose to move from their existing dwellings to the retirement village.*
2. *The District Plan provisions for the Rural Lifestyle Zone do not facilitate residential development, including a retirement village. While the existing Rural Lifestyle zoning does not entirely preclude a retirement village being established through a non-complying resource consent process, residential zoning is considered more appropriate for the long-term management of the proposed land use and integration with the surrounding urban area.*
3. *The Site is suitable for future residential development, including a retirement village, for the reasons detailed in this report*

140. Further, the Economics Assessment states on page 11:

> *Moreover, an overview of large alternative sites (those with a land area exceeding 8ha) within existing residential areas in the district suggests very limited practical and efficient opportunities for accommodating senior living options with full continuum of care facilities. Most vacant residential parcels are either too small to support the comprehensive care facility or face geotechnical constraints. While a few locations might theoretically accommodate the development, issues like multiple ownership, market availability and development practicalities severely limit their likelihood of being realised in the foreseeable future.*

141. In Appendix B of the Request, the Requestor assesses PPC4 against the relevant policies RPS. In summary, the Requestor:

- Considers the proposal will contribute significant development capacity in respect to Policy 55 and provides development capacity to assist in meeting housing bottom lines in the Region and District in respect to Policy UD.3
- Considers that it will contribute to achieving a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form, under Policies 55 and UD.5
- Has assessed PPC4 being planned greenfield growth beyond existing urban zones that falls under clause b) Policy UD.4 as it is "planned" due to being identified in Kāpiti's Growth Strategy.

9.6.2 Statutory and planning provisions

142. The following higher-level statutory matters and planning documents are relevant:

- Section 31 of the RMA, which includes ensuring there is sufficient development capacity in respect of housing to meet the expected demands of the district as a territorial authority function
- NPS-UD
- RPS
- HBA
- FDS
- Growth Strategy

143. I have set out the relevant objectives and policies from the NPS-UD and RPS earlier in this report. Of particular relevance are Policy 8 of the NPS-UD and policies 55, 56, 57, 58 and UD.3, UD.4 and UD.5 of the RPS.

144. In addition, the District Plan has the following relevant provisions:
- DO-O10 Housing Bottom Lines
  - This objective implements the NPS-UD requirement and identifies a housing bottom line of 5,477 additional residential units between 2021 and 2031 and 8,411 additional residential units between 2021 and 2051.
- DO-O3 Development Management[15]
  - This provides for a limited number of identified growth areas, and for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, subject to consideration of a number of considerations
- DO-O20 Well-functioning urban environments[16]
  - This implements the NPS-UD
- DO-O23 Provision of housing for an aging population[17]
  - This objective is the "hook" for policies and rules that provide for housing and care options for older persons within residential zones
- DO-O6 Rural Productivity
  - This objective seeks to sustain the productive potential of land in the District, by focusing on retaining land for primary production and reducing conflict between land uses in the rural environment and adjoining areas.
- DO-O8 Strong communities
  - This objective supports a cohesive and inclusive community, covering access to public and community services, access to local goods, health and services, and feeling safe within the community.
- DO-O12 Housing choice and affordability
  - This objective seeks to achieve a variety of housing options within Kāpiti covering all aspects of community needs
- DO-O20 Well-functioning urban environments
  - This implements the NPS-UD
- UFD-P1 Growth Management[18]
  - I set this out below
- UFD-P2 Housing Choice[19]
  - This policy encourages an increased mix of housing forms, types, sizes and tenures that cater for changing demographics while encouraging high quality development. Clause 2 specifically refers to the housing and care needs of the ageing population.

145. I set out UFD-P1 in full below:

> *New urban development for residential activities will only be located within existing urban areas, identified growth areas, and areas that can be efficiently serviced and integrated with existing urban areas, and will be undertaken in a manner which:*
>
> 1. *supports the District's consolidated urban form;*
> 2. *maintains the integrity of the urban edge north of Waikanae and Ōtaki;*
> 3. *manages residential densities by:*

[15] This was amended through PC2
[16] This was added through PC2
[17] This was added through PC2
[18] This was amended through PC2
[19] This was amended through PC2

a. *providing for a variety of housing types and densities in the residential zones;*
b. *enabling increased housing densities:*
    i. *in, and within a walkable catchment of the Metropolitan Centre Zone*
    ii. *within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and*
    iii. *in and adjacent to the Town Centre Zone and Local Centre Zone;*

while accommodating identified qualifying matters that constrain development;

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

146. I also set out DO-O3 in full below.

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

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

    while accommodating identified qualifying matters that constrain development;
4. *resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;*
5. *higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;*
6. *management of development in areas of special character or amenity in a manner that has regard to those special values;*
7. *sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;*

8. *an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;*
9. *management of the location and effects of potentially incompatible land uses including any interface between such uses; and*
10. *urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.*

147. I note that DO-O3 and UFD-P1 were amended as part of PC2, Council's Intensification Planning Instrument. Accordingly, this objective can be assumed to give effect to the NPS-UD Policies 1 and 3 and the relevant RMA sections. Given it is operative and Change 1 to the RPS is still under appeal, I have not assumed that DO-O3 and UFD-P1 gives effect to Change 1, noting that the relevant provisions introduced through Change 1 are themselves still subject to appeal. I have therefore considered the NPS-UD, RPS and District Plan.

9.6.3 Matters raised by submitters

148. Submissions that sought that PPC4 be rejected included the following reasons:
    - The Council has already provided many fast tracked developments without infrastructure, including social services, medical care, primary and high school education for current and new residents.[20]
    - The area is not required to be rezoned to GRZ to support growth in the area, and it is only identified as a medium priority in the Growth Strategy. There are high-priority areas not yet developed. Rezoning should be undertaken when needed, and on an area basis as part of a district plan review, and in a manner that would ensure resources are adequately managed.[21] It would undermine the District Plan's compact urban form.[22]
    - There is sufficient GRZ land or higher density zoned land around centres within Kāpiti to accommodate growth in the near future. A private plan change for a development this size is not in the best interest of the community[23]
    - The economics assessment accompanying the request is misleading because:
        - The median predicted growth rates have dropped, so it is unreasonable to use the 75% scenario, where the pessimistic 25% scenario is more appropriate with forecast population growth
        - Based on growth values and a 23% infiltration rate, the projected population in retirement villages would be 2,413 in medium term and 3,228 in the long term, requiring 1,850 and 2,480 unit respectively, based on 1.3 people per unit. There are 1,730 units completed in the short term, not including Metlife care extension and the Council's own portfolio. Therefore, demand is in the long term, and there is no need for rezoning to occur now[24].
    - A council-led plan change of the area would be more suitable and enable those affected the ability to act within the GRZ, whereas PPC4 would restrict what owners can do with their properties while removing the benefit of the RLZ. These haven't been addressed.[25]
    - There are other already zoned and suitable sites available to accommodate a retirement village.[26]

[20] S4.1
[21] S14.1
[22] S15.1
[23] S14.1
[24] ibid
[25] S14.1
[26] ibid

- It is inconsistent with RPS Policy 55(c)4 that requires additional greenfields demonstrate necessity and be sequenced. It is neither a higher priority area nor justified by a lack of brownfields options.[27]
- Allowing the plan change would set an adverse precedent for un-sequenced greenfields.[28]
- The RLZ is designed in part to make use of land with lower productivity and a remedy to reverse sensitivity. A piecemeal approach as proposed risks undermining these goals and creates a precedent for other developments occurring in a chaotic manner[29]
- If approved, a portion of RLZ properties would effectively be surrounded by GRZ. These should be included if PPC4 is approved[30].
- Saying that the site is a logical extension of the GRZ is misleading as only a small portion is adjacent, and there is no direct transport connection.[31]
- The rezoning would create a barrier to a continuous belt of open spaces, which is an important part of the District Plan.[32]
- Defer any rezoning until a comprehensive landscape, visual, ecological and cultural impact framework has been adopted by Council and a robust structure plan prepared with effective buffers, ecological offsets and stormwater treatment.[33]
- Kāpiti / Paraparaumu and Waikanae has enough retirement villages already.[34]
- Council has already provided for many fast-tracked developments without infrastructure. Objects because:
    - The Council, Greater Wellington, the developer and the government is unable to provide the basic infrastructure for the extra population in the district.
    - Basic infrastructure like roading, electricity, water supply and wastewater has to be adjusted to cope with the extra population. However that is only a basic supply there is more which reaches the border of the council's ability.
    - The infrastructure for healthcare, education and food supply are other subjects which need to be taken care of before any more development can take place.
    - Impact on stretched health providers.
    - The Council has an obligation to care for the local people who pay rates for the infrastructure and also pay taxes so all can access healthcare, transport, energy supply, food supply, education as is set in their policies.
    - More housing is not possible when these basic needs are not currently met.
    - The ratepayers should first be cared for first, before population growth continues.[35]

149. Submissions that opposed or supported PPC4 with amendments included the following reasons:
    - The complexity and costs of private plan changes places neighbouring owners at a disadvantage.[36]
    - Rezoning only some properties on Ratanui Road would be piecemeal and undermine the strategic intent of the Growth Strategy. All or none of the area should be rezoned[37].
    - Supports a Council-led rezoning of the wider Otaihanga area to ensure integrated and equitable outcomes.[38]

[27] S15.1
[28] S15.1
[29] S15.1
[30] S15.1
[31] S15.1
[32] S15.2
[33] S15.3
[34] S1.1, S4.1
[35] S17.1
[36] S2.1
[37] S2.1, S10.1
[38] S2.1, S10.1

- The Growth Strategy identifies Otaihanga as a medium density housing area in the near future. It would be fairer to rezone all properties in the area, rather than just the PPC4 area, due to the complexity and costs of the private plan change process for those wanting to seek such a change.[39]
- If approved, the submitter's property will be bounded on three sides by the residential zone. What are the council's plans for their remaining pocket of lifestyle land.[40]
- The Council could consider:
  - rezoning the land south of the site so not to create an island of rural residential land[41], or
  - rezoning the entire area running from Paraparaumu North/Otaihanga near Otaraua Park or at least the area boarded by Ratanui and Otaihanga road so consideration and planning can be provided for infrastructure needs including transport, 3 waters, public parks.[42]

9.6.4 Assessment

Introduction

150. Policy 8 and implementation clause 3.8 of the NPS-UD requires councils to be responsive to unanticipated or out-of-sequence plan changes where these would add significantly to development capacity and contribute to well-functioning urban environments. Policy UD.3 of the RPS sets out the criteria for determining whether a plan change contributes significant development capacity. Policy UD.5 contains relevant considerations about what constitutes well-functioning urban areas. Policy UD.4 prioritises first urban development, including unanticipated or out-of-sequence brownfield development, within existing urban zones and second sequenced and planned greenfield urban development beyond existing urban zones, then third unanticipated or out-of-sequence greenfield development that is well-connected along transport corridors and adds significant development capacity.

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[43], 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 Mas as Ngarara Development Area, Waikanae North Development Area, and Future Urban Zone.

[39] S2.1
[40] S10.1
[41] S15.4
[42] S15.5
[43] The definition of planned in the NPS-UD relates to forms or features of transport.

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[44]. 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. 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. I address these through the rest of my assessment.

Approach to evaluation

157. The combined policy direction of the NPS-UD, RPS and District Plan in respect to new urban development is substantive. In respect to the NPS-UD, Policy 1 sets out how to determine what constitutes a well-functioning urban environment and in Policy 8, consideration is required as to whether a plan change constitutes significant development capacity. This also includes consideration of the availability of infrastructure to accommodate growth. In respect of the RPS and District Plan, consideration extends to impacts on natural resources and the effects of natural hazards. The matters of landscape, urban design, visual amenity, ecology, transport, three-waters and natural hazards have all been raised through submissions and are also subject to other policy direction.

158. To avoid a long section addressing each aspect of the RPS and District Plan growth policies here, I have focused this part of my report on the matter relating to economics, development capacity and fragmentation of the RLZ. The other aspects are addressed through the rest of my report. I draw these all back together at the end of my report.

Economics and development capacity

159. The submissions that raised matters relating to economics in respect to providing for growth and the approach to growth were reviewed by Dr. Kirdan Lees, Consultant Economist. I also asked Dr. Lees to specifically address the relevant policy direction for what constitutes providing for significant development capacity, in respect to Policy UD.3 of the RPS. A copy of his report is attached as Appendix 5. In his report, he addresses advancing planning in a staged manner, demand growth and the assumptions within the economic assessment, reverse sensitivity and the number of retirement villages in Paraparaumu and Waikanae. He also addresses whether PPC4 constitutes significant development capacity in respect of Policy 8 NPS-UD.

[44] Page 26

160. I have reviewed Dr. Lees' report. I highlight the following from his report:
    - The claims in the Property Economics report on the benefits of PPC4 towards meeting demand for the district's growing senior population are reasonable.
    - While there are some assumptions and analysis in the report that could be improved, the key claim that the PPC4 rezoning enables provision of a retirement village to meet demand is reasonable. This is despite Paraparaumu and Waikanae already having a larger share of retirement villages than other districts.
    - 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.
    - It will contribute to housing affordability, by providing a general increase in supply.
    - There are benefits from undertaking a strategic approach to accommodating economic growth, and consideration of the economic impacts of reverse sensitivity suggests proceeding carefully.
    - However, the PPC4 site is identified as a medium-priority greenfield growth area in the Council's Growth Strategy.
    - The key issue at stake is timing. Timing reduces the risk that out of sequence development imposes additional costs relative to developing areas not identified in the Growth Strategy.
    - The submissions do not raise substantive economic issues that are not covered in the Property Economic report.
    - The PPC4 provisions alongside the District Plan provisions and any relevant national environmental standards are sufficient to address issues of concern at subdivision or development stage.
    - Costs need to be assessed against the potential local benefits from rezoning. It is not clear that the infrastructure costs outweigh the benefits of rezoning.

161. In paragraph 31, he states that PPC4 meets the significant development capacity test of Policy 8 NPS-UD, because it:
    - 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.

162. I accept and adopt Dr. Lees' advice and recommendations. Having considered his advice, I consider that PPC4 does provide significant development capacity for the Kāpiti Coast District, and that there are substantial economic benefits at the local level of rezoning the site, and that it is not clear that the infrastructure costs would outweigh those benefits, given the PPC4 is serviced by infrastructure.

Fragmentation

163. I understand the concerns expressed by the submitters that rezoning the PPC4 site may compromise the potential wider rezoning of the area, by removing the ability for a comprehensive structure plan process for the whole area. I was also concerned about the potential impact of PPC4, should it be approved, on the potential future rezoning and development of the land to the west of the PPC4 site. This was because the land to the west would be surrounded by General Residential Zoned land on all boundaries, with access only available from a long access from Mazengarb Road and that part of 65 Ratanui Road that is not subject to PPC4.

164. To that end, I requested that Mr. Shields specifically address any impact on the potential future rezoning and development of the land to the west in terms of site access. I also asked Ms. Popova to comment on whether rezoning of the PPC4 site compromise good urban design outcomes for the surrounding RLZ land should it be rezoned later and through a separate structure plan exercise. Their responses are contained in their reports, appended as Appendices 6 and 7 respectively.

165. Mr. Shields advised that there are three options available for access to that land, through the PPC4 site, through the remaining part of 65 Ratanui Road and from the existing private road of Mazengarb. In terms of the latter, he advises that the exiting private access road width along with wide berms appears to provide sufficient width for it to be widened if required and the existing access onto Mazengarb Road has good sightlines. In all cases, he notes that these would be subject to detailed design and investigations to confirm if any of the three options are deliverable.

166. I accept Mr. Shields advice that there are options to provide access to the land to the west should PPC4 be rezoned.

167. Ms. Popova's opinion expressed in paragraphs 58 to 63 of her report can be summarised as follows:
    - Piecemeal rezoning is a valid concern.
    - Best urban design practice promotes a comprehensive and coordinated approach, to achieve integrated and cohesive outcomes in terms of connectivity, transport and infrastructure, open space network, distribution of urban form, continuity of interface treatments, and response to cultural, landscape and ecological values.
    - PPC4 if approved could result in:
        - Missed opportunities for a more connected environment and an integrated approach to infrastructure
        - Fragmentation of the RLZ area to the west of Otaihanga Road by carving out a substantial part of it, creating a large and somewhat dead-end site, compromising connectivity, and to the immediate west of the site by leaving an isolated pocket of RLZ surrounded on all sides by GRZ
        - Uncertainty about the shared boundary treatment. A comprehensive approach would help to simplify boundary and building setbacks and boundary landscaping treatments.
    - There will be missed opportunities for connectivity, creating more compact areas with the same zoning, cohesiveness and sense of integration.
    - The PC4 rezoning would create uncertainty for adjacent properties and the surrounding area, given that a wider area rezoning is pending at some time in the future under the Growth Strategy.
    - Should the wider area be rezoned in the future, the PPC4 site would appear somewhat segregated from its anticipated urban surroundings, due to the proposed boundary treatments.

168. I accept Ms. Pepova's advice that "best practice" planning is to take in integrated approach to rezoning the whole area. In saying this and agreeing with Ms. Popova's advice and the concerns raised by submitters, my consideration is guided by the NPS-UD and RPS requirements, which I have set out earlier. In this instance, the NPS-UD is directive that councils are to be responsive to plan changes that would provide significant development capacity, where it would contribute to a well-functioning urban environment, is well-connected along transport corridors and meets the criteria set in the RPS. 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

significantly on a future rezoning exercise, given 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.

169. The other matter is whether the PPC4 rezoning now would impact on the current use of the RLZ land, which I address through this report.

170. I return to the overall evaluation of PPC4 in respect to the RPS and District Plan objectives and policies later in this report.

9.7 Land suitability and development

9.7.1 Introduction

171. The Request was accompanied by a Civil Engineering Infrastructure Assessment and Geotechnical Assessment included in Appendices H and I respectively.

172. The Civil Engineering assessment addresses what earthworks would be required to enable the development of the site. Of particular relevance to land suitability is the following statement:

> *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.* [45]

173. The Geotechnical assessment covered liquefaction, seismic-induced lateral spread, the bearing capacity of near surface founding soils, earthworks and groundwater levels. The assessment concludes that any geotechnical issues would not preclude the rezoning of the site and would be addressed through engineering design at resource and building consent stages.

174. Proposed policies DEV-P1 and P2 require general consistency with the Structure Plan, including the following clauses that are relevant to future land development:

> *"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*
> *Ensure building foundations are designed to resist liquefaction induced settlement; and*
> *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."*

[45] Paragraph 9

9.7.2 Statutory and policy provisions

175. The following RPS and District Plan provisions are relevant:
    - Policy 40A RPS Loss of extent and values of inland natural wetlands
    - Policy 41 RPS Minimising the effects of earthworks and vegetation disturbance
    - DO-O3 Development Management
    - DO-O4 Coastal Environment
        - In respect to ensuring that the effects of inappropriate subdivision, use and development are avoided, remedied or mitigated
    - EW-P1 Earthworks
        - This policy requires earthworks are managed to ensure adverse effects on natural landforms, residential amenity values and rural character values are remedied or mitigated.
    - EW-R1 Earthworks, exclude areas subject to flood hazards
    - NH-FLOOD-R4 Earthworks
    - GRZ-P7 Development and Landforms
        - This requires that development should be sited, designed and undertaken to integrate with the natural topography and landform of the land.

9.7.3 Matters raised by submitters

176. Submission 11 sought amendments to PPC4 included the following relief and reasons:

> *That the large sand dune which straddles the northern boundary of the Site, and which wraps around the submitter's property boundary on the eastern side of the Site, is not removed, undercut, scraped, or otherwise developed so as to remove any sand whatsoever from the dune.*
> *This condition is supported by recommendations and statements made in the following report commissioned by the Applicant as follows[46]:*
> *…*
> *The submitter would provide consent to such removal.*
> *The submitter's property at 54 Wood Leigh is the only residential property which straddles the large sand hill along the norther boundary of the site, with all other properties being rural.*
> *The sand dune occupies some 400m^2 of a total of 1661m^2 and is a major feature on the property offering sweeping views of the surrounding rural and residential areas from the summit.*
> *The submitter's conditional support for the private plan change request is in respect to Option 2 (and specifically the development of a retirement village), and in the alterative Option 3. The submitter does not support Option 1 because it is not the most effective method of meeting the objectives given it provides a level of risk that site-specific environmental, social and cultural values will not be addressed[47].*

9.7.4 Assessment

177. The submissions that raised concerns regarding land development and geotechnical matters and the geotechnical assessment accompanying PPC4 were reviewed by Mr. Charles McDermott, Consultant Geotechnical Engineer. A copy of his report is attached as Appendix 8.

[46] Not included, as cited above.
[47] S11.1

178. Mr. McDermott concludes that he is satisfied that the existing District Plan and proposed PPC4 provisions are appropriate and adequate to manage any geotechnical effects arising from the development. He also recommends that a number of matters are addressed through any subsequent resource consent, which he expects a further geotechnical assessment be undertaken for and a more comprehensive geotechnical report produced.

179. In terms of the sand dunes raised by the submitter, he advises:
    - If the dune is deemed 'stable' in its present condition (in accordance with appropriate design requirements), it being left as is should pose no significant risk to the development.
    - if the dune is deemed 'unstable' in its present condition (in accordance with appropriate design requirements), and no stabilisation works are to be undertaken to the dune itself, other mitigation measures may be required (e.g. implementation of a 'no build zone' at the toe of the dune, installation of a 'catch fence' to impede slip debris etc.).
    - Any works proposed in proximity of the dune shall not have a detrimental impact on its stability.

180. I accept and adopt Mr. McDermott's advice that any geotechnical matters will be appropriately and adequately addressed through the existing District Plan and proposed PPC4 provisions. There is no evidence that there are unique circumstances regarding this site that would mean that these provisions are not appropriate or adequate. I consider the provisions as proposed, along with the District Plan policy direction, will ensure that any potential effects in respect to the dunes and stability of adjacent land are appropriately addressed through a subsequent resource consent process. I also consider that the proposed approach in respect to geotechnical matters is consistent with relevant RPS and District Plan policy direction.

181. In my opinion, there are no geotechnical constraints that would justify the Request being rejected.

9.7.5 Recommendation

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.

9.8 Infrastructure servicing – water and wastewater

9.8.1 Introduction

183. The Request was accompanied by a Civil Engineering Infrastructure Assessment in Appendix H and an Updated Wastewater Capacity Assessment undertaken by HAL consulting on behalf of the Council, in Appendix M.

184. There are existing KCDC reticulated wastewater services in Ratanui Road, proximate to the site. The assessments conclude that:
    - The site could be serviced by either gravity wastewater draining to a centralised pump station or a local-pressure sewer system through the site; in both cases discharging to the KCDC Ratanui Road wastewater network
    - There are no required upgrades to the existing network if the site is rezoned
    - There are no special or unusual on-site wastewater infrastructure would be required on-site to mitigate off-site issues in the KCDC wastewater network.

185. In terms of water supply, the assessment concludes that:
    - The site could be serviced by a potable water network
    - If the site is developed for residential purposes, pipes would be vested in the council, with separate meters for each lot or dwelling
    - If the site is developed for a retirement village, it would have a connection at the road boundary
    - The existing network has capacity to cater for the additional demand, with no upgrades being required.

9.8.2 Statutory and policy provisions

186. The following RPS and District Plan provisions are relevant:
    - Policy 45 – Using water efficiently - consideration
    - Policy 58 – Co-ordinating land use with development and operation of infrastructure[48]
    - Policy UD.3 – Plan changes that provide for significant development capacity – consideration
        - In particular the consideration that the required infrastructure can be provided effectively or efficiently, without material impact on the capacity provided by existing or committed infrastructure for other feasible, reasonably expected to be released developments, in the short-medium term
    - Policy UD.5 Contributing to well-functioning urban areas – consideration
        - In particular, coordinating development with infrastructure while prioritising, where possible, the effective and efficient use of existing infrastructure[49]
    - DO-O3 Development Management
        - In respect to urban areas that integrate with infrastructure
    - INF-MENU-P19 – Water Demand Management
        - This requires new residential development connected to the public network to provide certain water demand measures
    - INF-MENU-P20 – Water Supply
        - This requires new development to have an adequate water supply
    - INF-MENU-P21 – Wastewater
        - This requires new development to have adequate treatment and disposal of wastewater.
    - SUB-DW-R25 – Subdivision of land creating new allotments in the GRZ which comply with all controlled activity standards under SUB-RES-R33[50]
        - This includes standards relating to potable water and wastewater

187. The three INF-MENU polices are supported by rules which include compliance with the Council's Land Development Minimum Requirements (LDMR) and the Kāpiti Coast Rainwater and Greywater Code of Practice 2012.

9.8.3 Matters raised by submitters

188. There were two submission points that raised water and wastewater. The submitter opposed PPC4 for the following reasons:
    - Peak wastewater loads currently approach network capacity in Paraparaumu. The updated wastewater assessment (Appendix M) merely asserts that "no upgrades are identified"

[48] Subject to appeal
[49] Subject to appeal
[50] This was added through PC2

without demonstrating trunk-main or treatment-plant headroom ratings or confirming any developer funding agreement.

- Although rainwater tanks are encouraged by KCDC, no rainwater-harvesting requirement is embedded in the Structure Plan, exposing the district's water supply to new peak demand. A comprehensive consideration of the entire block as delineated by Ratanui and Otaihanga Road becoming residential would allow for a future development to be taken into account[51]

9.8.4 Assessment

189. The submissions that raised water and wastewater matters and the Assessments submitted with PPC4 were reviewed by Ms. Kate Waterland, Consultant Water Network Planner, and Mr. Brian Robinson, Consultant Water Engineer. Copies of their reports are attached as Appendices 9 and 10.

190. In respect of water capacity, Ms. Waterland concludes that, based on findings from a recent update to the Council's water network supply model and master plan, there will be little to no adverse effects on the water supply network if there is future growth in the area. The storage assessments show that there is significant storage capacity, with an additional 4,000m^3 of storage available above projected peak demand in 2053. The Council water supply mains on Ratanui Road would provide service to the site.

191. I accept and adopt Ms. Waterland's advice regarding water supply.

192. In terms of the submitter's concerns regarding rainwater tanks and that there is no rainwater harvesting requirements built into the Structure Plan, I advise that Rule INF-MENU-R28 "Any new and relocated residential buildings on land where potable public water supply is available" will apply to the development of the site. This requires that rainwater storage tanks be installed for the supply of non-potable water for outdoor uses and indoor toilets. Greywater re-use systems for outdoor irrigation may also be required. For more than one residential dwelling or a retirement village is proposed, a common rainwater storage facility with a volume of 10,000m^3 per residential unit can be provided as an alternative. I consider that this existing District Plan rule, coupled with the advice about water supply from Ms. Waterland, addresses the submitter's concerns.

193. Turning to wastewater, Mr. Robinson has addressed the submission expressing concern that existing peak wastewater loads are approaching the capacity of the wastewater network. In summary, Mr. Robinson advises that the downstream wastewater network has sufficient capacity to accommodate the additional flows from the proposed development and the impact on the wastewater network would be no more than minor. He also advises that planned upgrades to the Paraparaumu Wastewater Treatment Plant will provide sufficient additional capacity to accommodate anticipated medium-term growth.

194. I also asked Mr. Robinson to address whether the site is connected into the existing wastewater network and whether any upgrades would be required as a result of the future development of the site. He advised that there are no upgrades required to accommodate PPC4 and its future development. I also note that the provision of on-site water and wastewater will be addressed through any future subdivision, land use and building consents.

[51] S15.2

195. I accept and adopt Mr. Robinson's advice regarding the capacity of and impact on the wastewater network. I consider that PPC4 is consistent with the relevant policy direction in the RPS and District Plan in respect to water and wastewater, as the site will be able to be accommodated within the existing networks with no upgrades required. In this regard, I consider that PPC4 provides adequate development water and wastewater infrastructure to support the future development of the land for housing use.

196. In my opinion, there are no water or wastewater constraints that would justify the Request being rejected.

9.8.5 Recommendation

197. I recommend that submission S15.2 that seek that PPC4 be declined in respect of water and wastewater be rejected.

9.9 Stormwater and flood risk

9.9.1 Introduction

198. The request includes a Civil Engineering Infrastructure Assessment in Appendix H. The Assessment notes that some parts of the site are subject to existing flooding. The request concludes that the site can be suitably serviced, including by achieving hydraulic neutrality, providing on-site treatment and ensuring flood risks are managed up to a 1% AEP event (including climate change).

199. The proposed structure plan includes the local of the existing highly modified stream, indicative batters along the highly modified stream, an indicative extent of central restoration wetland and stormwater management area and an indicative compensatory flood storage area. Proposed policies DEV3-P1 and P2 require general consistency with the Structure Plan, including the following clauses:

> *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;*
>
> *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 a net 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;

9.9.2 Statutory and planning provisions

200. The following RPS and District Plan provisions are relevant:

- Policy CC.14 Climate responsive development - consideration
- Policy FW.3 Urban development effects on freshwater and receiving environments – district plans
  - This policy requires district plans to include provisions that give effect to Te Mana o te Wai and section 3.5(4) of the NPS-FM. This includes requiring urban development to be hydraulically neutral, apply water sensitive urban design principles, consider the effects on freshwater, protecting and enhancing certain waterbodies including wetlands and protecting natural flows
- Policy 24A Principles for biodiversity offsetting and biodiversity compensation – regional and district plans[52]
  - This requires that where plans provide for offsetting or compensation, they shall include provisions to achieve at least a net gain, and preferably a 10% net gain or greater, in indigenous biodiversity outcomes to address residual adverse effects on indigenous biodiversity, extent, or values. [53]
- Policy 42 Minimising contamination in stormwater from development – consideration
- Policy 51 Avoiding or minimising the risks and consequences of natural hazards - consideration[54]
- Policy 58 Co-ordinating land use with development and operation of infrastructure[55]
- Policy UD.3 – Plan changes that provide for significant development capacity – consideration
  - In particular the consideration that the required infrastructure can be provided effectively or efficiently, without material impact on the capacity provided by existing or committed infrastructure for other feasible, reasonably expected to be released developments, in the short-medium term [56]
- Policy UD.5 Contributing to well-functioning urban areas – consideration
  - In particular, coordinating development with infrastructure while prioritising, where possible, the effective and efficient use of existing infrastructure[57]
- DO-O3 Development Management
  - In respect to urban areas that integrate with infrastructure
- DO-O5 Natural Hazards
  - This objective seeks to avoid exposure of people and communities to increased levels of risk from natural hazards
- INF-MENU-P17 Hydraulic Neutrality
  - This requires new development to be designed to achieve hydraulic neutrality
- INF-MENU-P18 Stormwater Quantity and Quality
  - This requires new development to minimise adverse effects of stormwater runoff, requiring consideration of 11 different matters.
- NH-FLOOD-P12 High Hazard Flood Areas

[52] This specifically excludes renewable electricity generation and electricity transmission activities
[53] Subject to appeal
[54] Subject to appeal
[55] Subject to appeal
[56] Subject to appeal
[57] Subject to appeal

- This requires new development to be avoided unless the 1% AEP can be mitigated on site and three criteria are met

- NH-FLOOD-P13 Ponding etc
  - This requires new development to consider six matters
- SUB-DW-R25 – Subdivision of land creating new allotments in the GRZ which comply with all controlled activity standards under SUB-RES-R33
  - This includes standards relating to stormwater

201. I have set out INF-MENU-P18, NH-FLOOD-P12 and P13 below:

INF-MENU-P18

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

1. *whether there is capacity in Council's existing infrastructure;*
2. *the extent to which the capacity and environmental values of watercourses or drains and the associated catchment areas will be compromised;*
3. *the extent to which development styles and stormwater management methods mimic natural, pre-development runoff patterns;*
4. *the extent to which riparian vegetation is protected and enhanced;*
5. *whether minimal vegetation loss in riparian areas associated with development is achieved;*
6. *the extent to which water quality is ensured to enhance and maintain aquatic ecosystem health;*
7. *the extent to which a healthy aquatic system is maintained, including maintenance of sufficient flows and avoidance of unnatural fluctuations in flows;*
8. *the extent to which degraded, piped or channelled streams are restored and realigned into a more natural pattern;*
9. *where practicable, the extent to which low impact design, including on-site disposal of stormwater, soft engineering or bioengineering solutions and swales within the legal road are used;*
10. *the extent to which straightening and piping of streams is avoided; and*
11. *the extent to which the adverse effects of stormwater runoff, in particular cumulative effects, from subdivision and development will be minimised.*

NH-FLOOD-P12

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

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

NH-FLOOD-P13

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

1. *the effects of the development on existing flood mitigation structures;*
2. *the effects of the development on the flood hazard – in particular flood levels and flow;*

3. *whether the development redirects floodwater onto adjoining sites or other parts of the floodplain;*
4. *whether access to the subject site will adversely affect the flood hazard;*
5. *the extent to which buildings (excluding minor buildings) can be located on areas of the site not subject to flooding; and*
6. *whether any subdivision or development will or may result in damage to property or harm to people.*

9.9.3 Matters raised by submitters

202. Submission points seeking that PPC4 be rejected included the following reasons:
    - The shared creek and large pond and the creek may be loaded by the development by raising floor levels leading to flooding of the submitter's lower land.[58]
    - There should be zero exemptions for waivers on the District Plan's stormwater retention policy[59]
    - The area downstream of the proposed development is tidal with a low gradient stream prone to flooding in large rainfall events. While attenuation systems may be appropriate for infill developments a large-scale intensive development as proposed will only offset a peak flow from the event and likely prolong the flooding or intensify it due to increased runoff which cannot be mitigated through attenuation systems. As such on site storage and offset with controlled flows is likely a more appropriate solution.
    - The proposal design indicated E1 soak pits for the individual units. These E1 solutions are typically outdated and not accepted under resource consents by many councils across the country with best practice being design for a nested storm events in accordance with the Auckland GD07 document. This higher level of design particularly around stormwater should be imposed on development of this scale to ensure any adverse effects are suitably mitigated.[60]
    - The site contains a "highly modified" stream and 14 small NPS-FM wetlands (621 m² total). Intensification will vastly increase runoff and risk downstream ponding.
    - The Geotechnical report notes shallow groundwater (2 m bgl), rendering on-lot soakpits unreliable outside the driest months.
    - No firm commitments have been made for downstream stormwater upgrades or flood-storage compensation to protect existing subdivisions and neighbouring properties – KCDC's modelling identifies multiple flood hazard overlays across the Site[61]

203. The submissions that sought amendments to PPC4 included the following reasons or requested changes:
    - Concerns about what protections would be put in place for 81 Ratanui Road
    - During winter/spring the waterway on the site floods, as does the pond. Will these be replaced by an alternate facility?[62]
    - The property at 81 Ratanui Road relies on the waterway and a drain connection. Will it be possible to connect that drain to the proposed wetland area. As a lack of drainage would result in a stagnant area[63].
    - There will be costs to the submitter if the existing stormwater system is affected.[64]

[58] S2.3
[59] S4.1
[60] S14.1
[61] S15.2
[62] S6.1
[63] S6.1
[64] S6.2

- Queries the process and who the liable party is to remediate the stormwater situation if easements are required to continue the existing stormwater drainage arrangements, and the process for connection to stormwater water on Ratanui Road if easements or continuity of the current arrangements cannot be achieved?[65]
- Approval, subject to suitable conditions in terms of those affected downstream by the outflow of additional stormwater into the shared open drain which already cannot cope with the existing stormwater load. This includes a number of reasons, including that:
  - The consultant calculations always show neutrality
  - The culverts that connect Mazengarb Stream to the Oxbow are undersized, resulting in higher water levels backing upstream of the culverts, raising the water table
  - The Mazengarb Stream has become tidal in recent years
  - The river level has risen due to a failure to dredge excess gravel
  - Sea level rise is increasing
  - This development must be considered in the context of the wider effects upon stormwater, especially downstream and taking into account other developments such as Kotuku Park[66]

9.9.4 Assessment

204. The submissions that raised stormwater and flooding matters and the Assessment submitted with PPC4 were reviewed by Ms. Rita O'Brien, Council's Stormwater and Coastal Asset Manager. A copy of Ms Brien's report is attached as Appendix 11. Her report includes a stocktake of the District Plan framework and proposed PPC4 provisions for flood hazard mitigation and stormwater management and an evaluation of each submission point in respect to this framework.

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 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.

206. I have carefully reviewed Ms O'Brien's report and conclusions alongside the Request, submissions and the statutory framework, including the RPS. I adopt her advice and recommendations. I concur with Ms O'Brien that the existing District Plan provisions coupled with the more specific structure plan and provisions of PPC4 will ensure that any potential flooding hazard or stormwater effects are appropriately addressed at resource consent stage. In my opinion, there are no unusual or significant flood hazard or stormwater issues on this site that cannot be managed through the District Plan and PPC4 provisions and that would justify the Request being rejected.

207. I also consider that PPC4 is consistent with the relevant policy direction in the RPS and District Plan in respect to flood hazards and stormwater, particularly given the proposed flood storage

[65] S6.4
[66] S16.1

areas and stormwater management approach. In this regard, I consider that PPC4 provides adequate development stormwater infrastructure to support the future development of the land for housing use.

9.9.5 Recommendation

208. I recommend that the submissions that seek that PPC4 be declined in respect of stormwater and flood risk be rejected [S2.3, S4.1, S14.1, S15.2].

209. I recommend that the submissions that seek amendments to PPC4 in respect of stormwater and flood risk be accepted in part, insofar as PPC4 and existing District Plan provisions address the concerns raised [S6.1, S6.2, S6.4, S16.1].

9.10 Transportation / traffic

9.10.1 Introduction

210. Transport effects are addressed in section 3.5 of the Request and in the Transport Assessment attached as Appendix G. The Assessment addresses the integration of the site with the adjacent transport network, including safety and performance, and takes into account the two scenarios of a future retirement village or residential development.

211. The proposed structure plan includes an indicative access to Ratanui Road and an indicative private accessway. Proposed policies DEV3-P1 and P2 require general consistency with the Structure Plan, including a clause "providing site access via a T-intersection with a right turn bay in the area indicated in the Structure Plan". Proposed policy DEV3-P2(1), which applies to residential development of the Site, also includes consideration of additional connectivity to adjacent sites.

9.10.2 Statutory and planning provisions

212. The following RPS and District Plan provisions are relevant:
    - Policy CC.14 Climate responsive development - consideration
    - Policy 55 Managing greenfield development to contribute to well-functioning urban areas and rural areas - consideration[67]
    - Policy 57 Co-ordinating land use and transportation - consideration[68]
    - Policy UD.3 – Plan changes that provide for significant development capacity – consideration
        - In particular the consideration that the required infrastructure can be provided effectively or efficiently, without material impact on the capacity provided by existing or committed infrastructure for other feasible, reasonably expected to be released developments, in the short-medium term[69]
    - Policy UD.5 Contributing to well-functioning urban areas – consideration
        - In particular, coordinating development with infrastructure while prioritising, where possible, the effective and efficient use of existing infrastructure[70]
    - DO-O3 Development Management
        - In respect to urban areas that integrate with infrastructure

[67] Subject to appeal
[68] Subject to appeal
[69] Subject to appeal
[70] Subject to appeal

- DO-O14 Access and Transport
  - I have set this out in full below.
- TR-P1 Integrated Transport and Urban Form[71]
- TR-P2 Sustainable Transport and Maximising Mode Choice[72]
- TR-P5 Effects of Land use on Transport
- TR-P6 Safety
- TR-P7 Cycling, Walking and Bridleway Links and Safety

213. Relevant parts of Policy 57 Integrating land use and transportation of the RPS are set out below:

> *When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, seek to achieve integrated land use and transport within the Wellington Region by: ~~for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy~~:*
>
> *a) locating development in areas near centres and well-serviced by existing or planned public transport, to minimise private vehicle travel and trip length and maximise mode shift to public transport or active modes; and*
>
> *b) supporting connectivity with, and accessibility to public services or amenities, key centres of employment activity or retail activity via public and active transport networks; and*
>
> *c) supporting a safe, reliable, equitable, inclusive and efficient transport network including through connections with the wider transport network; and*
>
> *d) providing safe and accessible multi-modal transport networks along connected routes that are designed for public and active transport, while recognising that the delivery of public transport services may not always be efficient or practical; and*[73]

214. DO-O14 is set out below:

> *To ensure that the transport system in the District:*
>
> *1. integrates with land use and urban form and maximises accessibility;*
> *2. improves the efficiency of travel and maximises mode choice to enable people to act sustainably as well as improving the resilience and health of communities;*
> *3. contributes to a strong economy;*
> *4. avoids, remedies or mitigates adverse effects on land uses;*
> *5. does not have its function and operation unreasonably compromised by other activities;*
> *6. is safe, fit for purpose, cost effective and provides good connectivity for all communities; and*
> *7. provides for the integrated movement of people, goods and services.*

215. I have also set out those parts of TR-P1, TR-P2 and TR-P5 to TR-P7 which are directly relevant to PPC4 below.

> TR-P1
>
> *Development and subdivision will be integrated with and consistent with the transport network hierarchy in TR-Table 7, and undertaken in a manner and at a rate to ensure:*
>
> *1. the transport network is capable of serving the projected demand safely and efficiently;*

[71] This was amended through PC2
[72] This was amended through PC2
[73] The strikethrough is the existing RPS provision and the underline is proposed through PC1

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

TR-P2

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

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

TR-P5

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

TR-P6

The safety of all transport users will be enhanced during the development, operation, maintenance and upgrading of the transport network, by:

1. *implementing the principles set out in Appendix 6 - Crime Prevention Through Environmental Design (CPTED) Guidelines;*
2. *requiring that all developments provide for safe vehicular and pedestrian access, and have adequate visibility (sight lines);*
3. *requiring all developments to have safe connections to the wider transport network; and*
4. *(not relevant).*

TR-P7

Subdivision, use and development will be as far as practicable, located and designed to make walking, cycling and the use of bridleways safer, more enjoyable and convenient in accordance with the Crime Prevention Through Environmental Design (CPTED) Guidelines set out in Appendix 6 and the following principles:

1. *new street linkages will provide safe pedestrian access to shops and services and public transport nodes;*

2. *subdivision and development will:*
    a. *enable cycle and pedestrian routes, both on and off road, which offer good continuity;*
    b. *avoid large blocks that severe connectivity; and*
    c. *consider opportunities to provide bridleways in suitable locations; and*
3. *[not relevant] and*
4. *[not relevant]*

9.10.3 Matters raised by submitters

216. Submission points seeking that PPC4 be declined included the following reasons:

- Traffic and transportation capacity and safety, and the risk of accidents on Ratanui Road that would increase as a result of building a retirement village. Ratanui Road already experiences a lot of traffic in the mornings and when college starts and, in the afternoons, when college ends.[74]
- Motorist frustration would increase[75]
- Pedestrian safety and mobility access for the proposed retirement village on Ratanui Road (crossing a 60 km/hr road without appropriate traffic controls) and the lack of sufficient footpath and footpath width[76]. There are no provisions or references as to how residents will safely cross a 60km/h road from the entrance/exit of the property without traffic lights being installed on Ratanui Road, with no mention of any traffic lights or a roundabout being built with the developer.[77]
- The traffic flow and congestion created 65m from a pre-school and attraction may be dangerous. This includes construction traffic with a minimum of 8,000 loads of fill / soil alone (55,000 M^3).[78]
- Noise pollution from traffic lights and roundabouts especially for the commercial trucks using the throughfare from Paraparaumu to Waikanae expressway, the dump, green waste and other businesses.[79]
- The assessment includes a vehicles per day figure taken in 2023, which does not take into account the additional further developments in the area that have since been approved with work under way - the 2000+ extra vehicle movements per day expected from the Mansell estate being built a few 100 metres up the road, and the recent subdivisions of a few Otaihanga properties. This makes it a little difficult to agree with the statement "it's been concluded that a new T-intersection with a right turn bay on Ratanui Road will accommodate traffic"[80]
- The developer should contribute at least 50% of the cost of any roading and footpath upgrades that would otherwise fall onto ratepayers.[81] There is no confirmed funding source for necessary upgrades of the road or pedestrian/cyclist infrastructure.[82]
- The statement in clause 2.2.5 that there is mainly locally generated traffic movements and traffic travelling at moderate speeds is incorrect because:
    - This appears to be more based on speed limits than anything else
    - Much traffic comes from and to the direction of Waikanae and is a short cut for those traveling to Paraparaumu, evidenced at peak times

[74] S1.1, S9.1, S15.2, S17.2
[75] S9.1
[76] S15.2
[77] S3.1
[78] S4.1, S9.1
[79] S3.1, S15.2
[80] S3.1
[81] S3.1
[82] S15.2

- Long queues will be made worse by the Mansell development in Otaihanga[83]
- It will affect all Otaihanga residents and motorists and motorists outside Otaihanga who use the road[84]
- Road safety concerns might be alleviated by providing a regular bus service and widening Ratanui Road to allow for bus stops[85]
- There are limited public transport services in the rural area, and no essential services nearby which may isolate residents. Other sites listed in the submission would be more appropriate.[86]

217. One submission in opposition seeks that a full structural plan for the Otaihanga area be required before any rezoning is approved, for the reasons that:
    - Since building the submitter's home, a major subdivision (the Mansell Family Development) has already been approved on nearby land, this will be bringing up to 253 new homes and their associated vehicles into the area.
    - Ratanui Road already experiences congestion during peak hours, with traffic frequently backing up from the roundabout. The addition of hundreds more residents, staff, and visitors from the proposed Summerset development will only worsen congestion.[87]

218. Submissions that supported or opposed PPC4 and sought amendments included the following reasons or requests:
    - Roading and traffic safety from increased traffic on the basis that Ratanui Road is used by many as a rural road, including use by horses[88]. The road is busy and narrow.[89]
    - That at least one other entry/egress point be provided, because of the impact of the number of residents this application will have on the roads in the immediate area: Ratanui Road, Otaihanga Road and Mazengarb Road, which is the submitter's only road access[90]
    - That the Council creates a transport plan for the Otaihanga local roading network and Ratanui and Otaihanga Roads, with community involvement for the following reasons:
        - The community needs a plan for the Otaihanga local roading network that addresses the transport effects from current and potential future developments as Otaihanga is migrated from a semi-rural community to an urban community.
        - There is capacity on Ratanui Road and the wider roading network to accommodate traffic volume increases associated with either development scenario.
        - There transport effects need to consider the 18-hectare Mansell Family site, the PPC4 site, and the 8.15 hectare site adjoining PPC4 (for sale) together
        - The following road enhancements are needed:
            - Reduce the speed limit to 50kph for the entire length of Ratanui Road and Otaihanga Road.
            - Install "no stopping" yellow lines outside the pre-school/nursery and the proposed junction to the new retirement village. Pick up and drop off to occur within the boundaries of those businesses.
            - Improve the road surface condition over the railway level crossing on Otaihanga Road.
            - Install a traffic light-controlled pedestrian crossing where the cycle way along the Expressway crosses Otaihanga Road.

[83] S9.1
[84] S9.1
[85] S9.1
[86] S14.1, S15.2
[87] S8.2
[88] S2.2
[89] S18.1
[90] S10.5

- Change the name of the stretch of Otaihanga Road from the junction with Ratanui Road to Old SH1 to be 'Ratanui Road'.
- Replace the junction at Ratanui Road and Otaihanga Road with a roundabout.
- Construct properly formed pavements and cycleways along the entire lengths of Ratanui Road and Otaihanga Road.
- Address the very narrow pavement where Ratanui Road joins Mazengarb Road.
- Make provision now for a future bus service along Ratanui Road by planning where the bus stops will be such that bays can be designed to allow traffic to flow safely passed a stopped bus.
- Reopen the access from Otaihanga Road to the Expressway going south towards Wellington[91].

- That a bus service be planned for Ratanui Road and Otaihanga Road due to number of residents and staff on PPC4 site in addition to Mansell subdivision.[92]
- That PPC4 be amended as follows:
  - Upgrade Ratanui Road with kerbs, footpaths, lighting and stormwater management found in General Residential Zones that provide safety to pedestrians and cyclists;
  - Set the speed limit along the full length of Ratanui Road to 50kph. Or alternatively, have the increase to 60kph northeast of Killalea Place where the current "50km speed limit ahead" signs are situated. This mitigates vehicles increasing their speed as they are approaching the Killalea intersection; and
  - Incorporate future public transport into the plan as intensification occurs throughout Otaihanga.

  The reasons given for these requests are:
  - Ratanui Road is already heavily used and nearing capacity limits (approx. 8,000vpd), and the development will push it well beyond its' intended capacity as a 'Local Community Connector' Route.
  - The cumulative impact with the Otaihanga Mansell Family Development (253 dwellings) has not been properly assessed.
  - The single vehicle access point for entering and existing the retirement village creates congestion and general risk with no alternative access for emergencies during maintenance;
  - New intersection 85m from Little Farm Preschool and Nursery creates conflicting traffic movements;
  - Increased traffic volumes compromise pedestrian and cyclist safety on Ratanui Road, creating an unacceptable safety risk to children and recreational pedestrians;
  - The construction traffic impacts over a multi-year construction period is not adequately assessed for community safety;
  - Emergency vehicle access compromised by single entry point serving up to 300 homes and a care centre;
  - There are no public transport options to and from Otaihanga, the incoming Mansell Family Development and along Ratanui Road itself.
  - The nearest bus stop is beyond convenient walking distance for those with mobility issues[93]

[91] S13.1 and 13.2
[92] S18.3
[93] S7.1

219. The neutral submission identifies parking on Ratanui Road and queries whether adequate on-site parking for staff and visitors will be provided, noting that Ratanui Road is very congested with Little School and heavy traffic.[94]

9.10.4 Assessment

220. The submissions that raised traffic and transport-related matters and the Assessment submitted with PPC4 were reviewed by Mr. Colin Shields, Consultant Transport Planner. A copy of Mr. Shields' report is attached as Appendix 6. His report covers the existing transport conditions, the impact of PPC4 on transport, compliance with District Plan provisions, access provision for the adjacent RLZ land to the west, response to submissions and final conclusion and recommendations. I have addressed the matter relating to access provision to the land to the west earlier in this report.

221. I have reviewed Mr. Shields' report, and I consider it to cover all relevant traffic and transport-related matters. I highlight the following from his report:
    - The proposed site access and the adjacent road network can safely and efficiently accommodate the predicted traffic flows from PPC4. These flows have included recently approved developments, including the Mansell development. This takes into account driver, pedestrian, cyclist and equestrian safety. There is no evidence that there would be increased congestion. The single access to Ratanui Road is not a concern and there are other similar-sized developments within the District operating safely with one access. The proposed provisions include consideration for connectivity to adjacent sites, should future development be for residential purposes.
    - A safe crossing location is proposed for pedestrians along an extended footpath on Ratanui, which will provide a safe connection for future residents.
    - The site is not within an easy walking distance to a bus service, and cars will be relied on for most trips. There are essential services located within close proximity to the site (within 4km).
    - Any construction traffic can be managed through resource consent processes, and would be subject to a traffic management plan.
    - The Council cannot lawfully require on-site parking in accordance with the NPS-UD and the District Plan; however, the lack of providing on-site parking can be considered as part of a future resource consent process. It is likely that any future development would provide onsite parking for convenience.
    - The GWRC is responsible for the provision of public transport (bus service) and the provision of public transport is beyond of the control of the Requestor and the Council. The GWRC class this area as a rural zone and transport rates are not provided to support bus services. If rezoning occurs in this area, the provision of bus services could be raised with the GWRC.
    - Speed limits fall within the responsibility of the Council a road controlling authority and are beyond the scope of what the Requestor can control. The existing Ratanui Road speed limits are appropriate for Ratanui Road. There are no current proposals to change the speed limits and there is no evidence that there are any safety issues with current speeds (posted or actual). The speed limit could be revisited in the future if other developments come forward.
    - There are no concerns with the District Plan provisions being applied at resource consent stage to assess the development of the site for either a retirement village or residential development.
    - Both a retirement village and a residential development would be considered a major traffic generator and rule TR-R10 of the District Plan would apply. This would require a more

[94] S5.1

detailed traffic assessment and require an assessment of consistency with District Plan transport policies.

- Matters relating to road surfaces, installation of traffic lights, changing the name of Otaihanga Road, replacing a road junctions with a roundabout, constructing pavements and cycleways over the entire length of roads, widening pavement and reopening access to the Expressway are not relevant to PPC4 and are beyond the scope of what the Requestor can action.
- The PPC4 provisions, coupled with the existing District Plan provisions, are appropriate to address any transport matters at resource consent stage.

222. I accept and adopt Mr. Shields' advice, conclusions and recommendations. I concur that any traffic and transport related matters can be adequately addressed through the proposed PPC4 provisions alongside the existing District Plan provisions.

223. I have considered Mr Shields' advice alongside the relevant RPS and District Plan objectives and policies, which I have set out earlier. I have reviewed and generally concur with the Requestor's assessment against these.

224. The only area of difference is in respect to how PPC4 sits in respect to the provision of multi-modal transport, in particular bus services. I agree with Mr. Shields that it is unlikely that PPC4 occupants would readily use the existing bus service and based on the current scale of development in the area, it is unlikely that the GWRC would choose to extend a bus service along Ratanui Road due to the existing scale of development. However, PPC4 would have easy access to other forms of transport, such as walking, cycling, mobility and micromobility devices which is consistent with relevant policies. In respect to accessibility to the bus service, I note Policy 57(d) identifies that the delivery of public transport services may not always be efficient or practical. I consider this is one circumstance where provision of a bus service would not be efficient or practical, given the current level of urban development. This is something that can be revisited in the future should the wider area be rezoned.

225. It is my experience from being involved with retirement village developments that they provide transport-support services for their residents, such as shuttles and mini-buses, to assist them to obtain access to services. I consider that this would reduce the likely demand for public bus services. In respect to a future residential development, I note that Policy 2 includes provision for connectivity to adjacent sites, which could potentially be used to provide pedestrian access through to Mazengarb Road, reducing walking time to a bus. There is also potential in the future for a bus service along Ratanui Road, should further residential development occur. I do not consider that the lack of easy-walking access to a bus service is a determinative matter in respect to PPC4 and implementing the RPS policy direction. I also note that the GWRC did not express any concerns regarding transportation matters in their submission on PPC4.

226. In my opinion, there are no traffic or transport-related matters that cannot be appropriately managed through the District Plan and PPC4 provisions and that would justify the Request being rejected. I also consider that PPC4 is generally consistent with the relevant policy direction in the RPS and District Plan and meets the Clause 3.8 NPS-UD test of being well-connected along transport corridors. I also consider that PPC4 provides adequate development transport infrastructure to support the future development of the land for housing use.

9.10.5 Recommendation

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].

229. I recommend the neutral submission S5.1 be accepted insofar as being considered.

9.11 Landscape, natural character, visual amenity and urban design

9.11.1 Introduction

230. The Request was accompanied by a Landscape Effects Assessment (LEA) in Appendix D. The LEA considers that the likely effects relate to effects on rural character and private and public visual amenity. The LEA concludes that there would be a neutral effect on natural character values, and an opportunity to restore some coastal natural character. In terms of landscape and visual amenity effects, the LEA concludes that any adverse effects would be minor and would reduce over time, with any residual adverse effects being addressed through the consenting process. There was no separate urban design assessment provided.

231. The proposed structure plan includes indicative landscape and vegetated buffers. Proposed policies DEV3-P1 and P2 require general consistency with the Structure Plan, and include the following clauses:

> *d. 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, as well as appropriate exotic amenity plantings;*
>
> *c. vegetated buffers on the southern extent of the Site that reflect the more 'wooded' character of the rural residential properties along Ratanui Road;*
>
> *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 buffer 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;*

232. DEV3-P2 also includes a clause requiring the consideration of the need for community facilities or reserves within the site. DEV3-R1 makes retirement villages a controlled activity when a landscape and earthworks plan is provided, which then defaults to a non-complying activity when one is not provided. DEV3-R2 and DEV3-R2 make subdivision and more than four residential units on the site a restricted discretionary activity when a landscape and earthworks plan is provided, which then defaults to a non-complying activity when one is not provided.

233. The Request for Information memorandum prepared by Boffa Miskell to the Requestor, dated 13 February 2025, provides responses to questions posed through the Council's RFI. Of particular interest are:
    - The dunes are of low value and protection is not required; but geotechnical investigations have determined that a setback is required from the larger dunes at the northern end of the site. The benefit of this setback will ensure there is enough space along the edges of the site to develop a landscape response. The need to integrate ground levels with surrounding sites and landforms has been addressed in clause c of both proposed policies
    - In terms of the landscaped buffer:
        - Its purpose is to seek to deliver an appropriate design response to ensure the integration with adjacent sites/land use
        - It may be implemented through planting, appropriate fencing, landscape bunds and earthworks design or a combination of these
        - It would be 5m in width
    - In terms of the vegetated buffer:
        - This has been proposed where it has been identified that more substantial filtering of views into the site is required due to proximity to neighbouring residential properties where there are currently unobstructed views into the site.
        - It would be 5m in width and primarily proposed in the southern parts of the site where a more parkland type vegetation cover is characteristic with the landscape. It would use a mix of largely native species with varying heights, ranging from shrubs and undergrowth species to trees of 10 to 20m in height or greater. The response includes a list of potential species.
    - No buffer is proposed along the boundary with the remainder of 65 Ratanui Road as there is an existing commercial agreement with that landowner.
    - The LEA was prepared using conceptual modelling, rather than an indicative site layout. Further detail would be provided at resource consent stage.
    - The LEA deliberately does not address the identified private locations due to it being conceptual at present. More detailed information would be provided at resource consent stage.

234. I have not been able to find reference to a setback from the northern dune in the Geotechnical Assessment. The Requestor is requested to address this at the hearing.

9.11.2 Statutory and planning provisions

235. The following RPS and District Plan provisions are relevant:
    - Policy 3 RPS Protecting high natural character sites in the coastal environment – district and regional plans
        - This sets the criteria for identifying areas of high natural character and then requires plans to include policies, rules and/or methods for protecting that character.
    - Policy 36 RPS Managing effects on natural character in the coastal environment – consideration
        - This requires consideration of whether a plan change may affect natural character in the coastal environment and provides matters to have regard to when determining whether an activity is inappropriate. The explanation says that it is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to natural character values in the coastal environment, as assessed under policy 3 (above). The criteria cover the nature and intensity of the proposed activity, the degree to which the natural character will be modified, damaged

or destroyed, the resilience of the site or area to change, opportunities to remedy or mitigate previous damage, and the existing land uses on the site.

- Policy 54 RPS Achieving the region's urban design principles – consideration
  - This requires consideration of the urban design principles set out in Appendix 2. These cover the 7 Cs of design elements, being context, character, choice, connections, creativity, custodianship and collaboration
- Policy 55 Managing greenfield development to contribute to well functioning urban areas and rural areas – consideration
  - I have set this out earlier. It includes consideration of the location, design and layout of the urban development, concentrating heights and densities, applying specific management or protection to values and resources required under the RPS, how and where urban development will occur in the FDS, the provision of a structure plan and the contribution to development capacity[95]
- Policy UD.5 Contributing to well-functioning urban areas – consideration
  - I have set this out earlier. It includes consideration of the characteristics of well-functioning urban environments, and the quality and choice of housing[96]
- DO-O3 Development Management
  - I have set this out earlier
- DO-O20 Well-functioning urban environments
- DO-O4 Coastal environment
  - This seeks that there is a coastal environment where the effects of inappropriate subdivision, use and development are avoided, remedied or mitigated
- DO-O9 Landscapes, Features and Landforms
  - This includes the requirement to avoid, remedy or mitigate adverse effects of earthworks on natural features and landforms
- DO-O11 Character and Amenity Values[97]
  - I set this out below
- DO-O12 Housing Choice and Affordability
- UEDI-P1 Urban Design
  - I set this out below
- UFD-P1 Growth Management
  - I have set this out earlier in this report
- UFD-P2 Housing Choice
  - This encourages an increased mix of housing forms, types, sizes and tenures that cater for changing demographics while encouraging high quality development. Clause 2 specifically refers to the housing and care needs of the ageing population.
- UFD-P4 Residential Density[98]
  - This states the density will be managed through area-specific provisions to achieve an appropriate range of housing types, density and built form across the District.
- UFD-P14 Urban Built Form[99]
  - This sets out the heights and densities of urban built form anticipated for each zone. It includes clause 3, enabling a variety of building heights and densities in the GRZ, including buildings up to 3-storeys.
- EW-P1 Earthworks
  - This requires that earthworks are managed to ensure adverse effects on natural landforms are remedied or mitigated

[95] Subject to appeal
[96] Subject to appeal
[97] This was amended through PC2
[98] This was amended through PC2
[99] This was added through PC2

- CE-P3 Preservation of Natural Character
  - This requires that the natural character in the coastal environment is preserved and protected from inappropriate subdivision, use and development. In respect to areas that are not high or outstanding, it requires that significant adverse effects are avoided, and others are avoided, remedied or mitigated. It also includes reinstating dunes which function as natural buffers where practicable; which does not apply in this instance.
- CE-P4 Restore Natural Character
  - This promotes the restoration of natural character, where practicable, including by creating or enhancing indigenous habitats and ecosystems and rehabilitating dunes and other natural coastal features or processes
- CE-P7 Natural Dunes
  - This requires that natural dune systems are protected and enhanced, including through restoration and natural dune function enabled where practicable
- GRZ-P7 Development and Landforms
  - It requires the development should be sited, designed and undertaken to integrate with the natural topography and landform of the land.
- GRZ-P8 Reverse Sensitivity
  - This includes a clause the residential activities located at the urban-rural interface will be undertaken in a manner which is compatible with the activities undertaken in the Rural Zones.
- GRZ-P10 Residential Amenity[100]
  - I have set out the relevant parts below
- GRZ-P12 Landscaping[101]
  - I have set out the relevant parts below
- GRZ-P28 Retirement Villages[102]
  - I have set out the relevant parts below
- RLZ-P9
  - I have set this out below

236. I have set out the relevant parts of DO-O11, GRZ-P10, GRZ-P12, GRZ-P28 and RLZ-P9 below.

DO-O11

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

1. *residential areas characterised by the presence of mature vegetation, a variety of built forms and building densities, the retention of landforms, and the recognition of unique community identities;*
2. *[not relevant];*
3. *[not relevant];*
4. *productive rural areas, characterised by openness, natural landforms, areas and corridors of indigenous vegetation, and primary production activities; and*
5. *well managed interfaces between different types of land use areas (e.g. between living, working and rural areas) and between potentially conflicting land uses, so as to minimise adverse effects.*

[100] This was amended through PC2
[101] This was amended through PC2
[102] This was added through PC2

UEDI-P1

Quality urban design outcomes will be promoted so that public and private places and spaces:

1. *are liveable and safe;*
2. *enhance the local economy, environment and community;*
3. *are sustainable, enduring and resilient;*
4. *provide a strong sense of place reflecting cultural values and distinct community identities;*
5. *are enjoyable, comfortable, welcoming and provide a diversity of experiences; and*
6. *are easy to move around and through, by encouraging a well-connected and integrated transport network;*
7. *at all levels of urban design, from macro (urban structure and subdivision) to micro (building details and materials) scale.*

GRZ-P10

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

1. *building size and footprint will be proportional to the size of the allotment;*
2. *usable and easily accessible private outdoor living spaces will be provided;*
3. *buildings and structures will be designed and located to maximise sunlight access, privacy and amenity for the site and adjoining allotments;*
4. *buildings and structures will be designed and located to respond to the planned built character of the Zone;*
5. *appropriate separation distances will be maintained between buildings;*
6. *yards will be provided to achieve appropriate building setbacks from neighbouring areas, the street and the coast;*
7. *hard and impermeable surfaces will be offset by permeable areas on individual allotments;*
8. *unreasonable and excessive noise, odour, smoke, dust, light, glare and vibration will be avoided;*
9. *non-residential buildings will be of a form and scale which is compatible with the surrounding residential environment; and*
10. *service areas for non-residential activities will be screened, and planting and landscaping will be provided.*

GRZ-P12

Landscaping will be required for non-residential activities and residential development in the Residential Zones to enhance residential amenity, while promoting water conservation and biodiversity and allowing for the natural infiltration of surface waters through permeable treatments. Landscaping will be located and designed in accordance with the following principles:

1. *the visual impact of large buildings will be reduced by appropriate screening and planting;*
2. *service areas, loading areas and outdoor storage areas will be screened;*
3. *on-site outdoor living spaces will be defined and enhanced by landscaping;*
4. *sunlight access and passive surveillance to adjoining areas will not be unreasonably restricted;*
5. *public infrastructure and services will not be damaged or blocked;*
6. *planting of locally indigenous vegetation will be encouraged; and*
7. *permeable surfaces will be provided for the natural infiltration of surface waters.*

GRZ-P28

Retirement villages will be enabled in the General Residential Zone, through a range of housing and living care options that are suitable for the needs and characteristics of older persons by:

1. *Providing for greater density than other forms of residential development to enable shared spaces, services, amenities and facilities, and affordability and the efficient provision of assisted living and care services;*
2. *Providing for good quality on site amenity, recognising the unique layout, internal amenity and other day-to-day needs of residents as they age;*
   a. *Encouraging the scale and design of the retirement village to: be of a high-quality and aligned with the planned urban character;*
   b. *achieve attractive and safe streets and public open spaces, including by providing for passive surveillance;*
3. *Provide an adequate and appropriately located area on site for the management, storage and collection of all waste, recycling and organic waste potentially generated by the development.*

RLZ-P9

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

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

9.11.3 Matters raised by submitters

237. Submission points seeking that PPC4 be declined included the following reasons:

- Ratanui Road is the beginning of the semi-rural area of Otaihanga, which has significant natural beauty and an established semi-rural character. Building a retirement village on such a large plot of land would destroy this.[103]
- Kapiti has enough retirement villages already and it will soon lose what little remains of the sleepy semi urban/rural charm it once had.[104]
- It includes high-density housing and increased building height, which is incompatible with the existing character and landscape.[105]
- Defer any rezoning until a comprehensive landscape, visual, ecological and cultural impact framework has been adopted by Council and a robust structure plan prepared with effective buffers, ecological offsets and stormwater treatment, because:
  - There is at least a Low–Moderate adverse effect on rural character. The assessment provided did not access or seek to access the affected properties when undertaking its assessment.
  - The shelter belts identified are deciduous old and some may be removed.
  - The impact on 27a Ratanui Road is incomplete, the well mature tree mentioned in the landscape and visual assessment are predominantly deciduous in nature, old and planned for removal.
  - The proposed 2–3-storey walls and roof-heights up to 10m will loom over remaining lifestyle blocks.

[103] S1.1, S2.1, S8.1
[104] S1.1
[105] S8.1, S14.1

- The small vegetated buffer strips proposed along some of the edges cannot fully mitigate the sense of enclosure and loss of openness valued by adjoining residents. The proposal should be amended to require a landscaped and planted buffer along the entire perimeter of the site.[106]

238. Submissions that supported or opposed PPC4 and sought amendments included the following requests or relief:
    - More detail on the intent to use alternative fencing to wooden batten, and planting to aid visual sightings and the boundary, for the reasons that:
        - The requestor has not engaged with the submitter to take private images, and it is assumed they have not taken images across the submitter's property
        - How has a low effect determination been applied, how can this be changed, and what is the outcome if this was increased to medium or high[107]
    - That there be updated landscape screening and building height controls to protect neighbour's access to privacy and sunlight, including:
        - Specify a minimum 5 metre width for the vegetated buffer on the shared southern boundary, in keeping to the rural character.
        - Extend the vegetated buffers, as shown in yellow in the image on page 3 of the submission (see submission for details).
        - Use only native shrubs and trees that are endemic to the Kāpiti region (note that Karo as mentioned in the 'Ecological Assessment' document is considered a weed in the Kāpiti region).
        - Plant 3 established plants (not seedlings) per square metre, at the outset of earthworks commencing, for all vegetation buffers as shown in the 'Landscape Effects Assessment' document plus the yellow boundaries outlined in the image on page 3 of the submission (see submission for details).
        - Ensure vegetation buffers are irrigated for the first two years after planting to ensure successful establishment to maintain native trees to have a maximum height of 6 metres to ensure access to sun is maintained.
        - ensure only single level buildings within 100 metres of the shared southern border[108]
    - That the following changes be imposed:
        - No buildings be permitted within a minimum setback distance of 10 metres from existing rural boundaries, particularly for 91 Ratanui Road, to preserve privacy and reduce visual impact.
        - Only single-storey homes be permitted along the boundary of existing rural properties to minimise loss of outlook, light, and character.
        - The density be reduced to a maximum of 150 dwellings.
        - Privacy planting of ideally 2 metres, maximum of 6 metres in height be installed by the developer along affected boundaries — at their cost — prior to construction, to soften visual impacts and maintain the semi-rural feel. Any higher than 6m affect the long-lasting sun on the submitter's property[109].
        - Height restrictions are imposed on the perimeter of the development and an appropriate landscape buffer is put in place on our boundary post-construction.
        - The adjacent property not be affected by outdoor space that may be developed[110]
    - That the large sand dune which straddles the northern boundary is planted with indigenous species typical of this coastal environment. The reasons given for this request are:

[106] S15.3
[107] S6.1
[108] S7.2
[109] S8.1, S8.3
[110] S10.6

- that the Archaeological Assessment states there may be unrecorded subsurface archaeological sites relating to Māori occupation and settlement that may be exposed during development.
- The LEA Report specifically refers to this dune and recommended planting of indigenous species typical of a coastal area.[111][112]

- To ensure adequate screening on all boundaries.[113]
- Suitable screening planting for all boundaries with adjacent properties[114]
- Complete landscaping to keep the rural appearance at the retirement village entrance.[115]

239. Submitter 7 considered that their property would experience moderate to high impacts due to:
    - The loss of rural outlook
    - 1,850% density increase is a fundamental character transformation
    - 11m high buildings instead of 8m will result in prominent intrusion in their north-facing views and they will lose their primary outlook

    The submitter also considers the LEA minimises the impacts by comparing the site to the wider receiving environment, assumes mitigation will work and does not focus on the magnitude of change.

9.11.4 Assessment

240. The submissions that raised landscape, visual amenity and urban design matters and the LEA submitted with PPC4 were reviewed by Ms. Angela McArthur, Consultant Landscape Architect, and Ms. Deyana Popova, Consultant Urban Designer. Copies of their reports are attached as Appendices 12 and 7 respectively. I note Ms. Popova also addresses issues relating to land fragmentation, which I have addressed earlier in this report.

241. In her report, Ms. McArthur agrees that the LEA has identified and considered the effects of viewing audiences and identified the landscape values of the site. She generally concurs with the LEA, but either provides additional context, differs in opinion or recommends amendments to the PPC4 provisions in response to submitter concerns, as follows:
    - The site has a moderate, rather than low, level of naturalness accounting for the modifications to wetlands, the stream and removal of indigenous vegetation. The dune landform largely remains unmodified.
    - The residential scale of development subject to the GRZ would have a contrasting appearance to the surrounding area, but the PPC4 provisions will address the transition between the site and the RLZ
    - Future amendments should be considered in respect to the policies and rules to provide clearer direction for future development of the site, such as:
        - Specifying that tree and shrub species used in the vegetated buffer are indigenous species naturally occurring in the local region
        - Further details that describe the landscaped buffer, including planting, fencing and earth bunds where appropriate
        - Appropriate planting to restore dunes outside of development areas
        - Extending the 5m wide vegetated or landscape buffer to include the entire site perimeter

[111] S11.2
[112] I also note that this submitter states that they oppose Option 1, but support Options 2 or 3 with conditions.
[113] S15.6
[114] 16.2
[115] S18.2

- The predictions of landscape and landscape character effects as a result of site development remain uncertain without further detail, in particular in respect to a retirement village. Uncertainties include the development areas, extent of earthworks and the siting, form and scale of any future village.[116] The proposed PPC4 provisions coupled with the existing District Plan provisions would adequately address these matters as a discretionary activity through resource consent.

242. Ms. McArthur addresses submitter concerns, considering that many of them have been addressed through the updated DEV3 provisions, and will be managed through a resource consent process. Other concerns would be addressed through the amendment she recommends, as set out above. Overall, she concludes in paragraph 77 that with the added provisions, the PPC4 provisions are appropriate and sufficient to manage the potential landscape and visual effects of residential development.

243. Ms. Popova advises that on a plan change level, the consideration of urban design effects is focused on the extent to which new development integrates into the site, its immediate context and the wider setting. From an urban design perspective, the effects need to be considered in the context of what the GRZ and PPC4 would provide for (up to 153 lots/235 dwellings with up to 11m high dwellings) compared to the RLZ would provide for (up to 12 dwellings and 12 minor dwellings of up to 8m in height).

244. Key matters that Ms. Popova highlights and addresses in her report are:
    - That the northern sand dune is characteristic feature of the Site that should be incorporated into site planning as a best practice approach. There is no discussion in the body of the Request why the LEA recommendation to retain the dunes was not carried into the structure plan
    - Issues of visual integration and amenity effects are directly linked to the distribution of building form in terms of height and setback and the width and density of planting within the proposed buffers. There is no consistent interface treatment along the entire perimeter of the site, and this should be provided to provide continuity and a more coherent spatial and amenity outcome. There is no buffer or landscaping requirement along the road boundary and the GRZ provisions would apply with a 1.5m setback and no front yard landscaping, which would be uncharacteristic of the rural lifestyle development either side.
    - Compared to a residential development, a retirement village has a greater perceived sense of density due to the housing typologies. The District Plan has no specific provisions to address urban/rural interface treatment beyond building setbacks.
    - The site-specific provisions are not sufficiently robust to ensure certainty of the outcomes due to a lack of specific standards; in particular the controlled activity status.
    - There is no systematic or clear explanation about the different roles and treatments of the vegetated and landscaped buffers, and there is no specified width, as recommended in the LEA. In addition, there is no certainty of what a landscaped buffer is to comprise of, with DEV3-R1(1b) stating that this may be landscaping, fencing and/or planting).
    - The effect of up to 11m high buildings within (but not closer than) 5m of the boundary would result in a collective greater bulk of building. The buffer would moderate the visual impact of building height but would not necessarily fully mitigate the impact/perception of the GRZ permitted density.

245. Ms. Popova recommends the following amendments to PPC4 in response to the issues she has identified:

[116] Paragraph 44

- The provisions be amended to either specifying a setback from the northern dune or imposing a wider buffer around its location, and showing these on the structure plan, so as to ensure its retention and integration into the development.
- The role and treatment of the landscaped and vegetated buffers are defined and consistently included in the policy
- That there is a requirement for the buffers to have a minimum width of 5m supplemented with the suggested planting species from the LEA, and that the buffer applies around the perimeter of the site, either in the rules or policies.
- That DEV3-R1(1b) be amended to read "landscaping/landscaped bunds or earthworks design, planting and/or fencing and planting)
- A 5m landscape setback along the Ratanui Road frontage, to integrate the development into the existing primarily rural character either side of the site and over the road.
- Adopting a built form concept where building height increases from single storey at the periphery to 11m at the centre of the Site through a site-specific provision would create a more consistent and sensitive boundary interface treatment and provide greater certainty of outcomes for immediately adjacent rural properties in respect to privacy, visual impact and perception of density.

246. I have reviewed and considered the two experts' advice alongside the policy direction provided through the RPS and District Plan. I address the relevant aspects of the policy direction below, by topic. As I have undertaken these assessments, I have been mindful of Policy 6 of the NPS-UD, which I set out below:

> *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*
>
> *(a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
>
> *(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
>
> *(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
>
> *(ii) are not, of themselves, an adverse effect*
>
> *(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*
>
> *(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity …*

247. I appreciate that as the Site is currently zoned RLZ, there is no relevant planned urban built form that applies. However, following any rezoning to urban, Policy 6 does become relevant, insofar as how amenity effects would need to be considered. This is a policy shift compared to the status quo RLZ; however, this also needs to be set in the context of the area being identified for growth in the medium term under the Council's Growth Strategy.

248. Policy 6 of the NPS-UD is reflected in Policy UFD-P11 of the District Plan. This policy differentiates the consideration of amenity values for subdivision, use and development within reserves and areas identified in the District Plan as having significant values and outside of those areas. The Site is not located in any of those areas, and therefore the relevant clause is:

> *New subdivision, use and development of land outside of the areas identified in (a) above will be undertaken in a manner that considers effects on the amenity values of those areas while recognising that the District's urban environments, including their*

amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.

249. I have also considered the requirement of s77I of the RMA to implement the MDRS, with any provisions to make provisions less enabling only applying where qualifying matters are justified. As I have set out earlier, the relevant qualifying matters that can be considered are for section 6 RMA, to implement requirements of another NPS or the NZCPS, and whether there are site-specific characteristics that can be justified.

250. I have also been mindful that the District Plan and the RPS already provide significant and comprehensive policy direction in respect to the consideration of natural character, landscape and character, visual amenity and urban design, as I have set out above. Any future subdivision or resource consent would be subject to consideration of all of this policy direction. In my opinion, a lot of the concerns raised by submitters will be addressed through the existing policy framework should the Site be rezoned to GRZ (as set out earlier in this section).

251. A lot of the matters raised by submitters relate to the appropriateness of rezoning the site to GRZ, which I have addressed earlier. I have therefore focused this assessment on the site-specific changes that submitters have sought to the GRZ and proposed PPC4 provisions.

Natural character

252. The site is in the coastal environment as identified in the District Plan, but it is not identified as having high (or outstanding) natural character[117]. The site is located well inland and is not subject to natural coastal processes and does not perform any natural buffer function. My perception is that the site is a predominantly grassed rural block of land, with highly modified streams and wetlands, and undulating in nature due the presence of modified and more unmodified dunes (the north). My impression is that with the exception of the undulating dunes, it does not have any characteristics that indicate that it is in the coastal environment.

253. The explanation to Policy 3 RPS says that where coastal natural character is less than high, Policy 36 is used to assess and manage the effects of district plan changes to avoid, remedy or mitigate adverse effects of activities on natural character in the coastal environment. In this instance, the District Plan policies pre-date Change 1 to the RPS. 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. Policy 36 does not distinguish between scales of natural character (outstanding, high, moderate or low), rather it includes considerations for determining whether an activity is inappropriate in respect to all natural character. I find this lack of distinguishment unhelpful in considering PPC4, as PPC4 is not an activity and any activities will require future resource consents. However, in respect of the considerations in Policy 36, I consider that these are already reflected through the relevant District Plan provisions which I have set out earlier.

254. The District Plan includes several provisions relating to the coastal environment, natural character and dunes. However, the only rules that specifically relate to the coastal environment are as follows:
    - CE-R1 which relates to public access and amenity structures in areas of outstanding or high natural character in particular zones

[117] The criteria for identifying high natural character is in policy 3 RPS

- CE-R2 which relates to buildings or earthworks in areas of outstanding or high natural character in particular zones which are not permitted under CE-R1 or earthworks associated with natural hazard rules
- EW-R2 Earthworks in areas of high natural character in the coastal environment

255. None of these rules apply to the PPC4 site. Therefore, the policy direction in the Coastal Environment applies to relevant resource consent applications in the coastal environment, or for consideration of plan changes in respect to rezoning. I have also outlined EW-P1 earlier which requires that earthworks are managed to ensure adverse effects on natural landforms are remedied or mitigated. I noted policy CE-P7 which relates to natural dunes and their protection and enhancement. Unhelpfully, there is no definition in the District Plan as to what comprises a natural dune, and no specific rules relating to natural dunes. There are little to no opportunities to restore or enable natural dune systems or functions, as the site is well removed from the coast and is surrounded by either residential or rural lifestyle development, and the surrounding land including most of the site has already been highly modified. However, there is the opportunity through PPC4 and any future development to protect and restore the northern dune.

256. I have considered the LEA and assessments in the PPC4 request, Ms. McArthur and Ms. Popova's advice and Mr. McDermot's advice in respect to dune stability. I note that Ms. Popova has recommended that the northern dune with a setback or a wider buffer be specifically located on the structure plan. However, Ms. McArthur has not sought this amendment, rather she advises that the proposed DEV3 provisions alongside the existing District Plan provisions will manage development in respect to the northern dunes. She does recommend that there be appropriate planting to restore dunes outside of development areas. I have considered how this issue could be addressed through the PPC4 provisions.

257. I appreciate concerns that the rezoning of the site would enable development which will involve earthworks, which may impact on the dunes. However, I consider that there is policy direction in the District Plan and the proposed PPC4 provisions that will require that any future resource consent application includes specific consideration of the dunes on the site in development design. 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 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 justifying making the MDRS less enabling, should the site be rezoned.

258. I consider that their and submitter concerns are appropriately addressed through an amendment to 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).

259. While I consider there is already policy direction in the earthworks and coastal environment chapters in respect to natural landforms and dunes, with this amendment it would be clear that

any future development needs to specifically consider these, including the requirement for planting of indigenous species.

Landscape

260. I accept Ms. McArthur and the LEA advice and concur that the site is largely modified and pastoral in nature, but influenced by adjacent residential development and has views from elevated locations within the site. PPC4 would enable the development of the site, which would significantly change the character of the site; albeit this change is signalled as a future possibility through the Council's Growth Strategy. Its character would also change should it be redeveloped for rural lifestyle purposes, within its current zoning. Therefore, while it has a rural character now, its zoning now allows for a reasonable level of change. The Requestor proposes to manage landscape and character effects on the surrounding environment through the use of landscaped and vegetated buffers, as I have set out earlier.

261. As I have outlined earlier, Ms. McArthur generally concurred with the LEA, but sought amendments in respect to the landscaped and vegetated buffers. Submitters and Ms. Popova also expressed concern about the purpose and extent of the landscaped and vegetated buffers, with most seeking a consistent 5m wide buffer around the entire perimeter of the site.

262. From my review of the proposed provisions, it is unclear what the role of a landscaped buffer is beyond what is described in clause e "to soften the transition from a residential to rural lifestyle land use", however this description is also used for vegetated buffer. I understand that the vegetated buffer as described in clause c as being "to reflect the more 'wooded' character of the rural residential properties along Ratanui Road". There is no clarity of what this wooded character is, but I assume it would require an assessment, as an application for a retirement village or residential development requires a resource consent.

263. Firstly, I concur with Ms. McArthur and Ms. Popova that it is appropriate to consider inclusion of a 5m minimum width for the landscaping/vegetated buffer. At present, there is no minimum width included. I note the note to the three rules that "no buildings shall be located in landscaped or vegetated buffers", but there is no clarity of the width of these. I consider the provisions as proposed to be too vague. I note that the LEA update, provided in response to a request for further information and which forms part of the Request, specifies that the minimum width be 5m. It is unclear why this was not carried into the actual PPC4 provisions. However, I am mindful that including a minimum width within the rule framework would be considered a qualifying matter under s77I of the RMA and require justification under s77J because it would effectively modify the MDRS provisions that would apply if the Site is rezoned. The reason for which the minimum width is sought is not for section 6 reasons or required under a NPS or the NZCPS. While the rezoning would change the landscape and character of the area, I do not consider that this is a site-specific characteristic that would justify amending the MDRS. Therefore, I cannot support imposing a rule that would require a 5m minimum width for either buffer. I do however consider that it would be appropriate to include a policy consideration, which provides more flexibility than a rule.

264. I agree for the reasons given by Ms. McArthur and Ms. Popova, that it would be appropriate to:

- Amend the two policies so that the planting species and arrangements reflect predominantly indigenous species that are naturally occurring in the local region
- Include further details to describe the purpose/function of both the landscaped and vegetated buffers and set the expectation of a minimum width of 5m (through the policies)

- Amend the structure plan so that the vegetated buffer also extends along the Ratanui Road frontage in addition to those areas already shown, and the landscaped buffer be extended to apply along all other boundaries where the vegetated buffer does not apply.

265. I have not recommended that all planting be of indigenous species throughout the site, as this may be seen to preclude future residents from being able to plant exotic species in their private gardens. However, I consider it is appropriate to specify that the landscaped and vegetated buffers be indigenous species, in accordance with Policy CE-P4 of the District Plan which promotes restoration of natural character of the coastal environment. I also note again that the LEA update includes further detail about the purpose of each buffer, which was not carried out into the recommendations. I have also recommended that it be clear the buffers need not be provided where a transport connection is proposed to adjacent sites, so not to cause conflict with DEV3-P2 which provides for consideration of connectivity to adjacent sites. While DEV3-P1 does not include this clause, a future developer may propose connectivity regardless.

266. I have carefully considered the necessity for the two buffers, as there is no clear policy direction on the treatment of the interfaces between the GRZ and RLZ beyond the standard building setbacks that apply to each zone. I have addressed the merits of rezoning this Site out of sequence with wider rezoning of the area earlier in this report. PPC4 would in effect create an "island" of development predominantly adjacent to RLZ properties with a much higher density of development and the buffers will make this distinction even clearer.

267. I recommend that the two clauses be amended as follows:

> 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:
>
> …
>
> 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 DEV3- 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;
>
> …
>
> e. ~~providing an appropriate~~ landscaped ~~and/or vegetated~~ buffers in areas indicated in the DEV3- Figure 1: Ratanui Development Area Structure Plan ~~to~~ that:
> 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

268. I consider that these amendments more appropriately give effect to the provisions in the RPS and District Plan, as:
    - The inclusion of reference to species present in the local area will promote the restoration of indigenous biodiversity in the coastal environment; and
    - The buffers will better enable the integration of any future development into what is currently an area of predominantly rural character, in a manner that still enables the future development of the site.

Visual amenity and urban design

269. Most of the submitters' concerns that relate to visual amenity and urban design have already been addressed through the assessment of natural character and landscape and character. However, there are some submitters who expressed concern about the density of development and sought a limitation on the height of development on the site. I note Ms. Popova has recommended in addition to the buffers that a site-specific provision be included requiring a maximum of single storey buildings at the periphery increasing to 11m at the centre of the Site. The rationale being the much higher density/intensity of development that could occur as compared to a complying RLZ development. Ms. McArthur has advised separately that she supports the concept, but considers an 8 metre high limit to be acceptable at the periphery, increasing to 11m at the centre of the Site.

270. Again, I have been mindful of the requirement for the Council to apply the MDRS and that this concept would need to be justified by way of a qualifying matter should it be proposed to amend the maximum height requirement of 11m. In this case, as I have already traversed, PPC4 is not currently anticipated in RMA planning documents, but the Council is required to be responsive to plan changes in accordance with policy 8 of the NPS-UD.

271. The reasons provided by Ms. Popova and Ms. McArthur relate to amenity for adjacent properties. Neither of these are section 6 matters or relate to requirements of other NPSs or the NZCPS. Therefore, being less enabling can only be justified if there are site-specific characteristics. In my opinion, there are no specific characteristics of this site that would justify reducing the MDRS height. In saying this, having seen the Site, the surrounding area and numerous retirement villages, I think it very unlikely that any future development of the site would occur with 11m high buildings around the periphery of the site.

272. I do, however, consider that a policy consideration could be included in the two policies as follows:

> 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:
>
> …
>
> f. have a form of development where the tallest buildings are located towards the middle of the site, where practicable.

Activity status for development of the site

273. While no submitter has expressly sought that the proposed controlled activity status of DEV3-R1 be amended, both Ms. McArthur and Ms. Popova have expressed concerns as to the

appropriateness of the status, given the uncertainties regarding the development area, the extent of earthworks, and the siting, form, and scale of any future retirement village.

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. I consider that this is an issue that is within the scope of what submitters have raised[118].

275. The Request seeks that the controlled activity rule be subject to a rule requiring the provision of a landscape and earthworks plan to show details of the landscape and vegetated buffers shown in the Structure Plan and include matters of control relating to general accordance with the structure plan, the matters in Policy DEV3-P2 and the matters in GRZ-R41 (the retirement village rule). These matters are:
    1. Where any of the standards under rule GRZ-R33 are breached, consideration of the *effects* of the standard not met.
    2. The *effects* of the *retirement village* on the safety of adjacent streets or public *open spaces*.
    3. The *effects* arising from the quality of the interface between the *retirement village* and adjacent streets or public *open spaces*.
    4. The extent to which articulation, modulation and materiality addresses adverse visual dominance *effects* associated with *building* length.
    5. When assessing the matters in 1 – 4, consider:
        a. The need to provide for efficient use of larger *sites*; and
        b. The functional and operational needs of the *retirement village*.
    6. The positive *effects* of the construction, *development* and use of the *retirement village*.
    7. The matters in policy GRZ-P28.

276. Subdivision (DEV3-R2) and Residential development of four or more residential units (DEV-R3) would be restricted discretionary activities, subject to the provision of a landscape and earthworks plan, and these rules would apply in addition to other District Plan rules. I do not have concern about this approach.

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

[118] Submissions include S7.2, S8.1, S8.3

require the exercise of discretion to a degree that is not appropriate for a controlled activity. In my view and from my 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.

279. In reviewing DEV3-R1 I also have identified an issue in terms of the "note" that GRZ-R41 does not apply to retirement villages within DEV3 – Ratanui Development Area. In my opinion, this use of a note creates uncertainty, and the more appropriate construct that is used already within the District Plan would be to amend the title of the rule so that it reads (amendment underlined):

DEV3-R1	**Retirement Villages within the Ratanui Development Area** <u>GRZ-R41 does not apply in addition to this Rule.</u>

280. I consider that this amendment helps clarify the application of the Rule and falls within the scope of the recommended amendment to this Rule.

Overall evaluation

281. I have reviewed the PPC request and LEA, the submissions and Ms. McArthur and Ms. Popova's evidence. I consider that the existing District Plan and proposed PPC4 provisions, as I have proposed to amend them, will ensure that any potential natural character, landscape, character, visual amenity and urban design effects are appropriately managed through subsequent district plan resource consent processes.

282. I also consider that PPC4 is consistent with the relevant policy direction in the NPS-UD, NZCPS, RPS and the Operative District Plan. There are no reasons that I consider PPC4 should be rejected.

9.11.5 Recommendation

283. I recommend that the submissions that seek that PPC4 be declined in respect of landscape, natural character, visual amenity and urban design be rejected [S1.1, S2.1, S8.1, S14.1, S15.3].

284. I recommend that the submissions that seek amendment to PPC4 in respect of landscape, natural character, visual amenity and urban design be accepted insofar as proposed PPC4 and existing District Plan provisions and my recommended amendments address these concerns [S6.1, S7.2, S8.3, S10.6, S11.2, S11.3, S15.6, S18.2].

9.12 Ecology

9.12.1 Introduction

285. The Request includes an Ecological Assessment prepared by BlueGreen Ecology. The assessment determines that there are no indigenous terrestrial ecological values of note, nor any areas that would meet the significance criteria under Policy 23 of the RPS. The Assessment addresses wetlands in some depth, which I note fall within the GWRC's jurisdiction, both under the National Environmental Standard for Freshwater and the RPS. Similarly, aquatic ecology is also solely

within the GWRC's jurisdiction. The Council's jurisdiction in respect to PPC4 is solely on terrestrial ecology.

286. The Assessment concludes that 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. Any effects on streams would be addressed through regional consents.

9.12.2 Statutory and policy provisions

287. The following NPS-IB, RPS and District Plan provisions are relevant:
    - Policy 8 NPS-IB The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.
    - Policy 13 NPS-IB Restoration of indigenous biodiversity is promoted and provided for
    - Policy 14 NPS-IB Increased indigenous vegetation cover is promoted in both urban and non-urban environments
    - Policy FW.3 Urban development effects on freshwater and receiving environments – district plans
        - This policy requires district plans to include provisions that give effect to Te Mana o te Wai and section 3.5(4) of the NPS-FM. This includes requiring urban development to be hydraulically neutral, apply water sensitive urban design principles, consider the effects on freshwater, protecting and enhancing certain waterbodies including wetlands and protecting natural flows[119]
    - Policy 24A Principles for biodiversity offsetting and biodiversity compensation – regional and district plans[120]
        - This requires that where plans provide for offsetting or compensation, they shall include provisions to achieve at least a net gain, and preferably a 10% net gain or greater, in indigenous biodiversity outcomes to address residual adverse effects on indigenous biodiversity, extent, or values.[121]
    - DO-O2 Ecology and biodiversity
        - This includes encouraging restoration of the ecological integrity of indigenous ecosystems, enhancing the health of terrestrial and aquatic ecosystems and enhancing the mauri of ecosystems.
    - DO-O3 Development Management
    - ECO-P3 Maintenance of indigenous biodiversity
        - This policy requires subdivision, use and development to be undertaken to maintain indigenous biodiversity within large areas of contiguous indigenous vegetation and riparian and coastal vegetation.

9.12.3 Matters raised by submitters

288. Submission 12, from the Greater Wellington Regional Council, contains the following decisions sought and reasons:

Provision	Decision sought	Reason
DEV3-P1(c)(c)(iii)	Amend as follows "offset areas are established and	consistency with Policy FW.3 of the RPS. To align biodiversity offsetting terminology

[120] This specifically excludes renewable electricity generation and electricity transmission activities
[121] Subject to appeal

	managed to ensure at least a net gain in indigenous biodiversity outcomes ~~positive environmental gain~~"	with the RPS and ensure consistency with Policy 24A of RPS Change 1.
DEV3-P2(4)(c)(iii)	Amend as follows: "offset areas are established and managed to ensure at least a net gain in indigenous biodiversity outcomes ~~positive environmental gain~~"	consistency with Policy FW.3 of the RPS. To align biodiversity offsetting terminology with the RPS and ensure consistency with Policy 24A of RPS Change 1.

289. Submitter 8 raised concern that land around the submitter's property includes established mature trees that are home to a range of native birds, and that earthworks and construction would impact on these. They sought privacy planting along affected boundaries, of no more than 6m in height. Other submitters raised matters relating to landscaping, the dunes and wetlands, which are addressed elsewhere in this report.

9.12.4 Assessment

290. The submissions that raised any ecological matters and the Assessment submitted with PPC4 were reviewed by Ms. Astrid Dijkgraaf, Council's Consultant Ecologist, who advised that none of the matters raised by the submitters are of sufficient ecological concern to decline PPC4 or require a change. A copy of her report is attached as Appendix 13. I note that the site is not identified as an ecological site under the District Plan. Therefore, under the direction of the NPS-IB and the District Plan, the focus is on promoting and providing for restoration of indigenous biodiversity.

291. GWRC sought to amend DEV3-P1(c)(c)(iii) and DEV3-P2(4)(c)(iii) to be consistent with Policies FW.3 and 24A of the RPS. As set out above, Policy 24A of the RPS requires district plans that provide for biodiversity or aquatic offsetting to include policies and methods to achieve at least a net gain in indigenous biodiversity outcomes to address any residential adverse effects on indigenous biodiversity, extent or values. While offsetting of any wetland loss is a regional council function both under the NES-F and the NRP, I agree with the GWRC that alignment in terminology and reference to a net gain in indigenous biodiversity outcomes where offsetting applies is appropriate to be consistent with Policy 24A. I note that Ms. Dijkgraaf also considers this amended wording is appropriate for consistency with the NES-F. I recommend that the wording be accepted as follows:

> *The offset areas are established and managed to ensure at least a net gain in indigenous biodiversity outcomes ~~positive environmental gain~~.*

292. In respect of the other submissions, 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. I have reviewed Ms. Dijkgraaf's evidence and agree that the existing District Plan and proposed PPC4 provisions will ensure that any potential ecological effects are managed through the relevant regional and district plan resource consent processes. I also consider that PPC4 is consistent with the relevant policy direction in the NPS-IB, RPS and District Plan.

293. In my opinion, the amendments I recommend to DEV3-P1(c)(c)(iii) and DEV3-P2(4)(c)(iii) are more appropriate in achieving the objectives of the District Plan and giving effect to the RPS, than the notified provisions of PPC4. In particular, the amended wording better implements the direction given in the RPS.

9.12.5 Recommendation

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.

9.13 Construction effects

9.13.1 Introduction

296. The Request does not include a specific assessment on construction effects, but these are mentioned through the Request, particularly in respect to civil engineering.

9.13.2 Statutory and policy provisions

297. Construction effects are generally a consequential effect arising from rezoning and cover a range of different effects. The District Plan contains the following provisions in respect to managing construction effects:
- NOISE-R10 Noise from activities associated with construction or demolition
  - This requires compliance with NZS6803:1999 Acoustics – Construction Noise
- EW-R2 Earthworks
- TR-R2 Vehicle movements
- GRZ-R1 General permitted activity rule which includes odour, dust, smoke and lighting

298. EW-R2 includes the following standards:
- Surface runoff from the site is isolated from other sites and existing infrastructure
- The potential for silt and sediment to enter the stormwater system or waterbodies in surface runoff from the site is minimised
- Erosion and sediment control measures are installed and maintained for the duration of the construction period, where necessary.

299. The District Plan also contains GRZ-R3 which sets standards for fences and walls constructed along property boundaries. The maximum height on a boundary other than the road is 2 metres, with the road boundary height a maximum of 1.8 metres. There are no rules or standards in the District Plan which allow any person to do anything on another person's property.

300. The NRP includes rules and standards relating to outdoor burning (Rule R1), stormwater from individual properties and new subdivision and development (Rules R48 and R49), earthworks (R101), wetlands (R113 – R118) and removing vegetation from the bed of any river (R137) which would apply to any future development of the site. The NRP also manages discharges to land, water and air associated with construction activities. The NES-F contains regulations that relate to natural inland wetlands which would also apply to any future development of the site.

301. The following legislation is also relevant to construction and effects on other properties:
    - The Fencing Act 1978
        - This Act sets a set of rules associated with building a fence on a common boundary. It addresses matters such as the cost and fence design
    - The Property Law Act 2007
        - This Act includes general rules about the rights and obligations of property owners, easements and covenants, who has legal right to possession and control of land, and interference with land
        - It also includes specific provisions that allow the court to deal with nuisance or damage caused by trees growing on neighbouring land.

9.13.3 Matters raised by submitters

302. Submission points seeking that PPC4 be declined included the following reasons:
    - Make any development rights contingent on it respecting environmental, property and safety rights on neighbouring properties, as compliance with these duties has previously been lacking. The Council was powerless or unmotivated to prevent construction having serious environmental and health effects. PPC4 should stipulate the responsibility of the owner to prevent harm.[122]

303. Submissions 6.1, 6.2 and 6.4 supported PPC4 in principle, but raised the following questions/matters:
    - Fencing and retaining wall requirements to ensure 81 Ratanui Road is not adversely affected.
    - Will the footpath on the eastern side of Ratanui Road be extended and will kerb and channel be installed and current runoff from Ratanui Road causes flooding and ingress of rubbish onto 81 Ratanui Road.
    - What are the authorised days and hours of construction activities, what are the acceptable noise levels, and what is the process if noise levels are breached.
    - Seek confirmation that no trees or plantings within the boundary of 81 Ratanui Road will be damaged during earthworks and construction (including roots) and confirming what the remediation/reparation process is if damage occurs.
    - See confirmation that earthworks will not undermine existing boundary fences.
    - The submitter will not accept any insurance liability for damage to facilities or dwellings built near the existing trees.
    - Seek confirmation that the removal of large pine and gum trees adjacent to the southern boundary of the submitter's property will not cause damage to the fencing, driveway and newly planted trees.
    - What protection from water runoff or drainage will be put in place to protect 81 Ratanui Road.
    - What is the intent to use alternative fencing to wooden batten construction and planting to aid visual sightings and the boundary.
    - The grey water system exceeds the boundary of 81 Ratanui Road by 2 metres in this area. It is marked but the submitter would like to be assured it will not be damaged during any construction. If this system requires remediation to be within the boundary of 81 Ratanui, it is the submitter's expectation is this will be done by Welhom Ltd or the current owner of 65/73 Ratanui Road.
    - That there be a requirement for pre-construction consultation with adjacent property owner's requirements.

[122] S2.3

304. Submissions 10.2 and 10.3 sought a number of construction-related requirements should PPC4 be approved:
    - That Council extends the sewage network and water intake to the submitter's boundary, so as to enable future connections to adjacent properties
    - The developer takes all possible precautions to reduce the dust flow during construction, including the erection of temporary barriers during the earthworks and construction processes.
    - Should the submitter consider the dust flow to be excessive, the developer be required to fund the washing of the submitter's windows on a regular basis during the period of the earthworks and construction and the washing of the submitter's entire house at the completion of the earthworks.
    - Ensure that an appropriate hedge, earth bund or fence is put in place to lessen the impact of noise, sand and dust during the earthworks and construction phases.
    - Require the developer to fund rabbit control/eradication on the submitter's and the applicant's property prior to and during and following the earthworks and construction processes.
    - That the trees which sit on the boundary with 65 Ratanui Road are removed early in the development process without any short term or long risk to the submitter's property as a result.

305. Submitter 16.2 sought the following conditions to prevent pneumatic piling and other matters:
    - No pneumatic piling is to be allowed, only bored piling, to limit damage to adjoining properties.
    - Windblown sand from stripping and the proposed 55,000 cubic metres cut and fill operations be effectively controlled and any related conditions rigorously enforced.
    - Road and other hard surfaces are constructed of permeable materials.
    - Suitable filtering systems are employed to contain road contaminants from entering the open drainage system.
    - Consideration should be given to design for climate and site and long-term sustainability

9.13.4 Assessment

306. I consider 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, including the control of noise through the NZ Standard for construction noise; management of dust through requirements under the District Plan and NRP; and through subdivision or land use consent conditions relating to the construction phase. The Transport Chapter contains rules relating to the repair, maintenance of existing and construction of new roads.

307. I do not consider that it is necessary to include any bespoke provisions in the District Plan to cover any of these matters as the current Plan provisions provide full coverage of matters that fall within the scope of a territorial authority's functions under the RMA. Matters relating to road construction fall also within the Council's road controlling authority's functions and any discharges from them will also be subject to NRP rules and standards.

308. A number of the issues raised are civil matters that are beyond the scope of the RMA and would be managed through existing mechanisms, including the Property Law Act and other legislation. For example, rabbit eradication and insurance liability for any damage that may occur are not matters that falls within the scope of the District Plan or the Resource Management Act. Matters

such as extending services to adjacent properties fall within the scope of the Council's Local Government Act functions.

9.13.5 Recommendation

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.

9.14 Planning

9.14.1 Introduction

311. There are a number of submissions that raise more general planning concerns, including impacts on existing uses and reverse sensitivity.

9.14.2 Statutory and planning provisions

312. The following District Plan provisions are relevant:
    - UFD-P1 Growth Management
        - This includes clauses to avoid urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements
    - RLZ-P5 Management of Conflicting Uses
        - This requires that the interface between activities on adjoining sites in the Rural Zones are managed to avoid, remedy or mitigate adverse effects on amenity values and on the effective and efficient operation of rural activities
    - GRZ-P8 Reverse Sensitivity
        - This includes a clause that residential activities located at the urban-rural interface will be undertaken in a manner which is compatible with the activities undertaken in the Rural Zones.

9.14.3 Matters raised by submitters

313. Submission points seeking PPC4 be rejected included the following reasons:
    - No one in the surrounding area would support a village being built.
    - Only the desires of those in the immediate impacted area are relevant, and their views should be prioritised over the requestor.[123]
    - Future property buyers may be misled by the rural zoning, as most nearby properties are lifestyle blocks. People may not be aware of new development occurring.[124]
    - A clear RMA policy conflict.[125]
    - Rezoning would compromise what the submitters were seeking when they moved to this location, and they seek that it remain low-density and rural.

[123] S1.1
[124] S2.1
[125] S4.1

- Disagrees with all of the reasons presented in the Request.[126]
- There is significant potential for reverse sensitivity issues for adjoining properties that would remain RLZ.[127]
- Loss of the rural resource, even if the NPS-HPL does not technically apply to the site. If rezoned, it can never again contribute to low-intensity grazing, carbon sequestration or local food security.[128]
- It is inconsistent with the following:
  - S6(a) and 7(c) because wetland loss, stream modification and amenity degradation are inevitable
  - NPS-UD Policy 8 as there are infrastructure and ecological constraints that militate against the benefits.
- The current development of houses as very dense housing does not help with the spirit and infrastructure of Kāpiti.
- The houses are too close together.
- Make sure that electricity, water, waste and general council services are organised before granting more dense housing and lower rates as there are many houses empty.[129]

314. Submission 2.2 seeks that the Council affirms and guarantees the protection of existing use rights of neighbouring rural properties, including:
    - Noise and odour from the keeping of livestock, poultry and other animals which new neighbours should not have the right to object to.
    - Keeping animals safe from neighbouring animals, people, vehicles and other hazards.
    - The use of loud outdoor equipment to maintain the property.
    - Pest control, including shooting rabbits and possums in order to maintain the property and keep the submitter's animals safe. The ability to continue this activity without neighbours objecting may be constrained.
    - The ongoing storage of silage and other materials that may create unpleasant smells or pose fire risk.
    - The many large trees on the property boundary may be loaded/drowned by the development raising the level of the land, leaving the submitter's property as the lowest point. The submitter accepts no insurance liability or responsibility if structures and fences built within reach of these trees.

315. Submissions 6.1 to 6.4 supported PPC4 in principle, but sought assurance of existing use rights for their existing rural activities, including rural equipment and burning green waste, and raised the following questions:
    - Will the rezoning allow residential distance from the boundary of 81 Ratanui Road.
    - Would PPC4 void the requirement to comply with the minimum 10,000m² lot size for subdivision?
    - Will there be any multi storey dwellings or facilities constructed adjacent to 81 Ratanui Road?
    - The grey water system exceeds the boundary of 81 Ratanui Road by 2 metres in this area. It is marked but the submitter would like to be assured it will not be damaged during any construction. If this system requires remediation to be within the boundary of 81 Ratanui, it is the submitter's expectation is this will be done by Welhom Ltd or the current owner of 65/73 Ratanui Road.

[126] S14.1
[127] S14.1
[128] S15.1
[129] S17.2

- Current storm water drainage from 81 Ratanui Road drains into the pond on the southern boundary with 73 Ratanui Road, which then drains into the pond on 81 Ratanui Road, then via a pipe from the NW corner of 81 across the paddock to the open drain on 73 Ratanui Road. Indications are that the pond on their southern boundary will be filled in for dwellings which adversely affects their storm water.
- What solutions can be found for maintaining current storm water drainage?
- Existing user rights apply to the current storm water disposal system and queries whether the current owner of 65-73 Ratanui declared this as an existing arrangement? It is not mentioned in the Plan Change request.
- Is there a pre-construction consultation requirement with adjacent property owners?

316. Submitter 15.7 sought that a covenant be placed on the site preventing occupants or owners of the site from complaining or taking action about activity in the surrounding zone that are normal RLZ activities.

317. Submissions that supported or opposed PPC4 included the following relief and reasons:
    - Only consider this application in the context of a fuller review of the neighbourhood on the basis that:
        - Not enough consideration, analysis or planning has been undertaken to examine the effects on the neighbouring district as a whole or on us as a bordering neighbour.
        - The submitter was told by Council in May 2025 that an application for subdivision of their property would be refused due to the loss of the rural land resource. Why is there this inconsistency and why is the loss of a greater sized area deemed to be an acceptable loss of a rural resource than their smaller section?[130]
    - The submitter appreciates the efforts to ensure that future development of the site prioritises the use of nature-based solutions to provide for climate change mitigation, adaptation, and resilience.[131]
    - The submitter notes the efforts to give effect to the Te Mana o te Wai hierarchy of obligations through the proposed provisions. The proposed provisions set out that the primary function of offset areas will be to create natural inland wetlands and the secondary function will be to provide flood storage and stormwater treatment functions.[132]

9.14.4 Assessment

318. I have already addressed a number of the matters I have identified as general "planning" matters through the rest of this report, such as consistency with relevant sections of the RMA, and relevant RMA planning documents and the provision of infrastructure in advance of development. I address the remaining matters below.

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 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

[130] S10.1
[131] S12.7
[132] S12.8

that any discharge "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.

320. PPC4 is for the rezoning of the site rather than a subdivision, therefore it is not possible to impose a covenant which would prevent future owners of land on the Site from complaining about neighbouring RLZ activities. Irrespective, even if it were possible, I consider that the existing District Plan and NRP provisions provide sufficient management of any boundary interface issues. I also note that sections 16 and 17 of the RMA contain general duties to avoid unreasonable noise and avoid, remedy or mitigate adverse effects. While there is potential for reverse sensitivity effects to arise with increased urbanisation, this Site and the surrounding area have been identified for medium-term urban growth, signalling an accepted changing environment.

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

322. Many of the questions posed by submitter 6 are not able to be answered at this point of time, as they would be the subject of any future consent process. I cannot comment on the matter of the Council advice given on the subdivision proposal raised by submitter 10, which I recommend the submitter should raise with the Council separately.

323. In terms of the scale of development, the Requestor proposes to apply the GRZ to the site, which has been amended through PC2 to include the mandatory MDRS. Accordingly, if PPC4 is approved, the density of development provided by the GRZ has been set by the Government and is out of the control of the Requestor or the Council.

324. In respect of the loss of the rural resource and not being able to contribute to low-intensity grazing, carbon sequestration or local food security, I note that the Site has been identified as a medium-term growth area in the Growth Strategy and from my site visits, it clearly is not being used for productive purposes beyond grazing. Given its location adjacent to the GRZ and the LUC6[134] that applies to all but a small part of the Site, it is highly unlikely that it would ever be used for food production, agriculture or provide local food security. I do not consider its loss for low-intensity grazing to be a determinative factor of the rezoning.

325. In terms of future purchasers into the area being misled by the rural nature of the area and being unaware of future development, should PPC4 be accepted, the Site would be rezoned and this would be evident on the Council District Plan Maps.

326. Overall, I do not consider that there are any determinative planning matters that would justify PPC4 being rejected.

9.14.5 Recommendation

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].

[133] See for examples NRP Rules 5.1.2, 5.1.13, 5.2.3,
[134] See Figure 10 and pages 12 and 13 of the Request.

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].

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

9.15.1 Introduction

329. I now return to my evaluation of submissions that have raised concerns relating to the need for PPC4, fragmentation of the surrounding area, and that Council should undertake a wider plan change process for the Otaihanga area.

9.15.2 Evaluation

330. As I have set out earlier, the District Plan has been amended to give effect to the NPS-UD and the mandatory MDRS matters. Change 1 to the RPS amends it to give effect to the NPS-UD and other national instruments, in particular, to provide policy direction on how greenfield growth is managed. As I have also set out earlier, there is considerable policy direction provided in the RPS and District Plan combined. I have undertaken an evaluation in respect to the relevant objectives and policies relating to growth management in Appendix 14. Overall, I conclude that the proposal is generally consistent with the policy direction in both planning documents because:
    - PPC4 would provide significant development capacity and contribute to improving housing affordability
    - The Site is located on an existing transport corridor with multi-modal transport options and does not necessitate the provision of new or upgrades to existing infrastructure
    - The Site adjoins the existing Paraparaumu urban area with access to employment, amenities and services
    - PPC4, as recommended to be amended, and existing District Plan provisions will appropriately address natural hazards, wetlands, freshwater (within the scope of a territorial authority's functions), alternations to landform and the coastal environment at future development stage
    - PPC4 would not result in a loss of food generation or primary production opportunities, beyond low-intensity grazing
    - PPC4 does not raise issues of climate resilience
    - There is demonstrated demand for additional land for housing for the elderly
    - The PPC4 provisions, as recommended to be amended, coupled with existing District Plan provisions will minimise reverse sensitivity and other effects on the surrounding area
    - While the Site is not located in the FDS as a high priority growth area on a regional basis and is not a short-term growth area in the Council's Growth Strategy, it is identified as a medium-term growth area in the Growth Strategy.

331. 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.

9.15.3 Recommendation

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].

10 Statutory and Policy Framework Analysis

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

335. Under s75(2)(c), a territorial authority shall have regard to the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities. I consider that there are no relevant issues of consistency.

336. Under s75(2)(d) and (e), a territorial authority shall have regard to any emissions reduction plan and any national adaptation plan. These plans have already been considered through Change 1 to the RPS, which I have already addressed through this report.

337. Overall, I consider that PPC4 meets all the relevant statutory tests contained in s74 and 75 of the RMA.

11 Section 31 Evaluation

338. I consider PPC4 to be fully consistent with the functions of a territorial authority under s32 of the RMA.

12 Section 32 and 32AA Evaluation

339. Section 32 requires the consideration and evaluation of the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (s32(1)(a)); as well as an assessment of whether the provisions in the proposal are the most appropriate way to achieve the objectives (of both the proposal and the existing District Plan objectives), having regard to the efficiency and effectiveness of the provisions and having considered other reasonably practicable options (s32(1)(b)).

340. An evaluation of alternatives, benefits and costs of a plan change and an evaluation report are required to be carried out by a person requesting a private plan change and this is to be made available for public inspection prior to public notification. The Requestor's s32 evaluation is set out in section 5 of the PPC 4 request. A further assessment under s32 of the RMA is required to be made by Council prior to making a decision on the plan change. Section 32 analysis is an

evolving process and information presented in hearing evidence will also contribute to the Hearing Panel's deliberations.

341. I have reviewed and considered the Requestor's s32 evaluation. PPC4 does not contain any objectives and amends the District Plan itself, meaning that the relevant consideration is the purpose of PPC4 itself, which is to rezone land to GRZ with bespoke provisions. I have reviewed the s32 report in respect of the requirements of implementation clause 3.11 of the NPS-UD and am satisfied that the Requestor adequately considered the HBA in respect to the options analysis.

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

343. I have set out my s32AA evaluation in respect of the two matters above in the body of the report. With these amendments, I consider that the proposed provisions are the most appropriate means to achieve the objective.

344. I consider the three options selected and evaluated in section 5.6 to be appropriate. I concur that Option 2, PPC4, is the most appropriate option to achieve the objective, albeit with the reservation I had set out in this report about the fragmentation of the Site from the surrounding RLZ land and impact on a wider rezoning exercise and leaving land to the west surrounded by GRZ. However, for the reasons I have set out in this report, I do not find that this outcome means that PPC4 is not the most appropriate way to achieve the purpose of the RMA and warrants rejection of PPC4.

345. In my opinion, the objective of PPC4 is consistent with the objectives of the District Plan and is considered to be the most appropriate means to achieve the purpose of the RMA. Having considered the proposed provisions (policies and rules), subject to the amendments I recommend, I consider that these are the most appropriate means to achieve the objective of PPC4.

13 Part 2 Matters

346. Under s74(1)(b), any changes to a District Plan must be in accordance with the provisions of Part 2 of the RMA. This sets out the purpose of the RMA (s5), matters of national importance that must be recognised and provided for (s6), other matters that particular regard is to be had to (s7) and the requirement to take into account the principles of Te Tiriti o Waitangi (s8).

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)),

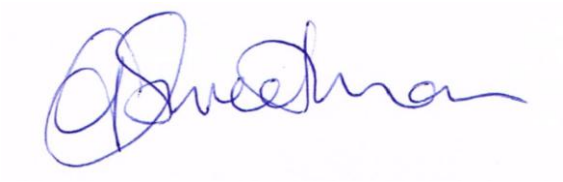
348. For the reasons I have already traversed in this report, I consider that PPC4, as recommended to be amended, is consistent with achieving the purpose of and is consistent with the principles of the RMA.

14 Conclusions and Recommendation

349. The statutory matters that must be considered in relation to a plan change require the assessment of sections 31, 32, 74 and 75, and regard must be had to the overall purpose and principles set out in Part 2 of the Act.

350. Having assessed PPC4 in relation to the key issues raised in submissions, the technical evidence and against the relevant statutory requirements, I conclude that PPC4 is appropriate and I support it being accepted. For the reasons I have set out in my report, I have recommended amendments to address the interface between the Site and the surrounding area in terms of amenity and reverse sensitivity, the retention and enhancement of natural character of the coastal environment and the activity status for retirement villages. I consider these amendments are appropriate having regard to the issues raised in submissions, technical advice and relevant District Plan and RPS provisions.

351. As I have set out through my section 42A report, I recommend that the Panel accepts PPC4, as I recommend it be modified, and accepts, accepts in part or rejects the submissions for the reasons given.



Gina Sweetman
Consultant Planner
5 December 2025

Appendix 1 – PPC4 Request (on Council website)

Appendix 2 – Memorandum from Council's Manager Urban Planning and Research

Appendix 3 - Table of recommendations on submissions and further submissions

Appendix 4 – Recommended amendments to PPC4 provisions

Appendix 5 – Economics Report

Appendix 6 – Transportation Report

Appendix 7 – Urban Design Report

Appendix 8 – Geotechnical Report

Appendix 9 – Water Report

Appendix 10 – Wastewater Report

Appendix 11 – Stormwater and Flood Risk Report

Appendix 12 – Landscape, Natural Character and Visual Amenity Report

Appendix 13 – Ecology Report

Appendix 14 - Evaluation of RPS and District Plan growth-related objectives and policies

Objective or Policy	Evaluation
Regional Policy Statement	
Objective 22 *A compact, well-designed, climate-resilient, accessible, and environmentally responsive regional form with well-functioning urban areas and rural areas, where:* *a) there is sufficient development capacity to meet the needs of current and future generations, improve housing affordability and quality, and provide access to a diversity of housing typologies within neighbourhoods which enable choice; and* *b) Māori are able to express their culture and traditions, and the relationship of mana whenua / tangata whenua with their culture, ancestral land, water, sites, wāhi tapu and other taonga is provided for; and* *c) Te Mana o te Wai is given effect to; and* *d) intensification occurs within existing urban zones in appropriate places where it is environmentally responsive; and* *e) subdivision, use and development is located, designed, and constructed in a way that is climate-resilient and contributes to reducing greenhouse gas emissions; and* *f) built environments, including integrated transport infrastructure, meet the health and wellbeing needs of all people, with multi-modal access including active transport, between housing, jobs, community services, centres, green space, and open space; and* *g) the biophysical characteristics, location, recognised values, capability and limitations of land inform its use and development; and* *h) the productive capacity of rural land is retained; and* *i) existing urban-zoned land, and infrastructure capacity is used effectively and efficiently; and* *j) new or upgraded infrastructure is integrated and sequenced with development; and* *k) development densities are sufficient to support the provision and ongoing maintenance of infrastructure; and*	This is a high-level objective that applies across the region. PPC4 would provide additional development capacity to meet a need identified in the most recent HCA and in a location identified for medium-term growth in the Council's Growth Strategy. It would provide for housing affordability by increasing supply, particularly for a target elderly market. All the criteria are addressed through the policies that follow.

l) a variety of residential, commercial, mixed use and industrial development in appropriate locations is provided which contributes to viable and vibrant centres at a range of scales, and industrial-based employment locations; and the safe and efficient operation of regionally significant infrastructure is protected from potential reverse sensitivity effects.	
Policy 55: Managing greenfield development to contribute to well-functioning urban areas and rural areas ~~Maintaining a compact, well-designed and sustainable urban form~~ consideration *~~When considering an~~ An application for a resource consent, notice of requirement, or a change, variation or review of a district plan for urban development beyond the region's existing urban zones ~~urban areas (as at March 2009)~~, will contribute to achieving a compact, well-designed, climate-resilient, accessible and environmentally responsive regional form if: ~~particular regard shall be given to whether:~~* *a) the location, design and layout of the urban ~~proposed~~ development ~~is the most appropriate option to achieve Objective 22~~:* *1. contributes to well-functioning urban areas, as articulated in Policy UD.5; and* *2. is well-connected to the existing urban area, which means it:* *(i) is adjacent to existing urban zones with access to employment and amenities, and either,* *(ii) is along existing or planned transport corridors that provide for multi-modal transport options, including public transport, or* *(iii) supports the efficient and effective delivery of planned new or upgraded transport infrastructure including for public transport; and* *3. concentrates building heights and densities to:* *maximise access to, and efficient use of, existing infrastructure,* *use land to be zoned urban efficiently,*	See UD.5 The Site has a shared boundary with the GRZ. The Site has access to employment and amenities. The site is located along an existing transport corridor, with pedestrian and cycling options. There is no public transport at present along the road, but there are future opportunities.

support viable and vibrant neighbourhood, local, town, metropolitan and city centres, and *support reductions in greenhouse gas emissions by use of low and zero-carbon emission transport modes, including efficient provision of public transport services; and* *4. applies specific management or protection for values or resources required by this Regional Policy Statement, including:* *(i) managing subdivision, use and development in accordance with the risk from natural hazards as required by Policy 29,* *(ii) protecting indigenous ecosystems and habitats with significant indigenous biodiversity values as identified by Policy 23,* *(iii) protecting outstanding natural features and landscape values as identified by Policy 25,* *(iv) protecting historic heritage values as identified by Policy 22,* *(v) giving effect to Te Mana o te Wai consistent with Policy 42,* *(vi) providing for climate resilience and supporting a low and zero-carbon multi-modal transport network consistent with Policies CC.1, CC.4, CC.4A, CC.9, CC.14 and CC.14A,* *(vii) providing for mana whenua / tangata whenua values, including their relationship with their culture, ancestral lands, water, sites, wāhi tapu and other taonga,* *(viii) protecting Regionally Significant Infrastructure from incompatible or inappropriate adjacent land uses, consistent with Policy 8,* *(ix) protecting significant mineral resources from incompatible or inappropriate adjacent land uses, consistent with Policy 60, and* *(x) managing effects on natural character in the coastal environment, consistent with Policy 36; and*	The site is on an existing road and there are no upgrades required to infrastructure. The site is appropriate for urban activity. The Site is adjacent to the existing urban area and would support local commercial activities. The District Plan contains objectives, policies and rules that will appropriately address natural hazards, wetlands and the coastal environment at future development stage. There are no other relevant s6 RMA matters. Matters relating to freshwater will be managed through the NRP and in part through the District Plan to the extent relevant to territorial authorities. Those with mana whenua have provided their support. Multi-modal transport options are available. There is no regionally significant infrastructure or mineral resources in proximity that would be impacted by PPC4.

b) it ~~the proposed development~~ has regard to ~~is consistent with~~ the Future Development Strategy ~~the Council's growth and/or development framework or strategy~~ that describes where and how future urban development ~~should~~ will occur ~~in that district~~; and~~/or~~ c) a structure plan has been prepared to a level of detail commensurate to the scale of the urban development, in partnership with mana whenua / tangata whenua where undertaken by a local authority.; and d) for a plan change, it would add significantly to development capacity in accordance with Policy UD.3.	Regard has been had to the FDS. While it is not a high priority area, it is not identified as a no-go area either. The level of detail on the structure plan is generally acceptable, noting I have recommended amendments. See UD.3
Policy 56: Managing development in rural areas – consideration When considering an application for a resource consent or a change, variation or review of a district plan for subdivision, use, and development, in rural areas ~~(as at March 2009),~~ seek to manage adverse effects on rural areas by considering whether the proposal: ~~particular regard shall be given to whether~~: a) ~~the proposal will result in a loss of~~ retains the productive ~~capability~~ capacity of the rural area, including cumulative impacts that would reduce the potential for food and other primary production ~~and reverse sensitivity issues for existing production activities, including extraction and distribution of aggregate minerals~~; and b) minimises the potential for reverse sensitivity issues, including on existing production activities, and extraction and distribution of aggregate minerals operations; and c) ~~the proposal will reduce~~ retains or enhances the amenity ~~aesthetic~~, cultural and open space values in rural areas between and around settlements; and d) provides for mana whenua / tangata whenua values, including the relationship with their traditions, ancestral lands, water, sites, wāhi tapu and other taonga; and e) ~~the proposals location, design or density will~~ supports reductions in greenhouse gas emissions ~~minimise demand for non-renewable~~	I am uncertain if this policy should apply to rezoning to urban, where the site is adjacent to an urban area, rather than a rural settlement. The PPC4 site is grassed, adjacent to the GRZ and does not generate food or provide for primary production beyond low-intensity grazing. The PPC4 site is in an RLZ, where the predominant activity is rural-residential lifestyle. The PPC4 site is not adjacent to a settlement, it is adjacent to the Paraparaumu township and would provide an extension of the township. As earlier.

~~*energy resources*~~ *through appropriate location, design and density of development; and* *f) is climate-resilient; and* *g) gives effect to Te Mana o Te Wai; and* *h) for urban development, is consistent with Policy 55; and* *i) for other development* ~~*the proposal*~~ *(i) has regard to* ~~*is consistent with*~~ *the Future Development Strategy* ~~*the relevant city or district council growth and/or development framework or strategy that addresses future rural development*~~*, or* *(ii) where inconsistent with the Future Development Strategy* ~~*(i) in the absence of a framework or strategy, the proposal*~~ *would* ~~*will*~~ *increase pressure for public services and infrastructure beyond existing infrastructure capacity.*	The GRZ applies the mandatory MDRS. The PPC4 is located on an existing road and has multi-modal transport options available. I do not consider PPC4 raises issues of climate resilience[135] given its location away from the coast and the type of hazard overlay. See earlier.
Policy UD.3: Plan changes that provide for significant development capacity – consideration *For local authorities with jurisdiction over part, or all, of an urban environment, when determining whether a plan change for urban development will be treated as adding significantly to development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release, the following criteria must be met:* *a) the plan change makes a significant contribution to meeting a need identified in the latest Housing and Business Development Capacity Assessment, or a* *(i) shortage identified through monitoring or otherwise for a variety of housing that meets the regional, district, or local shortage of housing in relation to the particular type, size, or format, or* *(ii) business space or land of a particular size or locational type, or* *(iii) community, cultural, health, or educational facilities; and*	Dr. Lees has confirmed that PPC4 will make a significant contribution to meeting a need shown in the latest HBA. It will also provide either housing for the elderly or general housing, meeting a demonstrated demand for land for housing.

[135] Climate resilience is defined as "the capacity and ability of natural and physical resources, including people, communities, businesses, infrastructure, and ecosystems, to withstand the impacts and recover from the effects of climate change, including natural hazard events.

b) a plan change will make a significant contribution to a matter in (a) if it: *(i) is of high yield relative to either the forecast demand or the identified shortfall,* *(ii) will be realised in a timely manner, and* *(iii) responds to demonstrated demand for the land use types proposed, for the short-medium term in that location; and* *c) where it provides for housing, the plan change will:* *(i) as part of a mix of housing typologies, provide for high density development or medium density development, and* *(ii) contribute to increasing housing affordability through a general increase in supply or through providing non-market housing; and* *d) the required infrastructure can be provided effectively and efficiently for the proposal, and without material impact on the capacity provided by existing or committed infrastructure for other feasible, reasonably expected to be realised developments, in the short-medium term; and* *e) the plan change justifies the need for additional urban-zoned land in that particular location to meet housing and business demand, demonstrating consideration of existing feasible, reasonably expected to be realised development capacity within existing urban zones; and* *f) the plan change can demonstrate it will mitigate any potential adverse effects on the ability of existing urban areas and rural areas to be well-functioning, including by minimising potential reverse sensitivity effects and impacts on the feasibility, affordability, or deliverability of urban development anticipated by the district plan.*	Dr. Lees has confirmed that it meets this criterion. It will provide additional retirement units or residential dwellings, where there is demonstrated demand. It would be realised in a timey manner. It would provide a yield in accordance with the mandatory MDRS. PPC4 seeks to rezone the site to GRZ, which implements the mandatory MDRS. I consider high density development would be incongruous adjacent to an established urban area and it is not directed as such by the NPS-UD or the District Plan. It will increase housing affordability. Council's experts have confirmed there is adequate infrastructure capacity to accommodate PPC4, with no new or upgrades to existing infrastructure required. The PPC4 Request justifies the need for additional urban-zoned land to meet the need for land suitable for a retirement village. The inclusion of the buffers along with District Plan rules would minimise reverse sensitivity effects. PPC4 is to specifically provide for a retirement village which would not detract from urban development within existing zoned areas. It would improve affordability by providing additional retirement units. My only concern is the fragmentation of land, by creating a small pocket of RLZ land to the west, which I have addressed in the body of this report. However, I do not consider the rezoning would affect the functioning of that land and there would remain options to develop it in the future. I consider that the rezoning would not preclude a wider rezoning of the land to the east.
Policy UD.5: Contributing to well-functioning urban areas – consideration	

When considering an application for a resource consent, a notice of requirement, or a change, variation or review of a district plan for urban development, including housing and supporting infrastructure, seek to achieve well-functioning urban areas by: *a) providing for the characteristics of well-functioning urban environments, in a way that uses land efficiently; and* *b) where providing housing, seeks to improve housing affordability, quality and choice and provide a diversity of typologies; and* *c) providing for safe multi-modal access between housing, employment, services, amenities, green space, and local centres, preferably within walkable catchments and using low and zero-carbon emission transport modes; and* *d) providing for and protecting mana whenua / tangata whenua values, sites of significance to mana whenua / tangata whenua, and their re-lationship to their culture, ancestral lands, water, sites, wāhi tapu and other taonga; and* *e) avoiding or mitigating potential adverse effects, including cumulative effects, of urban development on the natural environment, including on freshwater consistent with Policy 42; and* *f) coordinating development with infrastructure while prioritising, where possible, the effective and efficient use of existing infrastruc-ture; and* *g) the operation and safety of regionally significant infrastructure from potential reverse sensitivity effects.*	This is repetitious. The PPC4 site is adjacent to an existing urban area. Already addressed. Already addressed. Already addressed. Already addressed, including in the body of the report. Already addressed. Already addressed.
Operative District Plan	
DO-O3 Development Management *To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, and to provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:* *1. urban areas which maximise the efficient end use of energy and integration with infrastructure;*	The PPC4 is not an identified growth area. The site is on an existing transport route, and can readily connect to Council's infrastructure networks. The site is well serviced

2. *a variety of living and working areas in a manner which reinforces the function and vitality of centres;* 3. *an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment:* a. *that are in or near a Centre Zone or other area with many employment opportunities; or* b. *that are well serviced by existing or planned public or active transport; or* c. *where there is high demand for housing or for business land relative to other areas within the urban environment;* *while accommodating identified qualifying matters that constrain development;* 4. *resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;* 5. *higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;* 6. *management of development in areas of special character or amenity in a manner that has regard to those special values;* 7. *sustainable natural processes including freshwater systems, areas characterised by the productive potential of the land, ecological integrity, identified landscapes and features, and other places of significant natural amenity;* 8. *an adequate supply of housing and areas for business/employment to meet the needs of the District's anticipated population which is provided at a rate and in a manner that can be sustained within the finite carrying capacity of the District;* 9. *management of the location and effects of potentially incompatible land uses including any interface between such uses; and*	There is high demand for housing land. Retirement villages also require larger blocks of land, which are difficult to source in established urban areas. I agree with Council experts that natural hazard risk can be managed through District Plan provisions. Not relevant Not relevant These are addressed through District Plan provisions and the NRMP PPC4 would provide additional land for housing. I do not consider GRZ and RLZ land to be incompatible. The proposed buffers and existing District Plan setbacks will minimise any amenity and reverse sensitivity effects. The site is adjacent to the existing urban area and on transport networks. There are no concerns regarding the effects of climate change.

10. urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.	
DO-12 Housing Choice and Affordability *To meet diverse community needs by increasing the amount of housing that:* *1. is of densities, locations, types, attributes, size and tenure that meets the social and economic wellbeing needs of households in suitably urban and rural locations;* *2. is affordable and adequate for lower income households; and* *3. can respond to the changing needs of resident, regardless of age, mobility, health or lifestyle preference;* *while enhancing the amenity of living environments and contributing to the sustainability of communities and compatibility with the goals of environmental sustainability, in particular, resource, water and energy efficiency.*	PPC4 would provide options for a retirement village or a housing development, meeting an identified need in the most recent HBA.
DO-O23 Provision of housing for an aging population *Provide for a diverse range of housing and care options that are suitable for the particular needs and characteristics of older person in the General Residential Zone and High Density Residential Zone, such as retirement villages.*	PPC4 includes bespoke provisions for the future development of a retirement village.
UFD-P1 Growth Management *New urban development for residential activities will only be located within existing urban areas, identified growth areas, and areas that can be efficiently serviced and integrated with existing urban areas, and will be undertaken in a manner which:* *1. supports the District's consolidated urban form;* *2. maintains the integrity of the urban edge north of Waikanae and Ōtaki;* *3. manages residential densities by:* *a. providing for a variety of housing types and densities in the residential zones;* *b. enabling increased housing densities:*	The site is adjacent to the existing Paraparaumu township and identified for medium term growth in the Growth Strategy. The only issue of concern is that PPC4 would result in a pocket of RLZ land to the west, surrounded by the GRZ. However, as addressed through my report, I do not consider this precludes the future rezoning or development of that land or the rezoning of the Site.

i. *in, and within a walkable catchment of the Metropolitan Centre Zone* ii. *within a walkable catchment of the train stations at Paekākāriki, Paraparaumu and Waikanae; and* iii. *in and adjacent to the Town Centre Zone and Local Centre Zone;* *while accommodating identified qualifying matters that constrain development;* 4. *avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character values in the rural environment between and around settlements;* 5. *can be sustained within and makes efficient use of existing capacity of public services and infrastructure (including additional infrastructure), or is integrated with the planned capacity of public services and infrastructure and the likely availability of additional infrastructure;* 6. *promotes the efficient use of energy and water;* 7. *manages reverse sensitivity effects on existing lawfully established non-residential activities.*	Not applicable. It is proposed to zone the site GRZ, with the MDRS applying, allowing medium density development. The site is not located within a location identified or suitable for high density development. The PPC4 site is adjacent to the Paraparaumu township, rather than a settlement. Council experts have confirmed that PPC4 can be accommodated within existing infrastructure capacity, with no new or upgrades to existing infrastructure required. Any future development will be subject to District Plan provisions in respect to energy and water. The PPC4 would border the RLZ. There re existing District Plan provisions to manage reverse sensitivity effects. The proposed buffers, as recommended to be amended, would further mitigate any effects.