

# **Proposed Plan Change 2 – Intensification**

## **Section 32 Evaluation Report**

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## Correction of minor errors

Council approved the notification of its Intensification Planning Instrument at a meeting on 28 July 2022. The Council resolution that approved notification of this Intensification Planning Instrument provided for the correction of minor errors prior to notification. The following schedule identifies minor errors that have been corrected in this Section 32 Evaluation Report, following the 28 July Council meeting.

Section of this report	Description	Amendment(s)
"Theoretical plan-enabled residential development capacity" table on page 84.	The table on page 84 compares theoretical plan-enabled residential development capacity with and without new qualifying matters. The second pair of columns refers to "without qualifying matters". For clarity, this should refer to "without <u>new</u> qualifying matters".	Table header text for the second pair of columns has been amended as follows:  "Without <u>new</u> qualifying matters"
Section 5.2.3 Incorporating the MDRS	Reference to proposed table SUB-RES-Table x1 incorrectly noted as SUB-RES-Table 1.	Reference corrected to SUB-RES-Table x1.
Section 6.1.2 New qualifying matters	The summary table of new qualifying matters incorrectly referred to "Takiwā Precinct", when it should refer to "Marae Takiwā Precinct".	The table row summarising the Marae Takiwā Precinct has been relabeled as follows:  " <u>Marae</u> Takiwā Precinct".
Section 6.1.4 New qualifying matter: Kārewarewa Urupā.  Section 6.1.5 New qualifying matter: Marae Takiwā Precinct	There are several instances where sections 77I(a) and 77O(a) of the RMA were incorrectly referred to as 77I(1) and 77O(1).	References to sections 77I(a) and 77O(a) of the RMA have been corrected.

## Acronyms

The following is a list of acronyms and their meanings used throughout this document.

Abbreviation/acronym	Phrase/document
<b>ART Confederation</b>	A confederation of the iwi Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, and Ngāti Raukawa te au ki te Tonga
<b>The Council</b>	Kāpiti Coast District Council
<b>DCP</b>	Development Contributions Policy
<b>District Plan or the Plan</b>	Operative Kapiti Coast District Plan 2021
<b>DO</b>	District Plan District Objectives chapter
<b>FC</b>	District Plan Financial Contributions chapter
<b>FDS</b>	Future Development Strategy
<b>FUZ</b>	District Plan Future Urban Zone chapter
<b>GFA</b>	Gross floor area
<b>GRZ</b>	District Plan General Residential Zone chapter
<b>GRUZ</b>	District Plan General Rural Zone chapter
<b>HBA</b>	Housing and Business Development Capacity Assessment
<b>HOSZ</b>	District Plan Hospital Zone chapter
<b>INF</b>	District Plan Infrastructure chapter
<b>IPI</b>	Intensification Planning Instrument
<b>ISPP</b>	Intensification Streamlined Planning Process
<b>Iwi / Hapu</b>	Ngāti Toa Rangatira / Te Ātiawa ki Whakarongotai / Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)
<b>LCZ</b>	District Plan Local Centre Zone chapter
<b>LDMR</b>	Land Development Minimum Requirements April 2022
<b>LTP</b>	Kāpiti Coast District Council Long-Term Plan 2021-2041
<b>LUC</b>	Land Use Capability
<b>MCZ</b>	District Plan Metropolitan Centre Zone chapter
<b>MDRS</b>	Medium Density Residential Standards
<b>MUZ</b>	District Plan Mixed Use Zone chapter
<b>NES</b>	National Environmental Standards
<b>NES-F</b>	National Environmental Standards for Freshwater 2020
<b>NPSET</b>	National Policy Statement for Electricity Transmission 2008
<b>NPS-FM</b>	National Policy Statement for Freshwater Management 2020

<b>Abbreviation/acronym</b>	<b>Phrase/document</b>
<b>NPS-UD</b>	National Policy Statement on Urban Development 2020 (published May 2022)
<b>NZCPS</b>	New Zealand Coastal Policy Statement 2010
<b>ONFL</b>	Outstanding Natural Features and Landscapes
<b>PC2</b>	Plan Change 2
<b>PFSP</b>	Projected Future Shoreline Position
<b>PK</b>	Proposed Papakāinga policy
<b>PNRP</b>	Proposed Natural Resources Plan
<b>RCP</b>	Representative Concentration Pathway
<b>RMA</b>	Resource Management Act 1991
<b>RMA-EHS</b>	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
<b>RPS</b>	Regional Policy Statement for the Wellington Region 2013
<b>RLTP</b>	Wellington Regional Land Transport Plan
<b>RLZ</b>	District Plan Rural Lifestyle Zone chapter
<b>RPROZ</b>	District Plan Rural Production Zone chapter
<b>RPTP</b>	Wellington Regional Public Transport Plan 2021-2031
<b>SASM</b>	District Plan Sites and Areas of Significance to Māori chapter
<b>SDPR</b>	Subdivision and Development Principles and Requirements 2012
<b>SUB-DW</b>	District Plan District Wide Subdivision Matters chapter
<b>SUB-RES</b>	District Plan Subdivision in Residential Zones chapter
<b>Te tupu pai</b>	Te tupu pai: Growing well 2022 Kāpiti Coast Growth Strategy
<b>TCZ</b>	District Plan Town Centre Zone chapter
<b>UFD</b>	District Plan Urban Form and Development chapter



## Web addresses for referenced documents

The following is a list of web addresses to various documents referenced throughout this report.

Document	Link
<b>Building Act 2004</b>	<a href="https://www.legislation.govt.nz/act/public/2004/0072/latest/DLM306036.html">https://www.legislation.govt.nz/act/public/2004/0072/latest/DLM306036.html</a>
<b>Building Code</b>	<a href="https://www.legislation.govt.nz/regulation/public/1992/0150/latest/DLM162576.html">https://www.legislation.govt.nz/regulation/public/1992/0150/latest/DLM162576.html</a>
<b>Climate Emergency Action Framework 2021</b>	<a href="https://www.kapiticoast.govt.nz/media/u3hlqij0/climate-emergency-action-framework.pdf">https://www.kapiticoast.govt.nz/media/u3hlqij0/climate-emergency-action-framework.pdf</a>
<b>Functional urban areas – methodology and classification</b>	<a href="https://www.stats.govt.nz/assets/Methods/Functional-urban-areas-methodology-and-classification.pdf">https://www.stats.govt.nz/assets/Methods/Functional-urban-areas-methodology-and-classification.pdf</a>
<b>Housing and Business Development Capacity Assessment</b>	<a href="https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices_web.pdf">https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices_web.pdf</a>
<b>Housing and Business Land Capacity Assessment 2017 – Kāpiti Coast District Council</b>	<a href="https://www.kapiticoast.govt.nz/media/335jpnus/wellington-regional-hba-chpt-5-kapiti-coast-district-council.pdf">https://www.kapiticoast.govt.nz/media/335jpnus/wellington-regional-hba-chpt-5-kapiti-coast-district-council.pdf</a>
<b>Housing Strategy 2022</b>	<a href="https://www.kapiticoast.govt.nz/media/a2dn2wvp/housing-strategy.pdf">https://www.kapiticoast.govt.nz/media/a2dn2wvp/housing-strategy.pdf</a>
<b>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 1: Methodology</b>	<a href="https://www.kapiticoast.govt.nz/media/uubj3ebp/kapiti-coast-district-council-coastal-hazard-assessment-technical-report-volume-1-methodology.pdf">https://www.kapiticoast.govt.nz/media/uubj3ebp/kapiti-coast-district-council-coastal-hazard-assessment-technical-report-volume-1-methodology.pdf</a>
<b>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results</b>	<a href="https://www.kapiticoast.govt.nz/media/pwynpxj1/coastal-hazard-technical-assessment-technical-report-volume-2-report.pdf">https://www.kapiticoast.govt.nz/media/pwynpxj1/coastal-hazard-technical-assessment-technical-report-volume-2-report.pdf</a>
<b>Kāpiti Coast District Council Long-Term Plan 2021-2041</b>	<a href="https://www.kapiticoast.govt.nz/your-council/forms-documents/annual-and-long-term-plans/long-term-plan">https://www.kapiticoast.govt.nz/your-council/forms-documents/annual-and-long-term-plans/long-term-plan</a>
<b>Land Development Minimum Requirements April 2022</b>	<a href="https://www.kapiticoast.govt.nz/media/ihxjqmqf/land-development-minimum-requirements-april-2022.pdf">https://www.kapiticoast.govt.nz/media/ihxjqmqf/land-development-minimum-requirements-april-2022.pdf</a>
<b>MAIHI Ka Ora: The National Māori Housing Strategy 2021</b>	<a href="https://www.hud.govt.nz/assets/Maori-housing/MAIHI-Ka-Ora.pdf">https://www.hud.govt.nz/assets/Maori-housing/MAIHI-Ka-Ora.pdf</a>
<b>Medium Density Residential Standards</b>	<a href="https://environment.govt.nz/publications/medium-density-residential-standards/">https://environment.govt.nz/publications/medium-density-residential-standards/</a>
<b>National Policy Statement for Electricity Transmission 2008</b>	<a href="https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-electricity-transmission/">https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-electricity-transmission/</a>
<b>National Policy Statement for Freshwater Management 2020</b>	<a href="https://environment.govt.nz/publications/national-policy-statement-for-freshwater-management-2020/">https://environment.govt.nz/publications/national-policy-statement-for-freshwater-management-2020/</a>

Document	Link
<b>National Policy Statement on Urban Development 2020 (May 2022)</b>	<a href="https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-urban-development/">https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-urban-development/</a>
<b>New Zealand Coastal Policy Statement 2010</b>	<a href="https://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/">https://www.doc.govt.nz/about-us/science-publications/conservation-publications/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/</a>
<b>Proposed Natural Resources Plan</b>	<a href="https://pnrp.gw.govt.nz/">https://pnrp.gw.govt.nz/</a>
<b>Regional Policy Statement for the Wellington Region 2013</b>	<a href="https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/policies/regional-policy-statement/">https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/policies/regional-policy-statement/</a>
<b>Resource Management Act 1991</b>	<a href="https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html">https://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html</a>
<b>Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021</b>	<a href="https://www.legislation.govt.nz/act/public/2021/0059/latest/LMS566049.html">https://www.legislation.govt.nz/act/public/2021/0059/latest/LMS566049.html</a>
<b>Subdivision and Development Principles and Requirements 2012</b>	<a href="https://www.kapiticoast.govt.nz/your-council/planning/resource-consents/subdivision-development-guidelines/">https://www.kapiticoast.govt.nz/your-council/planning/resource-consents/subdivision-development-guidelines/</a>
<b>Sustainable Transport Strategy 2022</b>	<a href="https://www.kapiticoast.govt.nz/media/mfjfaj2e/sustainable-transport-strategy.pdf">https://www.kapiticoast.govt.nz/media/mfjfaj2e/sustainable-transport-strategy.pdf</a>
<b>Takutai Kāpiti Coastal Hazard Susceptibility Assessment GIS Viewer</b>	<a href="https://maps.kapiticoast.govt.nz/portal/apps/story/maps/stories/dbc000c7263f4d63b8978047ed0e826b">https://maps.kapiticoast.govt.nz/portal/apps/story/maps/stories/dbc000c7263f4d63b8978047ed0e826b</a>
<b>Te tupu tai: Growing well</b>	<a href="https://www.kapiticoast.govt.nz/media/42mmy4nr/growth-strategy-2022.pdf">https://www.kapiticoast.govt.nz/media/42mmy4nr/growth-strategy-2022.pdf</a>
<b>Te Ture Whenua Māori Act 1993</b>	<a href="https://www.legislation.govt.nz/act/public/1993/0004/latest/DLM289882.html">https://www.legislation.govt.nz/act/public/1993/0004/latest/DLM289882.html</a>
<b>Toitū Kāpiti: Kāpiti Coast Open Space Strategy (Interim Adopted Version 28 March 2022)</b>	<a href="https://www.kapiticoast.govt.nz/media/d3wjivsc/open-spaces-strategy-interim-adopted.pdf">https://www.kapiticoast.govt.nz/media/d3wjivsc/open-spaces-strategy-interim-adopted.pdf</a>
<b>Understanding and implementing intensification provisions for the National Policy Statement on Urban Development</b>	<a href="https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/">https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/</a>
<b>Understanding the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021: Intensification Streamlined Planning Process</b>	<a href="https://environment.govt.nz/publications/intensification-streamlined-planning-process/">https://environment.govt.nz/publications/intensification-streamlined-planning-process/</a>
<b>Understanding the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021: Medium Density Residential Standards</b>	<a href="https://environment.govt.nz/publications/medium-density-residential-standards/">https://environment.govt.nz/publications/medium-density-residential-standards/</a>

Document	Link
<b>Wellington Regional Growth Framework 2021</b>	<a href="https://wrgf.co.nz/wp-content/uploads/2021/08/1320-Wellington-Regional-Growth-Framework-Report-JULY-2021-FINAL-LR.pdf">https://wrgf.co.nz/wp-content/uploads/2021/08/1320-Wellington-Regional-Growth-Framework-Report-JULY-2021-FINAL-LR.pdf</a>
<b>Wellington Regional Land Transport Plan</b>	<a href="https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-land-transport-plan-2021/">https://www.gw.govt.nz/your-region/plans-policies-and-bylaws/plans-and-reports/transport-plans/wellington-regional-land-transport-plan-2021/</a>
<b>Wellington Regional Public Transport Plan 2021-2031</b>	<a href="https://www.gw.govt.nz/document/16555/wellington-regional-public-transport-plan-2021-31">https://www.gw.govt.nz/document/16555/wellington-regional-public-transport-plan-2021-31</a>
<b>Whakarongotai o te moana Whakarongotai o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai</b>	<a href="https://teatiawakikapiti.co.nz/wp-content/uploads/2019/07/TAKW-Kaitiakitanga-Plan-V6-online-2.pdf">https://teatiawakikapiti.co.nz/wp-content/uploads/2019/07/TAKW-Kaitiakitanga-Plan-V6-online-2.pdf</a>

## 1.0 Overview and Purpose

The Kāpiti Coast District Council (the 'Council') has prepared proposed Plan Change 2 ('PC2' or 'the Plan Change') to the Operative Kapiti Coast District Plan (the 'District Plan' or the 'Plan') for notification under the provisions of the Resource Management Act 1991 (the 'RMA' or 'the Act').

PC2 is an Intensification Planning Instrument ('IPI') under s80E of the RMA.

### 1.1 Purpose of the Plan Change

The purpose of PC2 is to:

1. Incorporate the Medium Density Residential Standards (the 'MDRS') into the District Plan;
2. Give effect to Policy 3 of the National Policy Statement on Urban Development 2020 (the 'NPS-UD');
3. To provide for a range of existing and new qualifying matters in relation to (1) and (2) above;
4. To amend the District Plan to enable papakāinga;
5. To amend financial contributions provisions.

#### **Incorporating the MDRS and giving effect to Policy 3 of the NPS-UD**

The Council is a Tier 1 territorial authority under the RMA and the NPS-UD. As such, this Plan Change is driven by the statutory requirement that the Council prepare and notify an Intensification Planning Instrument that incorporates the MDRS and gives effect to Policies 3 and 4 of the NPS-UD<sup>1</sup>. This requirement was recently inserted into the RMA by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021, the purpose of which is to "rapidly accelerate the supply of housing where the demand for housing is high" and "address some of the issues with housing choice and affordability that Aotearoa New Zealand currently faces"<sup>2</sup>.

While this Plan Change is driven by statutory requirements, it is important to recognise that housing supply is a key resource management issue for the district. The district's population is projected to grow by at least 32,000 people over the next 30 years. At the same time, the Council's Housing and Business Development Capacity Assessment ('HBA') has identified that there is a short-fall in feasible, realisable, plan-enabled residential development capacity for housing in the district. This shortfall has increased as demand for housing in the district has grown, and the shortfall is currently estimated to be 8,367 dwellings over 30 years<sup>3</sup>. As part of addressing this, the Council has recently completed the development of *Te tupu pai, Growing well*, a 30-year growth strategy that outlines the ways in which the Council plans to provide for this growth in a coordinated and sustainable manner, including through the intensification of existing urban areas. PC2 is part of the implementation of *Te tupu pai*, and will address the existing short-fall in development capacity by enabling an increase in plan-enabled housing supply in existing urban areas across the District, as well as a small number of new residential areas.

As part of addressing the issue of housing supply, the scope of this Plan Change is focussed on enabling intensification in existing urban areas, a limited number of new residential areas, by incorporating the MDRS and giving effect to policy 3 of the NPS-UD. This Plan Change does not provide for larger greenfield or brownfield areas that may involve a range of land-uses and require more complex design and planning approaches (such as structure planning).

While the Council must incorporate the MDRS and give effect to policy 3 of the NPS-UD, in certain circumstances, the Council may provide for a lesser level of development where a "qualifying matter"

<sup>1</sup> The statutory scope of an IPI is outlined in RMA s80E.

<sup>2</sup> Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill. Refer Explanatory Note, page 1.

<sup>3</sup> Kāpiti Coast District Council and Greater Wellington Regional Council (2022). *Kāpiti Coast District Council Regional Housing and Business Development Capacity Assessment*.

exists. Qualifying matters already provided for in the District Plan include flood hazard and earthquake hazard provisions, provisions that protect ecological sites and key indigenous trees, historic heritage and notable tree provisions, wāhi tapu provisions, and provisions that manage development in relation to infrastructure. Because these matters are already provided for in the District Plan, this report includes the necessary statutory information requirements to ensure they can continue to apply as “existing qualifying matters”.

As part of incorporating the MDRS and giving effect to policy 3 of the NPS-UD, this Plan Change also provides for a limited number of new qualifying matters. These include:

- A “coastal qualifying matter precinct”. This is an area of the urban environment identified as being potentially susceptible to coastal erosion hazard. The precinct provides for the level of development enabled by the District Plan, until such time as the management of coastal hazards in the area is addressed through a future coastal environment plan change.
- Recognising and providing for Kārewarewa Urupā as a wāhi tapu site. The urupā is located in the General Residential Zone at Waikanae Beach, and would otherwise be subject to the level of development enabled by the MDRS, without appropriate recognition as an urupā.
- Providing for a “Marae Takiwā Precinct” that recognises that marae, and the tikanga associated with marae, are likely to be particularly sensitive to the effects of surrounding intensification.

In addition to providing for qualifying matters, PC2 also includes a range of measures that support or are consequential to incorporating the MDRS and giving effect to Policy 3 of the NPS-UD in the District Plan. These include:

- Re-zoning a number of smaller areas that are located adjacent to existing urban areas as General Residential Zone;
- Incorporating design guides into the District Plan, to provide guidance to applicants and decision makers on how to achieve high quality design where developments breach permitted activity standards in the General Residential and Centres zones.
- Updating all references to the Council’s *Subdivision and Development Principles and Requirements 2012* document (SDPR) to the *Land Development Minimum Requirements April 2022* document (LDMR). The LDMR is an updated version of the SDPR, and is a document incorporated by reference into the District Plan that outlines a range of requirements for the design and construction of infrastructure as part of subdivision and development within the district.

### **Enabling papakāinga**

Housing and the relationship of tangata whenua with their ancestral land is also a significant resource management issue for iwi in the district. Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga) and Te Ātiawa ki Whakarongotai, have expressed aspirations that their members are enabled to live closer to or within their ancestral homes and land, and that iwi, hapū and whānau are enabled to develop housing that meets their needs, and reflects their own history, identity, culture and connections to the land. To assist tangata whenua to meet these aspirations, PC2 proposes to enable papakāinga in a range of zones across the district. The papakāinga provisions proposed by PC2 are the result of extensive work with iwi.

### **Financial contributions**

The Council currently collects the majority of contributions for infrastructure development through Development Contributions under the Local Government Act. Contributions for reserves are currently collected as Financial Contributions under the District Plan, however the Council plans to transition this to its Development Contributions policy in the future.

While there is a policy that enables Council to take financial contributions in circumstances where the Development Contributions Policy may not apply, there are no rules or standards in the District Plan that guide how contributions in these instances would be determined. In addition to this, there is no policy or standards to enable the taking of financial contributions for the purposes of offsetting or compensation.

PC2 addresses these gaps by including a policy that enables the taking of financial contributions for offsetting and compensation, and including rules and standards that guide the determination of financial contributions where they are taken in circumstances where the Development Contributions Policy may not apply.

## 1.2 Status of the District Plan

The District Plan became operative on the 30<sup>th</sup> of June 2021. The District Plan also gives effect to the National Planning Standards 2019.

## 1.3 Planned future District Plan Changes

In addition to PC2, the Council has planned to undertake several future District Plan changes as part of its Long Term Plan<sup>4</sup>. These include:

Topic	Description
Omnibus plan change	Sundry amendments to improve the efficiency and effectiveness of the district plan.
Flood risk/stormwater management plan change	Amendments to provide for a range of stormwater management matters, including updated district flood hazard modelling.
Coastal environment plan change	Amendments to provide for a range of coastal environment matters, including the management of coastal hazards.
Future urban development plan change	A plan change to provide for the urban development of a range of greenfield and brownfield growth areas. This plan change is part of implementing the District Growth Strategy.
Mana whenua plan change	A wider review of the district plan taking into account iwi management plans, wāhi tapu provisions and any relevant Treaty Settlement legislation.

## 1.4 Structure of this Section 32 Evaluation Report

This Section 32 Evaluation Report has been prepared in accordance with the requirements of s32 of the RMA, and to satisfy the additional information required for Intensification Planning Instruments prescribed under subpart 5A of the RMA.

The overarching purpose of s32 of the RMA is to ensure that any proposed District Plan provisions are robust, evidence-based and the most appropriate means to achieve the purpose of the Act. The Council is required to undertake an evaluation of any proposed District Plan provisions before notifying those provisions and to publicly notify the s32 evaluation report alongside the proposed District Plan provisions. The s32 evaluation report provides the reasoning and rationale for the proposed provisions and should be read in conjunction with those provisions.

To achieve this purpose, the report is structured as follows:

<sup>4</sup> Kāpiti Coast District Council (2021). *Long-term Plan 2021-41*. p254.

- **Section 2.0 Regulatory and Policy Direction** provides an analysis of the statutory, regulatory and policy context relevant to the proposed Plan Change, including Part 2 of the RMA, national direction, the regional policy statement, and other statutory and non-statutory strategies, plans or policies.
- **Section 3.0 Resource Management Issues Analysis** provides an analysis of the resource management issues relevant to the proposed Plan Change. This includes analysis of the District Plan, research undertaken or commissioned in order to understand the resource management issues in greater depth, engagement undertaken with iwi authorities, and consultation undertaken with the public to inform the preparation of the Plan Change.
- **Section 4.0 Scale and Significance & Quantification of Benefits and Costs** provides an assessment of the scale and significance of the anticipated environmental, economic, social and cultural effects associated with the proposed Plan Change, and identifies whether it is reasonable to quantify the costs and benefits of the proposed provisions.
- **Section 5.0 Overview of Proposals** provides a description of the proposed amendments to the District Plan proposed by this Plan Change. The description of the proposals is organised into packages that relate to the resource management issues described in section 3.0 of the report.
- **Section 6.0 Additional Requirements for Intensification Planning Instruments** includes additional information about qualifying matters and the method of incorporating the MDRS into the District Plan, required by subpart 5A of the RMA.
- **Section 7.0 Examination of Objectives** includes an examination of the proposed or amended objectives to determine their appropriateness for achieving the purpose of the RMA.
- **Section 8.0 Evaluation of Provisions** evaluates the proposed provisions, and reasonable alternatives to achieve the proposed objectives, including the costs, benefits, effectiveness and efficiency of the proposed provisions, and the risk of acting or not acting.

## 2.0 Regulatory and Policy Direction

### 2.1 RMA Part 2

Under s74(1)(b) of the RMA, the Council must prepare and change the District Plan in accordance with the provisions of Part 2 of the RMA. In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

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

Sustainable management '*means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -*

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

In achieving this purpose, all persons exercising functions and powers under the RMA also need to:

- Recognise and provide for the matters of national importance identified in s6;
- Have particular regard to the range of other matters referred to in s7; and
- Take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi in s8.

#### 2.1.1 RMA Section 6

The s6 matters relevant to this Plan Change are identified in the following table (quoted text is identified in *italics*):

Section	Relevant Matter
6(b)	<p><i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development</i></p> <p>The District Plan provides for the management of subdivision, use and development within scheduled Outstanding Natural Features and Landscapes (ONFL). These matters are managed through district-wide provisions and overlays.</p> <p>The application of the MDRS overlaps scheduled ONFL. Existing District Plan provisions for ONFL will continue to apply in these areas as a qualifying matter.</p> <p>The application of policy 3(c) of the NPS-UD overlaps a scheduled ONFL. Residential Intensification Precincts have been excluded from ONFLs as a qualifying matter.</p> <p>Refer to section 6.1 for a description of the approach to this qualifying matter.</p>
6(c)	<p><i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</i></p> <p>The District Plan provides for the management of subdivision, use and development in relation to scheduled ecological sites and indigenous trees. These matters are managed through district-wide provisions and overlays.</p> <p>The application of the MDRS and policy 3 of the NPS-UD overlaps scheduled ecological sites and indigenous trees. Existing District Plan provisions for these matters will continue to apply as a qualifying matter.</p>



	Refer to section 6.1 for a description of the approach to these qualifying matters.
6(e)	<p><i>the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i></p> <p>Tangata whenua have expressed a desire to live and work closer to or within their ancestral homes and land, and participate in iwi, hapū or marae life. PC2 provides for this by incorporating papakāinga provisions into the District Plan that provide for the development of papakāinga that enable tangata whenua to develop and live on their ancestral land.</p> <p>The District Plan provides for the management of subdivision, use and development in relation to scheduled sites and areas of significance to Māori (wāhi tapu sites). These areas are managed through district-wide provisions and overlays. The application of the MDRS and policy 3 of the NPS-UD overlaps these sites and areas.</p> <p>Existing District Plan provisions for these matters will continue to apply as a qualifying matter. In addition to this, PC2 provides for new qualifying matters related to s6(e), including:</p> <ul style="list-style-type: none"> <li>• An additional wāhi tapu site (Kārewarewa Urupā) is proposed to be added to Schedule 9 of the District Plan, because it is located in an area that would otherwise be subject to development enabled by the MDRS;</li> <li>• A “Marae Takiwā Precinct” has been included to manage the effects of intensification around marae in urban environments in the district.</li> </ul> <p>Refer to section 6.1 for a description of the approach to these qualifying matters.</p> <p>In addition to this, the matters of discretion for development that requires a resource consent for breaching density standards includes a requirement to consider effects on cultural values where development is adjacent to a site or area of significance to Māori. This consideration is also provided for in the proposed design guides.</p>
6(f)	<p><i>the protection of historic heritage from inappropriate subdivision, use, and development</i></p> <p>The District Plan provides for the management of subdivision, use and development in relation to scheduled historic heritage buildings, structures, sites, or areas and notable trees. These matters are managed through district-wide provisions and overlays.</p> <p>The application of the MDRS and policy 3 of the NPS-UD overlaps these scheduled items. Existing District Plan provisions for these matters will continue to apply as a qualifying matter.</p> <p>Refer to section 6.1 for a description of the approach to this qualifying matter.</p>
6(h)	<p><i>the management of significant risks from natural hazards</i></p> <p>The District Plan provides for the management, use and development of land within mapped flood hazard areas and earthquake hazard areas. These matters are managed through district-wide provisions and overlays.</p>

	<p>The application of the MDRS and policy 3 of the NPS-UD overlaps these mapped hazard areas. Existing District Plan provisions for these matters will continue to apply as a qualifying matter.</p> <p>In addition to this, areas of the district have been identified as being potentially susceptible to coastal erosion hazard. PC2 proposes a “Coastal Qualifying Matter Precinct” to provide for management of the subdivision and development of land within these areas, as a qualifying matter.</p> <p>Refer to section 6.1 for a description of the approach to these qualifying matters.</p>
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### 2.1.2 RMA Section 7

The s7 matters that are relevant to this topic are identified in the following table (quoted text is identified in *italics*):

Section	Relevant Matter
7(a)	<p><i>kaitiakitanga</i></p> <p>The application of the MDRS and policy 3 of the NPS-UD coincides with land over which tangata whenua exercise kaitiakitanga.</p> <p>PC2 has particular regard to this matter by:</p> <ul style="list-style-type: none"> <li>• providing for papakāinga provisions that support the exercise of kaitiakitanga; and</li> <li>• recognising the importance of sites and areas of significance to iwi as a qualifying matter, including by adding Kārewarewa Urupā to Schedule 9 of the District Plan;</li> <li>• providing for a Marae Takiwā Precinct that supports tangata whenua to exercise kaitiakitanga over their marae in urban areas.</li> </ul>
7(aa)	<p><i>the ethic of stewardship</i></p> <p>The application of the MDRS coincides with Kārewarewa Urupā, which as a site of significance to tangata whenua that is not currently recognised or provided for as a wāhi tapu site in Schedule 9 of District Plan.</p> <p>PC2 has particular regard to the ethic of stewardship by proposing to add Kārewarewa Urupā to Schedule 9 of the District Plan. This supports the Council and existing landowners to exercise stewardship over the land which they currently occupy, and that is of significance to tangata whenua, by:</p> <ul style="list-style-type: none"> <li>• raising awareness of the significance of the site to tangata whenua; and</li> <li>• providing rules that control the disturbance of the land at the site.</li> </ul>
7(b)	<p><i>the efficient use and development of natural and physical resources</i></p> <p>Housing and business development capacity are significant physical resources for the community.</p> <p>PC2 has particular regard to this matter by:</p> <ul style="list-style-type: none"> <li>• providing for intensification, particularly in areas with access to public and active modes of transport, commercial activities and community</li> </ul>

	<p>services, in order to increase the degree to which the community has access to these resources.</p>
7(ba)	<p><i>the efficiency of the end use of energy</i></p> <p>Development patterns, including the density of development, site layout, orientation, built form, connections to infrastructure, access to public and active modes of transport, commercial activities and community services all influence the efficiency of the end use of energy.</p> <p>PC2 has particular regard to this matter by:</p> <ul style="list-style-type: none"> <li>• enabling increased levels of development in areas that are accessible by public or active modes of transport to a range of commercial activities and community services;</li> <li>• enabling the development of residential building typologies that are more energy efficient; and</li> <li>• providing for provisions, such as matters of discretion and design guides that recognise the importance of the efficiency of the end use of energy.</li> </ul>
7(c)	<p><i>the maintenance and enhancement of amenity values</i></p> <p>Residential and commercial environments contain amenity values that are of value to the community as they contribute to the peoples' appreciation of the environment.</p> <p>PC2 has particular regard to this matter by providing for provisions, such as objectives, policies, rules, standards, matters of discretion and design guides that manage the effects of development on aspects of the environment that contribute to amenity values.</p> <p>Note that PC2 is also required to give effect to Objective 4 of the NPS-UD, which provides that urban environments, including their amenity values, develop and change over time. Refer to section 2.2.1 below for further detail on this matter.</p>
7(f)	<p><i>maintenance and enhancement of the quality of the environment</i></p> <p>Residential and commercial environments contain a range of natural and physical environmental qualities that contribute to the overall quality of the environment.</p> <p>PC2 has particular regard to this matter by providing for provisions (or maintaining existing provisions), such as objectives, policies, rules, standards, matters of discretion and design guides that manage the effects of development on the quality of the environment.</p>
7(i)	<p><i>the effects of climate change</i></p> <p>Some areas subject to the application of the MDRS or policy 3 of the NPS-UD are potentially susceptible to increased risks from natural hazards as a result of the effects of climate change.</p> <p>PC2 has particular regard to this matter by:</p> <ul style="list-style-type: none"> <li>• providing for existing provisions that relate to flood hazards to continue to apply in these areas as a qualifying matter;</li> </ul>

	<ul style="list-style-type: none"> <li>maintaining existing development provisions in areas of the district that have been identified as being potentially susceptible to coastal erosion hazard, so that the management of coastal hazards can be appropriately addressed through a future coastal environment Plan Change.</li> </ul>
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### 2.1.3 RMA Section 8

The principles of the Treaty of Waitangi (Te Tiriti o Waitangi) have been taken into account in the preparation of PC2.

The Council has sought to actively protect the interests of tāngata whenua through PC2 by:

- Including papakāinga provisions that enable tangata whenua to exercise greater control over the development of Māori land, and general title land owned by tangata whenua where there is an ancestral connection;
- Providing for existing and new sites and areas of significance as qualifying matters (including by recognising and providing for Kārewarewa Urupā in Schedule 9 of the District Plan);
- Providing for a Marae Takiwā precinct that seeks to reduce the impacts of intensification on marae in urban areas.

Outside of (but related to) the scope of the Plan Change, the Council actively sought, through written and oral submissions on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill, to have papakāinga provisions included within the statutory scope of the Intensification Streamlined Planning Process (ISPP). The bill was amended to this effect, and this has enabled papakāinga provisions to be incorporated into this Plan Change.

The Council has worked in partnership with iwi to develop provisions to enable papakāinga, which involved the significant input of iwi (described further in section 3.4.3 of this report). In addition to this, the Council has worked with iwi to recognise and provide for Kārewarewa Urupā, and reduce the impacts of intensification on marae in urban areas.

The Council has supported iwi to participate in the development of PC2 by providing iwi with information on the development of the Plan Change, providing iwi with opportunities to give early and meaningful input into the development of the Plan Change, and by providing iwi with access to resourcing (including officer time and mapping resources) to support their participation. Refer to section 3.4 for a description of engagement with tangata whenua undertaken as part of the preparation of PC2.

However, it is noted that Ngā Hapū o Ōtaki have expressed their position that the legislation under which PC2 has been prepared has limited the ability for Ngā Hapū o Ōtaki to meaningfully engage in, and for their aspirations to be provided for through, the preparation of PC2. Ngā Hapū o Ōtaki's written feedback on draft PC2 is provided in full in Appendix A, and this is discussed further in section 3.4.4.

## 2.2 National Direction

Under s75(3) of the RMA, the District Plan must give effect to National Policy Statements, the New Zealand Coastal Policy Statement and the National Planning Standards. In addition, under ss74(1)(ea) and (f) of the RMA, the Council must prepare and change its District Plan in accordance with National Policy Statements, the New Zealand Coastal Policy Statement, the National Planning Standards and National Environmental Standards.

The following sections outline the parts of National Direction that are relevant to proposed PC2.

## 2.2.1 NPS on Urban Development 2020

The NPS on Urban Development 2020<sup>5</sup> (NPS-UD) is relevant to this Plan Change because the purpose of PC2 is to give effect to policy 3 of the NPS-UD. The matters particularly relevant to PC2 are identified in the following table (quoted text is identified in *italics*).

NPS-UD Objective/Policy	Relevant matter
Objective 1	<p><i>New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</i></p> <p>PC2 contributes to implementing this objective by:</p> <ul style="list-style-type: none"> <li>• providing for objectives, policies and rules that enable a greater variety and supply of housing to serve people and communities within the district's urban environments; and</li> <li>• providing for qualifying matters that enable the management of a range of environmental issues in relation to the intensification of the urban environment, including matters associated with health and safety.</li> </ul>
Objective 2	<p><i>Planning decisions improve housing affordability by supporting competitive land and development markets.</i></p> <p>PC2 contributes to implementing this objective by:</p> <ul style="list-style-type: none"> <li>• providing for provisions that enable an increased supply of housing within existing urban environments;</li> <li>• increasing the amount of land available for residential development by re-zoning some non-urban zoned land as General Residential Zone.</li> </ul>
Objective 3	<p><i>Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:</i></p> <ul style="list-style-type: none"> <li><i>(a) the area is in or near a centre zone or other area with many employment opportunities</i></li> <li><i>(b) the area is well-serviced by existing or planned public transport</i></li> <li><i>(c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.</i></li> </ul> <p>PC2 implements this objective by:</p> <ul style="list-style-type: none"> <li>• amending existing objectives and policies to align with this objective;</li> <li>• providing for objectives, policies and rules that enable greater levels of development within centres zones, adjacent to centres zones, and within areas that are well serviced by the rapid transit network;</li> <li>• enabling increased levels of residential development throughout the district, through incorporating the MDRS into the District Plan.</li> </ul>

<sup>5</sup> The version of the NPS-UD referred to in this report is the May 2022 version.

Objective 4	<p><i>New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.</i></p> <p>PC2 contributes to implementing this objective by amending existing objectives and policies to recognise that urban environments within the district, including their amenity values, are anticipated to develop and change over time.</p>
Objective 5	<p><i>Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).</i></p> <p>PC2 takes into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in the manner described in section 2.1.3 of this report.</p>
Objective 6	<p><i>Local authority decisions on urban development that affect urban environments are:</i></p> <ul style="list-style-type: none"> <li><i>(a) integrated with infrastructure planning and funding decisions; and</i></li> <li><i>(b) strategic over the medium term and long term; and</i></li> <li><i>(c) responsive, particularly in relation to proposals that would supply significant development capacity.</i></li> </ul> <p>PC2 contributes to implementing this objective by enabling an increase in plan-enabled development capacity in the short, medium and long terms. It is recognised that PC2 is likely to have an impact on infrastructure demand and capacity over at least the long term, and this may need to be addressed through Council's infrastructure planning and funding decisions.</p>
Objective 7	<p><i>Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.</i></p> <p>PC2 contributes to implementing this objective by addressing (at least in part) the shortfall in development capacity identified in the Council's most recent Housing and Business Development Capacity Assessment (HBA).</p>
Objective 8	<p><i>New Zealand's urban environments:</i></p> <ul style="list-style-type: none"> <li><i>(a) support reductions in greenhouse gas emissions; and</i></li> <li><i>(b) are resilient to the current and future effects of climate change.</i></li> </ul> <p>PC2 contributes to implementing this objective by:</p> <ul style="list-style-type: none"> <li>• enabling a greater degree of development within existing urban environments, particularly those that are well serviced by public and active modes of transport, or have access to commercial activities and community facilities;</li> <li>• providing provisions that manage development in parts of the existing urban environment that may be subject to increased risk of natural hazards associated with the effects of climate change.</li> </ul>
Policy 1	<p><i>Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:</i></p> <ul style="list-style-type: none"> <li><i>(a) have or enable a variety of homes that:</i> <ul style="list-style-type: none"> <li><i>(i) meet the needs, in terms of type, price, and location, of different households; and</i></li> </ul> </li> </ul>

	<p><i>(ii) enable Māori to express their cultural traditions and norms; and</i></p> <p><i>(b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and</i></p> <p><i>(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</i></p> <p><i>(d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and</i></p> <p><i>(e) support reductions in greenhouse gas emissions; and</i></p> <p><i>(f) are resilient to the likely current and future effects of climate change.</i></p> <p>PC2 contributes to implementing this policy by:</p> <ul style="list-style-type: none"> <li>• including objectives, policies and rules that enable an increase in supply of housing, as well as promote an increase in the variety of dwelling types;</li> <li>• including provisions that enable the development of papakāinga;</li> <li>• providing for increased levels of development within centres zones, while maintaining the provision of land for low-density business uses;</li> <li>• providing for increased levels of development within areas that have good accessibility to public and active transport or commercial activities and community services;</li> <li>• providing for increased levels of development (including by proposing to rezone some land as General Residential Zone) to support the competitive operation of land and development markets; and</li> <li>• including provisions that recognise that it may not be appropriate to enable increases in height and density in parts of the existing urban environment that may be subject to increased risk of natural hazards associated with the effects of climate change.</li> </ul>
Policy 2	<p><i>Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.</i></p> <p>PC2 contributes to implementing this policy by enabling an increase in plan-enabled development capacity in order to assist with meeting the shortfall in development capacity identified in the Council's most recent Housing and Business Development Capacity Assessment (HBA).</p>
Policy 3	<p><i>In relation to tier 1 urban environments, regional policy statements and District Plans enable:</i></p> <p><i>(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and</i></p> <p><i>(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and</i></p> <p><i>(c) building heights of least 6 storeys within at least a walkable catchment of the following:</i></p>

	<p>(i) <i>existing and planned rapid transit stops</i>  (ii) <i>the edge of city centre zones</i>  (iii) <i>the edge of metropolitan centre zones; and</i>  (d) <i>within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activities and community services.</i></p> <p>PC2 implements this policy by including objectives, policies and rules that:</p> <ul style="list-style-type: none"> <li>• enable increased density of urban form within the Metropolitan Centre Zone, including buildings taller than 6-storeys;</li> <li>• enable increased building heights within a walkable catchment of rapid transit stops and the edge of the Metropolitan Centre Zone, including building heights up to (and including) 6-storeys; and</li> <li>• enable increased building heights within and adjacent to town and local centre zones.</li> </ul>
Policy 4	<p><i>Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.</i></p> <p>PC2 implements this policy by providing for some matters as qualifying matters. Refer to section 6.1 of this report for a description of the approach to qualifying matters.</p>
Policy 6	<p><i>When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:</i></p> <p>(a) <i>the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement</i>  (b) <i>that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:</i></p> <p>(i) <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</i>  (ii) <i>are not, of themselves, an adverse effect</i>  (c) <i>the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)</i>  (d) <i>any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity</i>  (e) <i>the likely current and future effects of climate change.</i></p> <p>PC2 contributes to implementing this policy by:</p> <ul style="list-style-type: none"> <li>• including objectives, policies and other methods (such as design guides) that identify the planned urban built form anticipated within each of the areas subject to the MDRS and policy 3 of the NPS-UD;</li> </ul>



	<ul style="list-style-type: none"> <li>• amending existing objectives and policies to recognise that achieving the planned urban built form in these areas will involve changes to the character of the environment, including its amenity values;</li> <li>• providing for an increase in plan-enabled development capacity that will make a relevant contribution to meeting the requirements under the NPS-UD to provide for development capacity; and</li> <li>• including provisions that recognise that it may not be appropriate to enable increases in height and density in parts of the existing urban environment that may be subject to increased risk of natural hazards associated with the effects of climate change.</li> </ul>
Policy 9	<p><i>Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:</i></p> <ul style="list-style-type: none"> <li>(a) <i>involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and</i></li> <li>(b) <i>when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and</i></li> <li>(c) <i>provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and</i></li> <li>(d) <i>operate in a way that is consistent with iwi participation legislation.</i></li> </ul> <p>PC2 has been prepared in a manner that is consistent with this policy by:</p> <ul style="list-style-type: none"> <li>• providing for iwi to be involved in the preparation of the Plan Change in an early and meaningful manner (as described in section 3.4 of this report); and</li> <li>• taking into account the values and aspirations of hapū and iwi for urban development (as described in section 3.4 of this report).</li> </ul> <p>Notwithstanding the above, the Council acknowledges the position expressed by Ngā Hapū o Ōtaki that the legislation under which PC2 has been prepared has limited the ability for Ngā Hapū o Ōtaki to meaningfully engage in, and for its aspirations to be truly considered in, the preparation of PC2. This is discussed further in section 3.4.4.</p>

## 2.2.2 New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 (NZCPS) is relevant to PC2 because parts of the district that are subject to the MDRS and policy 3 of the NPS-UD are adjacent to the coast. The matters particularly relevant to this Plan Change are outlined in the following table (quoted text is identified in *italics*):

NZCPS Objective/Policy	Relevant matter
<p>Objective 5</p> <p>Policy 3(2)(a)</p> <p>Policy 24</p> <p>Policy 25(a) and (b)</p>	<p><b>Objective 5</b></p> <p><i>To ensure that coastal hazard risks taking account of climate change, are managed by:</i></p> <ul style="list-style-type: none"> <li>• <i>locating new development away from areas prone to such risks;</i></li> <li>• <i>considering responses, including managed retreat, for existing development in this situation; and</i></li> <li>• <i>protecting or restoring natural defences to coastal hazards.</i></li> </ul> <p><b>Policy 3: Precautionary Approach</b></p> <ol style="list-style-type: none"> <li>1. <i>Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i></li> <li>2. <i>In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:</i> <ol style="list-style-type: none"> <li>(a) <i>avoidable social and economic loss and harm to communities does not occur;</i></li> <li>(b) <i>...</i></li> </ol> </li> </ol> <p><b>Policy 24: Identification of coastal hazards</b></p> <ol style="list-style-type: none"> <li>1. <i>Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</i> <ol style="list-style-type: none"> <li>a. <i>physical drivers and processes that cause coastal change including sea level rise;</i></li> <li>b. <i>short-term and long-term natural dynamic fluctuations of erosion and accretion;</i></li> <li>c. <i>geomorphological character;</i></li> <li>d. <i>the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;</i></li> <li>e. <i>cumulative effects of sea level rise, storm surge and wave height under storm conditions;</i></li> <li>f. <i>influences that humans have had or are having on the coast;</i></li> <li>g. <i>the extent and permanence of built development; and</i></li> <li>h. <i>the effects of climate change on:</i> <ol style="list-style-type: none"> <li>i. <i>matters (a) to (g) above;</i></li> <li>ii. <i>storm frequency, intensity and surges; and</i></li> <li>iii. <i>coastal sediment dynamics;</i></li> </ol> </li> </ol> </li> </ol>

	<p><i>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i></p> <p><b>Policy 25: Subdivision, use and development in areas of coastal hazard risk</b></p> <p><i>In areas potentially affected by coastal hazards over at least the next 100 years:</i></p> <ul style="list-style-type: none"> <li><i>(a) avoid increasing the risk of social, environmental and economic harm from coastal hazards;</i></li> <li><i>(b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i></li> <li><i>(c) ...</i></li> </ul> <p>These objectives and policies are relevant to PC2 because areas of the district that are subject to the MDRS and policy 3 of the NPS-UD have been identified as being potentially susceptible to coastal erosion hazard.</p> <p>To maintain the degree to which the District Plan currently meets the objectives and policies of the NZCPS, and to avoid reducing the degree to which the District Plan gives effect to these policies, PC2 does not seek to enable the level of development otherwise required by the MDRS or policy 3 of the NPS-UD in areas identified as being potentially susceptible to coastal erosion hazard. Instead, PC2 proposes to maintain the existing level of development provided for by the District Plan in these areas, until such time as coastal hazards are addressed through a future coastal environment plan change. This ensures that:</p> <ul style="list-style-type: none"> <li>• the appropriate methods for managing coastal hazards to give effect to the NZCPS are determined through a planning process intended for this purpose, following a process of engagement with the community;</li> <li>• PC2 does not reduce the extent to which the District Plan gives effect to the NZCPS.</li> </ul> <p>In addition to this, there are a range of other hazards within the coastal environment that are managed through existing District Plan provisions. PC2 proposes to provide for these as existing qualifying matters.</p> <p>This matter is discussed in detail in section 6.1.3 of this report.</p>
<p>Objective 6</p> <p>Policy 6(1)(b), (c), (d), (f)</p>	<p><b>Objective 6</b></p> <p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> <li>• <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i></li> <li>• <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i></li> <li>• <i>the coastal environment contains renewable energy resources of significant value;</i></li> <li>• <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i></li> <li>• <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i></li> <li>• <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i></li> <li>• <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i></li> </ul> <p><b>Policy 6: Activities in the coastal environment</b></p> <ul style="list-style-type: none"> <li>• <i>In relation to the coastal environment:</i> <ul style="list-style-type: none"> <li>(a) ...</li> <li>(b) <i>consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;</i></li> <li>(c) <i>encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;</i></li> <li>(d) <i>recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;</i></li> <li>(e) ...</li> <li>(f) <i>consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;</i></li> <li>(g) ...</li> </ul> </li> </ul> <p>These objectives and policies are relevant to PC2 because urban areas subject to the MDRS and policy 3 of the NPS-UD are located within or near the coastal environment.</p> <p>PC2 gives effect to and is consistent with these objectives and policies because, in relation to the coastal environment, PC2:</p> <ul style="list-style-type: none"> <li>• provides for an increased supply of housing in existing urban areas in order to meet the reasonable foreseeable needs of population growth, without providing inappropriate levels of</li> </ul>
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	<p>intensification in areas that may be susceptible to coastal erosion hazard;</p> <ul style="list-style-type: none"> <li>• consolidates existing urban form in or near the coastal environment by enabling intensification within existing urban areas;</li> <li>• provides for management of change to the character of the built environment over time, in order to provide for the reasonably foreseeable needs of population growth;</li> <li>• provides for the development of papakāinga.</li> </ul>
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### 2.2.3 NPS for Freshwater Management 2020

The NPS for Freshwater Management 2020 (NPS-FM) has broad application and is therefore relevant to this Plan Change. The matters of relevance to PC2 are:

NPS-FM Objective/Policy	Relevant matter
Objective 1 Policy 3	<p><i>Policy 3: Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole of catchment basis, including the effects on receiving environments.</i></p> <p>Existing urban environments, which are the subject of PC2, contain or are adjacent to a variety of existing waterbodies including rivers, streams, drains, lakes, ponds, wetlands and flood hazard areas. In addition to this, there are mapped waterbodies and flood hazard areas located in or near some of the areas proposed to be re-zoned as General Residential Zone. These mapped waterbodies are predominantly streams and drains (there are no mapped wetland located in these areas). This does not preclude the possibility of unmapped waterbodies located in these areas.</p> <p>The use and development of land enabled by PC2 may have a range of effects on catchments including:</p> <ul style="list-style-type: none"> <li>• Increased demand for freshwater supply as a result of housing development to provide for population growth;</li> <li>• Increased runoff into stormwater networks as a result of an increase in impervious surfaces;</li> <li>• Alterations to surface water flows, particularly where development occurs in areas subject to flood hazard;</li> <li>• Increased discharges of treated wastewater to ground, particularly where intensification is enabled in existing urban environments that are not serviced by reticulated wastewater infrastructure;</li> <li>• Increased likelihood that development will occur near waterbodies.</li> </ul> <p>Provisions in the District Plan that managing these effects that will continue to apply to new development enabled by PC2 include:</p> <ul style="list-style-type: none"> <li>• Water demand management provisions such as the requirement for new development to provide rainwater tanks and the promotion of greywater re-use systems;</li> </ul>

	<ul style="list-style-type: none"> <li>• Hydraulic neutrality provisions for subdivision and associated development in the Residential and Working Zones;</li> <li>• Hydraulic neutrality and water sensitive urban design provisions embedded in the <i>Land Development Minimum Requirements, April 2022</i> (which is a permitted activity standard);</li> <li>• Impervious surface restrictions for development in the General Residential Zone;</li> <li>• Flood hazard provisions that restrict development in relation to flood hazard areas, including within river corridors, stream corridors, overflow paths, residual overflow paths, ponding areas, residual ponding areas, shallow surface flow areas, flood storage areas and fill control areas;</li> <li>• Provisions that manage the design and construction of on-site wastewater treatment and disposal systems embedded in the <i>Land Development Minimum Requirements, April 2022</i> (which is a permitted activity standard);</li> <li>• Requirements for buildings and structures to be set back from waterbodies.</li> </ul> <p>Some of these provisions have the effect of making the requirements of the MDRS or Policy 3 of the NPS-UD less enabling of development, and where this is the case, PC2 provides for these as an existing qualifying matter.</p> <p>In addition to this, the provisions of the Proposed Natural Resources Plan and the NES Freshwater will also apply to development enabled by PC2. In particular:</p> <ul style="list-style-type: none"> <li>• The PNRP includes rules that manage earthworks and stormwater discharges from development;</li> <li>• The PNRP includes rules for the treatment and discharge of wastewater from on-site wastewater systems (including specific rules in relation to community drinking water supply protection areas);</li> <li>• The NES Freshwater includes rules that manage development in relation to natural wetlands, including through requiring development to be set back from natural wetlands.</li> </ul> <p>In summary, while the use and development of land enabled by PC2 may have a range of effects on catchments, it is considered that there are a range of provisions in the District Plan and other planning documents that manage these effects.</p>
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### 2.2.4 NPS for Electricity Transmission 2008

The NPS for Electricity Transmission 2008 (NPSET) is relevant to PC2 because the National Grid passes through areas that are subject to the application of the MDRS and policy 3 of the NPS-UD. The matters particularly relevant to this Plan Change are:

<b>NPSET Objective/Policy</b>	<b>Relevant matter</b>
Objective 1  Policies 1 and 10	The objectives and policies of the NPSET require the management of reverse sensitivity effects from subdivision, use and development of land on the National Grid. The District Plan already gives effect to the NPSET.  PC2 provides for these objectives and policies by maintaining the existing District Plan provisions that manage the reverse sensitivity effects of subdivision, use and development as a qualifying matter.

### 2.2.5 National Environmental Standards

In addition to the NPSs there are nine National Environmental Standards (NES) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Telecommunication Facilities 2016
- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Storing Tyres Outdoors 2021

The National Environmental Standards for Freshwater 2020 are relevant to PC2, as the NES regulates activities that may be associated with, or are corollary, to urban development in relation to waterbodies. In particular:

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

The National Environmental Standards Assessing and Managing Contaminants in Soil to Protect Human Health 2011 are also relevant. This NES provides rules and standards to ensure that land affected by contaminants in soil is appropriately identified and assessed (and if necessary remediated or otherwise contained) before it is developed. Where land is, or is potentially contaminated, development enabled by PC2 will need to comply with the rules and standards outlined in the NES.

Consistent with the approach taken by the operative District Plan, PC2 does not propose any rules for the development of contaminated land. Instead, the provisions of the NES apply in their entirety.

## 2.2.6 National Planning Standards

The District Plan has implemented the National Planning Standards.

Amendments to the District Plan proposed as part of this Plan Change are prepared in accordance with the National Planning Standards.

## 2.3 National Guidance Documents

The following national guidance documents are considered relevant to this Plan Change:

Document	Relevant provisions
Ministry for the Environment. (2020). <i>Understanding and implementing intensification provisions for the National Policy Statement on Urban Development</i> .	<p>The purpose of this document is to help local authorities understand and interpret the provisions for intensification in the National Policy Statement on Urban Development 2020.</p> <p>This document has been used to inform several aspects of the analysis that has contributed to the development of PC2, including:</p> <ul style="list-style-type: none"> <li>• Identifying appropriate walkable catchments;</li> <li>• Identifying options for how increases in building heights and density can be appropriately provided for through amendments to District Plan provisions;</li> <li>• Providing for qualifying matters.</li> </ul>
Ministry for the Environment. (2022). <i>Understanding the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021: Medium Density Residential Standards</i> .	<p>This document provides overview guidance on the Medium Density Residential Standards, and includes a range of matters for territorial authorities to be aware of when incorporating the MDRS into the territorial authority's District Plan.</p> <p>This guidance is broadly relevant to PC2, and has been considered in the preparation of PC2.</p>
Ministry for the Environment. (2022). <i>Understanding the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021: Intensification Streamlined Planning Process</i> .	<p>This document provides overview guidance on the Intensification Streamlined Planning Process, and includes guidance on the preparation of Intensification Planning Instruments (IPIs) by specified territorial authorities.</p> <p>This guidance is broadly relevant to PC2 and has been considered in the preparation of PC2.</p> <p>The guidance identifies that an IPI could “rezone land from an existing residential zone (where the MDRS would have to be incorporated under the RMA-EHS), to large lot residential zone or settlement zone (which are exempt from the MDRS)” (p8). Rezoning parts of the General Residential Zone to Settlement or Large Lot Residential Zone was considered during the preparation of PC2, however it was found that this approach would not</p>



	<p>be consistent with the Council's functions under s77G of the Act, and as a result could not be included in an IPI. Specifically:</p> <ul style="list-style-type: none"> <li>• S77G(4) authorises the Council, in carrying out its functions under s77G, to create new residential zones or amending existing residential zones. Rezoning part of the General Residential Zone to Settlement Zone or Large Lot Residential Zone in order to avoid the application of the MDRS or policy 3 of the NPS-UD to that area was considered to be inconsistent with the Council's functions under s77G, which are to incorporate the MDRS into every relevant residential zone (s77G(1));</li> <li>• Because of this, such a rezoning was not considered to support or be consequential to the MDRS or policy 3 of the NPS-UD. It was therefore not authorised to be included in the Council's IPI under s80E(b)(iii);</li> <li>• The appropriate approach for excluding inappropriate areas from the MDRS or policy 3 of the NPS-UD is the qualifying matter approach. This approach is consistent with the Council's functions under s77G, because it is provided for under s77G(6).</li> </ul>
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## 2.4 Regional Policy and Plans

### 2.4.1 Regional Policy Statement for the Wellington Region 2013 (RPS)

Under s75(4)(c) of the RMA the District Plan must give effect to the Regional Policy Statement<sup>6</sup>.

The following table identifies the relevant provisions contained in the RPS (quoted text is shown in *italics*).

Coastal Environment	
Provision	Relevant matters
Objective 3	<p><i>Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and</i></p> <p><i>Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development.</i></p>
Objective 4	<p><i>The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.</i></p>
Policy 22 (M)	<p><i>Protecting historic heritage values – district and regional plans</i></p> <p>This policy is relevant because there are a range of historic heritage features (including sites and areas of significance to Māori) identified in the District Plan that are located within urban environments subject to the MDRS and Policy 3 of the NPS-UD.</p> <p>PC2 proposes to provide for historic heritage features identified in the District Plan as a qualifying matter.</p>

<sup>6</sup> Although under s77G(8) the requirement to incorporate the MDRS into a relevant residential zone applies irrespective of any inconsistent objective or policy in a Regional Policy Statement.

Coastal Environment	
Provision	Relevant matters
Policy 24 (M)	<p><i>Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</i></p> <p>This policy is relevant because the District Plan recognises a range of ecological sites, key indigenous trees, and rare and threatened vegetation species that are located within urban environments subject to the MDRS and Policy 3 of the NPS-UD.</p> <p>PC2 proposes to provide for these matters as a qualifying matter.</p>
Policy 28 (M)	<p><i>Managing special amenity landscape values – district and regional plans</i></p> <p>This policy is relevant because one area of land to be rezoned as General Residential Zone includes land that is located within a special amenity landscape identified in the District Plan. There are no rules related to special amenity landscapes in the District Plan, however the existing district-wide policy for special amenity landscapes [NFL-P2] will continue to apply in this area<sup>7</sup>.</p>

*M = policies which must be implemented in accordance with stated methods in the RPS*

*R = policies to which particular regard must be had when varying a District Plan*

Energy, Infrastructure and Waste	
Provision	Relevant matters
Objective 9	<p><i>The region's energy needs are met in ways that:</i></p> <ul style="list-style-type: none"> <li><i>(a) improve energy efficiency and conservation;</i></li> <li><i>(b) diversify the type and scale of renewable energy development;</i></li> <li><i>(c) maximise the use of renewable energy resources;</i></li> <li><i>(d) reduce dependency on fossil fuels; and</i></li> <li><i>(e) reduce greenhouse gas emissions from transportation.</i></li> </ul>
Objective 10	<p><i>The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.</i></p>
Policy 8 (M)	<p><i>Protecting regionally significant infrastructure – regional and district plans</i></p> <p>This policy is relevant because there is regionally significant infrastructure located within urban environments subject to the MDRS and Policy 3 of the NPS-UD.</p> <p>PC2 proposes to provide for regionally significant infrastructure as a qualifying matter.</p>
Policy 11 (M)	<p><i>Promoting energy efficient design and small scale renewable energy generation – district plans</i></p> <p>This policy is relevant because the design of subdivision, use and development within urban environments can influence the energy efficiency of development.</p>

<sup>7</sup> Special amenity landscapes are addressed through this policy, which applies to resource consents for land use and subdivision within special amenity landscapes (NFL-P2). Because there are no rules associated with special amenity landscapes, the matter is not proposed to be provided for as a qualifying matter.

Energy, Infrastructure and Waste	
Provision	Relevant matters
	PC2 proposes to promote energy efficient design through objectives, policies and design guides.
Policy 57 (R)	<p><i>Integrating land use and transportation – consideration</i></p> <p>This policy is relevant because development within the urban environment can contribute to achieving the key outcomes of the Wellington Regional Land Transport Strategy.</p> <p>PC2 has particular regard to these outcomes by promoting:</p> <ul style="list-style-type: none"> <li>• further intensification in areas with access to commercial activities and community services (such as Centres Zones), and areas where there is good access to the strategic public transport network;</li> <li>• safe and attractive environments for active modes of transport through policies and design guides.</li> </ul>

*M = policies which must be implemented in accordance with stated methods in the RPS*

*R = policies to which particular regard must be had when varying a District Plan*

Fresh Water	
Provision	Relevant matters
Objective 12	<p><i>The quantity and quality of fresh water:</i></p> <p>(a) <i>meet the range of uses and values for which water is required;</i></p> <p>(b) <i>safeguard the life supporting capacity of water bodies; and</i></p> <p>(c) <i>meet the reasonably foreseeable needs of future generations.</i></p>
Objective 14	<i>Fresh water available for use and development is allocated and used efficiently.</i>
Policy 42 (R)	<p><i>Minimising contamination in stormwater from development – consideration</i></p> <p>This policy is relevant because increased development may impact on stormwater runoff from development.</p> <p>The District Plan contains provisions that manage stormwater runoff from development, require hydraulic neutrality for new development, and control the development of impervious surfaces. PC2 does not propose to change these provisions.</p>
Policy 44 (R)	<p><i>Managing water takes to ensure efficient use – consideration</i></p> <p>This policy is relevant because increased development is likely to impact the demand for water.</p> <p>The District Plan contains provisions to manage water demand, including a requirement that new development provide rainwater tanks. PC2 does not propose to change these provisions.</p>

*M = policies which must be implemented in accordance with stated methods in the RPS*

*R = policies to which particular regard must be had when varying a District Plan*

Historic Heritage	
Provision	Relevant matters
Objective 15	<i>Historic heritage is identified and protected from inappropriate modification, use and development.</i>
Policy 22 (M) Policy 46 (R)	<p><i>Protecting historic heritage values – district and regional plans</i></p> <p><i>Managing effects on historic heritage values – consideration</i></p> <p>These policies are relevant because there are several historic heritage features identified in the District Plan within urban environments subject to PC2.</p> <p>PC2 proposes to provide for existing District Plan provisions associated with identified historic heritage features as a qualifying matter.</p>

*M = policies which must be implemented in accordance with stated methods in the RPS*

*R = policies to which particular regard must be had when varying a District Plan*

Indigenous Ecosystems	
Provision	Relevant matters
Objective 16	<i>Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.</i>
Policy 24 (M) Policy 47 (R)	<p><i>Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</i></p> <p><i>Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration</i></p> <p>These policies are relevant because there are several features and areas with significant indigenous biodiversity values identified in the District Plan within urban environments subject to PC2.</p> <p>PC2 proposes to provide for existing District Plan provisions associated with identified ecological sites, key indigenous trees and rare and threatened indigenous species as a qualifying matter.</p>

*M = policies which must be implemented in accordance with stated methods in the RPS*

*R = policies to which particular regard must be had when varying a District Plan*

Landscape	
Provision	Relevant matters
Objective 17	<i>The region's outstanding natural features and landscapes are identified and their landscape values protected from inappropriate subdivision, use and development.</i>
Policy 26 (M)	<i>Protecting outstanding natural features and landscape values – district and regional plans</i>
Policy 50 (R)	<i>Managing effects on outstanding natural features and landscapes – consideration</i>

Landscape	
Provision	Relevant matters
	<p>These policies are relevant because part of the urban environment subject to PC2 is located within an outstanding natural landscape identified in the District Plan.</p> <p>PC2 proposes to provide for existing District Plan provisions associated with outstanding natural features and landscapes as a qualifying matter.</p>

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Natural Hazards	
Provision	Relevant matters
Objective 19	<i>The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.</i>
Policy 29 (M)	<i>Avoiding inappropriate subdivision and development in areas at high risk from natural hazards – district and regional plans</i>
Policy 51 (R)	<p><i>Minimising the risks and consequences of natural hazards – consideration</i></p> <p>These policies are relevant because parts of the urban environment subject to PC2 are located within areas identified in the District Plan as being subject to a range of natural hazards. Parts of the urban environment have also been identified as being potentially susceptible to coastal erosion hazard.</p> <p>PC2 proposes to provide for a range of existing District Plan provisions associated with natural hazards as a qualifying matter. As a qualifying matter, PC2 also proposes to maintain the existing level of development provided for by the District Plan in areas identified as being potentially susceptible to coastal erosion hazard, until such time as coastal hazards are addressed through a future coastal environment plan change.</p>

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Regional Form, Design and Function	
Provision	Relevant matters
Objective 22	<p><i>A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:</i></p> <ul style="list-style-type: none"> <li><i>(a) a viable and vibrant regional central business district in Wellington city;</i></li> <li><i>(b) an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality;</i></li> <li><i>(c) sufficient industrial-based employment locations or capacity to meet the region's needs;</i></li> <li><i>(d) development and/or management of the Regional Focus Areas identified in the Wellington Regional Strategy;</i></li> <li><i>(e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region's existing urban form;</i></li> </ul>

Regional Form, Design and Function	
Provision	Relevant matters
	<p>(f) <i>strategically planned rural development;</i></p> <p>(g) <i>a range of housing (including affordable housing);</i></p> <p>(h) <i>integrated public open spaces;</i></p> <p>(i) <i>integrated land use and transportation;</i></p> <p>(j) <i>improved east-west transport linkages;</i></p> <p>(k) <i>efficiently use existing infrastructure (including transport network infrastructure); and</i></p> <p>(l) <i>essential social services to meet the region's needs.</i></p>
Policy 30 (M)	<p><i>Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans</i></p> <p>This policy is relevant because the Metropolitan Centre Zone at Paraparaumu is a regionally significant centre.</p> <p>PC2 seeks to maintain and enhance the viability and vibrancy of the Metropolitan Centre Zone at Paraparaumu by focussing the greatest degree of intensification in and around the Centre. This reinforces the position of the Paraparaumu Metropolitan Centre at the top of the District Plan centres hierarchy.</p> <p>PC2 also includes a Centres Design Guide that include a range of guidelines that encourage development to contribute to the vibrancy of the District's centres.</p>
Policy 31 (M)	<p><i>Identifying and promoting higher density and mixed use development – district plans</i></p> <p>This policy is relevant because one of the purposes of PC2 is to promote higher density and mixed-use development.</p> <p>PC2 identifies areas within and adjacent to existing Centres Zones and rapid transit stops and includes objectives, policies, rules and design guides that promote higher density development in these areas.</p> <p>PC2 also promotes well integrated mixed-use development within existing Centres Zones through the proposed Centres Design Guide, which has a particular focus on design considerations for mixed-use development.</p>
Policy 32 (M)	<p><i>Identifying and protecting key industrial-based employment locations – district plans</i></p> <p>This policy is relevant because parts of the General Industrial Zone are located within areas of the district that would otherwise be subject to Policy 3 of the NPS-UD.</p> <p>The General Industrial Zone provides for a range of industrial activities to occur, and the District Plan seeks that this zone is the primary location for these activities. The District Plan also seeks to manage or avoid the establishment of non-industrial activities in the General Industrial Zone. Where the General Industrial Zone is located in an area subject to policy 3 of the NPS-UD, PC2 recognises the role of the General Industrial Zone as a location for industrial-based employment by:</p> <ul style="list-style-type: none"> <li>• retaining the existing spatial extent of the Zone; and</li> </ul>

Regional Form, Design and Function	
Provision	Relevant matters
	<ul style="list-style-type: none"> <li>retaining the existing building height standard within the Zone, in order to avoid encouraging higher density business uses that may displace lower-density industrial uses.</li> </ul>
Policy 54 (R)	<p><i>Achieving the region's urban design principles – consideration</i></p> <p>This policy is relevant because PC2 proposes a number of changes to objectives, policies and rules related to urban design.</p> <p>PC2 has particular regard to the region's urban design principles by:</p> <ul style="list-style-type: none"> <li>including policies and matters of discretion that encourage high-quality urban design for higher-density development, expressed through the proposed Residential and Centres design guides;</li> <li>including policies that require higher-density development within parts of the urban environment identified as having notable local character to give consideration to these notable characteristics.</li> </ul>
Policy 55 (R)	<p><i>Maintaining a compact, well designed and sustainable regional form – consideration</i></p> <p>This policy is relevant because PC2 proposes rezoning a few areas of land from General Rural to General Residential Zone.</p> <p>PC2 has particular regard to this policy. In particular, these areas are appropriate to achieved Objective 22 because they are located within or adjacent to existing urban areas that are connected to services, and provide for a range of housing. In addition to this, rezoning these areas is consistent with <i>Te tupu pai: Growing Well</i>, the Council's Growth Strategy.</p>
Policy 56 (R)	<p><i>Managing development in rural areas – consideration</i></p> <p>This policy is relevant because PC2 proposes to enable a greater level of papakāinga development across the district, including in rural areas.</p> <p>PC2 has particular regard to this policy. The development of papakāinga may result in a small loss of rural productive capacity on the part of the papakāinga where buildings are developed and may have local impacts on aesthetic and open space values in rural areas. However, this is considered appropriate in the context of achieving objectives 23, 24, 25 and 28 of the RPS, and in meeting the requirements of s6(e) and s8 of the RMA. Enabling papakāinga development is also consistent with <i>Te tupu pai: Growing Well</i>, the Council's Growth Strategy.</p>
Policy 57 (R)	<p><i>Integrating land use and transportation – consideration</i></p> <p>This policy is relevant because development within the urban environment can contribute to achieving the key outcomes of the Wellington Regional Land Transport Strategy.</p> <p>PC2 has particular regard to these outcomes by promoting:</p> <ul style="list-style-type: none"> <li>further intensification in areas with access to commercial activities and community services (such as Centres Zones), and areas where there is good access to the strategic public transport network;</li> </ul>

Regional Form, Design and Function	
Provision	Relevant matters
	<ul style="list-style-type: none"> <li>safe and attractive environments for active modes of transport through policies and design guides.</li> </ul>
Policy 58 (R)	<p><i>Co-ordinating land use with development and operation of infrastructure – consideration</i></p> <p>This policy is relevant because the level of development enabled by PC2 is likely to have an impact on existing infrastructure capacity.</p> <p>PC2 has particular regard to this policy. In particular:</p> <ul style="list-style-type: none"> <li>The District Plan will require new development to meet the requirements of the Council's <i>Land Development Minimum Requirements, April 2022</i> document (which is an updated version of the existing <i>Subdivision and Development Principles and Requirements, 2012</i> document);</li> <li>Focussing intensification in and around areas with good access to public transport and the District's Centres will enable increased access by active modes of transport to these areas, encouraging reduced reliance on the road network;</li> <li>Areas proposed to be re-zoned as General Residential Zone are located within or next to urban areas that are connected to existing reticulated services.</li> </ul> <p>It is acknowledged that some parts of the district subject to the MDRS and policy 3 of the NPS-UD are not connected to existing reticulated infrastructure. In these locations, the requirements of the New Zealand Building Code, the infrastructure provisions of the District Plan, and provisions within the Proposed Natural Resources Plan will together regulate the provision of on-site infrastructure services to manage development in these areas.</p>

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Resource Management with Tangata Whenua	
Provision	Relevant matters
Objective 23	<i>The region's iwi authorities and local authorities work together under Treaty partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.</i>
Objective 24	<i>The principles of the Treaty of Waitangi are taken into account in a systematic way when resource management decisions are made.</i>
Objective 25	<i>The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.</i>
Objective 28	<i>The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.</i>
Policy 48 (R)	<i>Principles of the Treaty of Waitangi – consideration</i>



Resource Management with Tangata Whenua	
Provision	Relevant matters
	<p>This policy is relevant to PC2 because this policy is relevant to all Plan Changes. The discussion under section 2.1.3 provides a relevant description of the ways in which PC2 has had particular regard to the principles of the Treaty of Waitangi.</p> <p>In addition to this, the proposed addition of a wāhi tapu at Kārewarewa Urupā to Schedule 9 of the District Plan has particular regard to a Waitangi Tribunal report on this matter.</p>
Policy 49 (R)	<p><i>Recognising and providing for matters of significance to tangata whenua – consideration</i></p> <p>This policy is relevant to PC2 because this policy is relevant to all Plan Changes.</p> <p>PC2 seeks to recognise and provide for the following matters of significance to tangata whenua:</p> <ul style="list-style-type: none"> <li>• To provide for papakāinga development that enables tangata whenua to develop, live and work on their ancestral land;</li> <li>• To recognise that sites and areas of significance to tangata whenua may be sensitive to urban development, by providing for these as a qualifying matter.</li> </ul>

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Soil and Minerals	
Provision	Relevant matters
Objective 23	<p><i>Soils maintain those desirable physical, chemical and biological characteristics that enable them to retain their ecosystem function and range of uses.</i></p>
Policy 59 (R)	<p><i>Retaining highly productive agricultural land (Class I and II land) – consideration</i></p> <p>This policy is relevant to PC2 because some areas proposed to be re-zoned as General Residential Zone contain Class I and II land.</p> <p>PC2 has had particular regard to this policy. The total area of LUC I and II land located within the District's Rural and Open Space Zones is approximately 1,900ha. The amount of LUC Class I and II land contained within areas proposed to be rezoned as General Residential Zone is approximately 2.5ha and is located on the edge of existing urban areas. On this basis, rezoning of this land would have a less than minor impact on the quantity and cohesiveness of the balance of highly productive agricultural land available to the region.</p>

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## 2.4.2 Regional Plans

Under s75(4)(b) of the RMA a District Plan must not be inconsistent with a regional plan, and under s74(2)(a)(ii) of the RMA the Council must have regard to any proposed regional plan.

There are currently five operative regional plans and one proposed regional plan for the Wellington region:

- Regional Freshwater Plan for the Wellington Region, 1999
- Regional Coastal Plan for the Wellington Region, 2000
- Regional Air Quality Management Plan for the Wellington Region, 2000
- Regional Soil Plan for the Wellington Region, 2000
- Regional Plan for Discharges to Land, 1999
- Proposed Natural Resources Plan, appeals version 2021

The proposed Natural Resources Plan (PNRP) replaces the five operative regional plans, with provisions in this plan now largely operative with the exception of those provisions that are subject to appeal.

PC2 is consistent with the PNRP, however there are a range of provisions in the PNRP that will be relevant to development enabled by PC2. The table below identifies provisions of particular relevance to PC2 contained in PNRP.

Proposed Natural Resources Plan, Appeals Version 2021	
Provision(s)	Relevant matters
<p>Rule R48 (stormwater from an individual property)</p> <p>Rule R48A &amp; Rule R52A (stormwater from new subdivision and development)</p>	<p>These rules provide for the discharge of stormwater into water or onto/into land from:</p> <ul style="list-style-type: none"> <li>• an individual property as a permitted activity subject to standards (R48);</li> <li>• a new urban subdivision/development associated with earthworks up to 3,000m<sup>2</sup> as a permitted activity subject to standards (R48A);</li> <li>• a new urban subdivision/development associated with earthworks greater than 3,000m<sup>2</sup>, or that does not meet permitted activity standards, as a restricted discretionary activity (R52A).</li> </ul> <p>These provisions are relevant to PC2 because some development enabled by PC2 may involve discharging stormwater on site rather than through the Council's stormwater network.</p>
<p>Rule R74 (existing on-site domestic wastewater systems)</p> <p>Rule R75 (new or modified on-site domestic wastewater systems)</p> <p>Rule R76 (new or modified on-site domestic wastewater systems within</p>	<p>These rules provide for the discharge of domestic wastewater onto or into land from:</p> <ul style="list-style-type: none"> <li>• an on-site domestic wastewater treatment and discharge system that existed prior to 31 July 2015 as a permitted activity subject to standards (R74);</li> <li>• a new or modified on-site domestic wastewater treatment and discharge system as a permitted activity subject to standards (R75);</li> <li>• a new or modified on-site domestic wastewater treatment and discharge system in a community drinking water supply protection area as a controlled activity subject to standards (R76).</li> </ul> <p>These provisions are relevant to PC2 because some development enabled by PC2 may require treatment and discharge of wastewater through on-site systems that must comply with these rules. This includes:</p>

community drinking water supply protection areas)	<ul style="list-style-type: none"> <li>developments in urban environments that are not connected to reticulated Council wastewater infrastructure, including at Paekākāriki, Peka Peka and Te Horo Beach;</li> <li>Papakāinga developments in rural zones that are not connected to reticulated Council wastewater infrastructure.</li> </ul>
Rule R99 (earthworks)  Rule 103 (earthworks and vegetation clearance)	<p>These rules provide for:</p> <ul style="list-style-type: none"> <li>Earthworks up to 3,000m<sup>2</sup> per 12 month period as a permitted activity subject to standards; and</li> <li>Earthworks greater than 3,000m<sup>2</sup> per 12 month period, or that does not meet permitted activity standards, as a discretionary activity.</li> </ul> <p>These provisions are relevant to PC2 because development enabled by PC2 that involves earthworks will be subject to these regional rules.</p>

## 2.5 Iwi Management Plan(s)

Under s74(2A) of the RMA, the Council must take into account any relevant planning document that is recognised by an iwi authority and lodged with the Council (Iwi Management Plans). The following Iwi Management Plans and associated provisions are considered relevant to PC2:

Iwi Management Plan	Relevant Provisions
Proposed Ngāti Raukawa te au ki te Tonga Ōtaki River and Catchment Iwi Management Plan (2000)	<p>This document outlines the vision for Ngāti Raukawa te au ki te Tonga to exercise kaitiakitanga in respect of the Ōtaki river and its catchments. The plan provides policy to guide the fulfilment of that vision.</p> <p>Policy 4.1.2.2 (related to the ecological restoration of the Ōtaki River and catchment) is relevant to PC2 as increased development of housing in the Ōtaki catchment may have an impact on demand for water from the catchment, as well as downstream effects associated with stormwater runoff.</p> <p>PC2 does not propose to change existing provisions relation to stormwater because:</p> <ul style="list-style-type: none"> <li>There are a range of existing provisions contained within the District Plan that manage the effects of development on stormwater;</li> <li>The PNRP includes rules that manage the effects of development and earthworks on stormwater;</li> <li>The National Environmental Standards for Freshwater 2020 includes rules that manage development in relation to waterbodies.</li> </ul> <p>In addition to this, the Council has identified in its Long-Term Plan that it intends to undertake work on a separate District Plan change relating to stormwater management and flooding.</p>

<p>Nga Korero Kaupapa mo Te Taiao: Policy Statement Manual for Kapakapanui: Te Runanga O Ati Awa ki Whakarongotai Inc (2001)</p>	<p>This document outlines the vision, intent and objectives for compliance with tikanga standards for protection and management of the environment as determined by Te Runanga O Ati Awa ki Whakarongotai Inc with respect to disposal and treatment of effluent, stormwater runoff, heritage protection and management, and representation.</p> <p>The following policies within the document are relevant to PC2:</p> <ul style="list-style-type: none"> <li>• The policy statement on disposal and treatment of effluent seeks to avoid, remedy or mitigate the impacts of effluent disposal on the surrounding environment. The policy is relevant to PC2 because additional development enabled by PC2 may lead to an increase in on-site treatment and disposal of wastewater in some areas. Because the effects of on-site treatment and disposal are already managed through existing District Plan provisions, and the provisions of the PNRP and the Building Code, PC2 does not propose to change any provisions related to on-site treatment and disposal of wastewater.</li> <li>• The policy statement on stormwater and runoff seeks to avoid, remedy or mitigate the impacts of stormwater runoff on the surrounding environment. The policy is relevant to PC2 because development enabled by PC2 may have impacts on stormwater runoff. Because the management of stormwater is already addressed through a range of District Plan provisions, the Council's <i>Land Development Minimum Requirements, April 2022</i>, and the provisions of the PNRP, PC2 does not propose to amend any existing District Plan provisions for stormwater. In addition to this, the Council has identified in its Long-Term Plan that it intends to undertake work on a separate District Plan change relating to stormwater management and flooding.</li> <li>• The policy statement on heritage protection and management seeks appropriate respect and recognition of heritage in Te Ātiawa's rohe. This policy is relevant to PC2 because development in urban environments enabled by PC2 may impact on heritage values, including sites and areas of significance to Te Ātiawa. PC2 proposes to provide for scheduled heritage features and sites and areas of significance within the urban environment as a qualifying matter. In addition to this, PC2 proposes to add</li> </ul>
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	a site of significance to Te Ātiawa to Schedule 9 of the District Plan.
Te Haerenga Whakamua – A Review of the District Plan Provisions for Māori: A Vision to the Future for the Kāpiti Coast District Council District Plan Review 2009-12 (2012)	<p>Input from tangata whenua was an important part of developing the District Plan. Te Haerenga Whakamua is a representation of this input, and provides a series of suggested kaupapa and tikanga that was taken into account as part of preparing the District Plan.</p> <p>Key matters outlined in Te Haerenga Whakamua of particular relevance to PC2 include:</p> <ul style="list-style-type: none"> <li>• Papakāinga development should be enabled. Papakāinga differ from other development and warrant a unique set of rules and tikanga formulated by iwi/hapū;</li> <li>• Maintenance of ahikā should be considered when considering urban growth and development;</li> <li>• Urban development needs to be energy efficient;</li> <li>• Public transport should be readily accessible;</li> <li>• Marae should be maintained and protected from urban development;</li> <li>• Wāhi tapu are afforded a level of protection by the District Plan;</li> <li>• Buildings, urban areas and features with significant heritage values are protected;</li> <li>• Manage increasing risks associated with coastal erosion and sea level rise.</li> </ul> <p>PC2 contributes towards achieving a number of these outcomes.</p> <p>Te Haerenga Whakamua also notes that “high density housing close to town centres must not exceed two storey building heights”. PC2 does not provide for this, as both the MDRS and NPS-UD requires increased building heights within and adjacent to Centres Zones, including the Town Centre Zone.</p>
Whakarongotai o te moana o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai (2019)	<p>This document identifies the key kaupapa, huanga and tikanga values, objectives and policies of Te Ātiawa ki Whakarongotai to guide kaitiakitanga. The document is internally focused in order to support the kaitiaki practice of the iwi, but also to inform other agencies.</p> <p>The aspects of the Kaitiakitanga Plan that are of particular relevance to PC2 include:</p> <ul style="list-style-type: none"> <li>• The ability for Te Ātiawa ki Whakarongotai to exercise kaitiakitanga as mana whenua is supported by the papakāinga provisions proposed by PC2;</li> <li>• The ability for Te Ātiawa ki Whakarongotai to exercise kaitiakitanga over wāhi tapu is</li> </ul>

	supported by PC2, where PC2 provides for existing wāhi tapu contained in Schedule 9 of the District Plan as a qualifying matter, and provides for an additional wāhi tapu located within the rohe of Te Ātiawa ki Whakarongotai to be added to Schedule 9.
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## 2.6 Relevant plans or strategies prepared under other Acts

Under s74(2)(a)(i) of the RMA the Council must have regard to management plans and strategies prepared under other Acts. The following plans or strategies are relevant to PC2:

Plan / Strategy	Organisation	Relevant Matters
Te tupu pai: Growing well (Local Government Act 2002)	Kāpiti Coast District Council (2022)	<p><i>Te tupu pai</i> is the Council's growth strategy. The strategy sets the vision and roadmap for how Council and Mana Whenua will work with the community to achieve sustainable development for the district in the 30 years to 2051. The strategy was developed with input from across the community and was consulted on under the Local Government Act 2002, and was adopted by the Council in February 2022.</p> <p><i>Te tupu pai</i> replaces the Council's Development Management Strategy 2007, which no longer reflects the challenges and opportunities facing the district, including those arising from government direction.</p> <p><i>Te tupu pai</i>:</p> <ul style="list-style-type: none"> <li>• Outlines the vision, principles and priorities for growing well;</li> <li>• Acknowledges mana whenua aspirations in relation to growth;</li> <li>• Outlines the proposed approach to growth from a spatial perspective;</li> <li>• Outlines how the strategy will be delivered.</li> </ul> <p>The key principles that underpin the growth strategy include:</p> <ul style="list-style-type: none"> <li>• Supporting mana whenua aspirations;</li> <li>• Valuing our environment;</li> <li>• Fostering strong communities;</li> <li>• Encouraging low-carbon living;</li> <li>• Embracing the opportunities of growth;</li> <li>• Enabling choice.</li> </ul> <p><i>Te tupu pai</i> is particularly relevant to PC2 because:</p> <ul style="list-style-type: none"> <li>• The components of the strategy that relate to intensification (outlined in Section 2) are consistent with the level of development</li> </ul>

		<p>required by the MDRS and policy 3 of the NPS-UD;</p> <ul style="list-style-type: none"> <li>• The strategy seeks to enable greater housing choice, including apartments, townhouses and papakāinga;</li> <li>• The strategy seeks to prioritise enabling development in greenfield areas that are located within and adjoining existing urban areas;</li> <li>• PC2 is identified as a key early component to delivering on the growth strategy (as part of a range of other deliver actions coordinated by the Council).</li> </ul> <p>PC2 is consistent with, and supports the delivery of, <i>Te tupu pai</i>.</p>
Long-Term Plan 2021-2041 (Local Government Act 2002)	Kāpiti Coast District Council (2021)	<p>The Council's Long-term Plan (LTP) is the overarching 20-year plan that sets the Council's direction and budget from 2021 to 2041, with detailed planning for three years. The LTP includes the Council's Financial and Infrastructure Strategies, and Development Contributions Policy.</p> <p>The LTP identifies five desired community outcomes:</p> <ol style="list-style-type: none"> <li>1. <i>Mana Whenua and Council have a mutually mana-enhancing partnership.</i></li> <li>2. <i>Our communities are resilient, safe, healthy and connected. Everyone has a sense of belonging and can access the resources and services they need.</i></li> <li>3. <i>Our local economy is prosperous with ample opportunities for people to work and learn in Kāpiti.</i></li> <li>4. <i>Our natural environment is restored and enhanced as we transition to a low-carbon future.</i></li> <li>5. <i>Our people have access to suitable housing in Kāpiti so that they can live and thrive.</i></li> </ol> <p>PC2 will assist Council in achieving community outcome 5.</p> <p>In addition to the community outcomes, other matters within the Long-term Plan that are particularly relevant to PC2 include:</p> <ul style="list-style-type: none"> <li>• The LTP sets out a programme of future District Plan changes to address a range of challenges and issues identified in the LTP (pp.247-258). These include: <ul style="list-style-type: none"> <li>○ An omnibus plan change;</li> <li>○ An urban development plan change (this plan change);</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ A flood risk/stormwater plan change;</li> <li>○ A coastal plan change;</li> <li>○ A future urban development plan change;</li> <li>○ A mana whenua plan change;</li> <li>• The Development Contributions Policy identifies that the Council is considering including reserves and associated community infrastructure in the next review of the Policy, and that this would involve removing financial contributions for reserves from the District Plan (p.526);</li> <li>• The Infrastructure Strategy outlines the infrastructure issues facing the Council, and the options for managing these. It includes an outline of major planned network infrastructure projects, which include: <ul style="list-style-type: none"> <li>○ Stormwater network upgrades;</li> <li>○ Water treatment, storage, supply and network upgrades;</li> <li>○ Wastewater network upgrades;</li> <li>○ Road network investment, including a new link road at Paraparaumu and works to major community connector roads.</li> </ul> </li> </ul> <p>It should be noted that the LTP was prepared prior to the introduction of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. As such, the LTP does not take into account the impact that the MDRS might have on the range of strategies and policies contained within the LTP (in particular, the Infrastructure Strategy and the Development Contributions Policy).</p>
Housing Strategy (Local Government Act 2002)	Kāpiti Coast District Council (2022)	<p>The Housing Strategy responds to community concern about housing and a desire for Council to take a bigger role in housing solutions. It includes objectives to guide Council actions for housing, in partnership with iwi and alongside central government, the private sector, community housing providers and the community.</p> <p>The Strategy includes 5 objectives for housing:</p> <ul style="list-style-type: none"> <li>• <i>Healthy and Affordable: there is a range of healthy and affordable homes for all Kāpiti residents.</i></li> <li>• <i>Well-functioning: there is a well-functioning housing continuum in Kāpiti that is responsive to emerging challenges and</i></li> </ul>



		<p><i>opportunities to meet the needs and aspirations of residents.</i></p> <ul style="list-style-type: none"> <li>• <i>Type and Variety: there is a range of housing types to support community wellbeing (specifically, quality medium density and suitable Māori housing).</i></li> <li>• <i>Resilience and Sustainability: housing contributes to places that are connected, resilient, environmentally sustainable, safe and inclusive.</i></li> <li>• <i>Māori Housing: Whai Kāinga Whai Oranga: Iwi solutions for whānau and hapū to live and prosper.</i></li> </ul> <p>PC2 will support the Council to achieve all of these objectives.</p>
Climate Emergency Action Framework (Local Government Act 2002)	Kāpiti Coast District Council (2021)	<p>The Climate Emergency Action Framework was adopted by the Council in July 2021, after completion of a public consultation process as part of the LTP. The Framework is primarily an internally focussed document that outlines how the Council as an organisation will address issues related to climate change.</p> <p>Of particular relevance to PC2 are the following principles outlined in the framework:</p> <p><i>4.1 Council demonstrates strong and effective leadership on climate change mitigation and adaptation to support Toitū Kāpiti and give effect to the climate change emergency; this includes a commitment to act in the face of uncertainty using the best scientific information available.</i></p> <p><i>4.3 Council will meet all of its climate change-related statutory obligations.</i></p> <p><i>4.6 Decision making will consider:</i></p> <ul style="list-style-type: none"> <li><i>4.6.1 Best practice guidance and recommendations</i></li> <li><i>4.6.2 Costs and benefits, including broader co-benefits to the four well-beings</i></li> <li><i>4.6.3 Level of risk, particularly if an action is not taken</i></li> <li><i>4.6.4 Urgency of any issues at hand</i></li> <li><i>4.6.5 How effectively a proposed action will address any issues at hand</i></li> <li><i>4.6.6 Avoiding any actions that might worsen inequity or compromise future generations</i></li> <li><i>4.6.7 Promotion of actions that will allow mana whenua to act as kaitiaki, supporting</i></li> </ul>

		<p><i>them to create sustainable practices that they can implement within their rohe</i></p> <p><i>4.6.8 Mana whenua advice, community feedback, and potential alignment with neighbouring councils</i></p> <p><i>4.6.9 Long-term effectiveness of proposed actions, regardless of current or future trends or pressures.</i></p> <p>Consideration has been given to these matters as part of the preparation of PC2.</p>
Sustainable Transport Strategy (Local Government Act 2002)	Kāpiti Coast District Council (2022)	<p>The Sustainable Transport Strategy establishes a framework for delivering good outcomes for the District's communities and provides details of the key areas of focus for transport in Kāpiti out to 2035.</p> <p>The provisions of the strategy of particular relevance to PC2 include:</p> <ul style="list-style-type: none"> <li>• <i>Outcome 2: improved access, connectivity and integration for all.</i> This outcome seeks, amongst other matters, integration of transport and land use.</li> <li>• <i>Focus area 2: integrating land use and transport.</i> Amongst other matters, this focus area seeks that new development is planned in a way that reduces the need to travel or encourages alternatives to the private car.</li> <li>• <i>Focus area 3: safety.</i> Amongst other matters, this focus area seeks that safety is addressed through the design of new development.</li> <li>• <i>Focus area 7: amenity.</i> Amongst other matters, this focus area seeks that new development is well designed and planned, and integrates with existing destinations and public transport facilities.</li> </ul> <p>PC2 seeks to provide for these matters in the following ways:</p> <ul style="list-style-type: none"> <li>• The objectives, policies and rules of PC2 focus the greatest level of intensification in and adjacent to the District's Centres Zones and existing rapid transit stops. This approach integrates land use and transport by providing for the greatest level of new development in areas that have good access to commercial activities, community services and public transport.</li> <li>• The existing provisions of the District Plan Transport Chapter that manage the impacts of development on the functionality and</li> </ul>

		<p>safety of the road network will continue to apply to new development enabled by PC2.</p> <ul style="list-style-type: none"> <li>The Centres and Residential design guides proposed as part of PC2 include design guidelines related to pedestrian and cycle safety and amenity within developments and where they interface with the street. These guidelines complement (rather than duplicate) other Council design requirements (such as those contained in the Transport chapter of the District Plan or the Council's <i>Land Development Minimum Requirements</i>, April 2022).</li> </ul>
Toitū Kāpiti: Kāpiti Coast Open Space Strategy (Interim Adopted Version 28 March 2022) (Local Government Act 2002)	Kāpiti Coast District Council (2022)	<p>The Open Space Strategy guides the provision of open space and sets the direction for managing the open space network until 2050. The Strategy replaces the Open Space Strategy 2012.</p> <p>The strategy outlines the overall vision for open space in the District: <i>Kāpiti has a vibrant, diverse, thriving and interconnected open space network, that supports the connection of the community to the environment, enhancing the mauri of both.</i></p> <p>The future growth and management of the open space network is guided by 10 priorities. Of particular relevance to PC2 is priority 6: <i>Ensuring Kāpiti residents have adequate and equitable access to open space now and in the future.</i></p> <p>PC2 supports this priority by providing for existing open space as a qualifying matter.</p> <p>The exception to this is the proposed rezoning of two small areas of land currently zoned Open Space at Ōtaki and Waikanae. These areas do not contribute materially to the open space network, and as a result the Council has revoked their reserve status. On this basis, rezoning these areas of land is consistent with the Open Space Strategy.</p> <p>However, it is noted that the Council has separately notified a Plan Change 1L, which seeks to rezone a number of Council-owned sites from General Residential Zone to Open Space zone.</p>
Wellington Regional Land Transport Plan (Land Transport Management Act 2003)	Greater Wellington Regional Council (2021)	<p>The Regional Land Transport Plan (RLTP) sets the direction for the Wellington Region's transport network for the next 10 – 30 years. The RLTP identifies regional priorities and sets out the transport projects that will be invested in over the next six years.</p> <p>The RLTP identifies a range of planned transport network improvements relevant to the Kāpiti District. Committed improvements include:</p>

		<ul style="list-style-type: none"> <li>• The completion of the Transmission Gully Expressway;</li> <li>• The construction of the Peka Peka to Ōtaki Expressway;</li> </ul> <p>Prioritised improvements include:</p> <ul style="list-style-type: none"> <li>• Capacity improvements to existing rail services;</li> <li>• Improvements to accessibility around Paraparaumu metropolitan centre (improved east-west connections, improved active mode connections and improved accessibility to the railway station).</li> </ul>
Wellington Regional Public Transport Plan 2021-2031 (Land Transport Management Act 2003)	Greater Wellington Regional Council (2021)	<p>The Wellington Regional Public Transport Plan (RPTP) guides the design and delivery of public transport services and infrastructure in the region. The RPTP focusses in particular on the public transport services and infrastructure provided by Metlink.</p> <p>The RPTP is relevant to PC2 because it outlines the state of the public transport network in the Kāpiti district. This provides a basis for determining the meaning of <i>existing rapid transit stops</i>, which is required in order to interpret policy 3(c)(i) of the NPS-UD.</p> <p>In the Kāpiti district, the RPTP describes the Kāpiti Line rail service as a “core rail” service that provides high capacity, long-distance, time-competitive commuter services connecting key urban areas across the region. The stops that are serviced by the Kāpiti Line within the district are Paekākāriki Station, Paraparaumu Station and Waikanae Station.</p> <p>While the RPTP does not identify Ōtaki station as being located within the core rail network, policy 6.4b identifies that the extension of the Kāpiti line to Ōtaki will be considered in the future.</p>

## 2.7 Plans or proposed plans of adjacent territorial authorities

Under s74(2)(c) of the RMA, the Council must have regard to the extent to which the District Plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities. The following table outlines the plans or proposed plans of territorial authorities adjacent to the Kāpiti Coast District:

Territorial Authority	Plan or Proposed Plan
Horowhenua District Council	Operative District Plan 2015
Porirua City Council	Operative District Plan 1999

	Proposed Porirua District Plan
Upper Hutt City Council	Operative District Plan 2004
South Wairarapa District Council	Wairarapa Combined District Plan 2011
Carterton District Council	Wairarapa Combined District Plan 2011

Proposed PC2 is not considered to be inconsistent with the plans or proposed plans of these adjacent territorial authorities.

During the preparation of PC2, the Council also took into consideration the preparation of draft IPIs being undertaken by other Tier 1 territorial authorities within the region. Proposed PC2 is not considered to be inconsistent with the working drafts of other IPIs in the region, recognising that each Council will be addressing a different context and set of local issues (for example, there are variations in the way Councils have determined the spatial extent of walkable catchments, and variations in the qualifying matters that each Council has considered).

## 2.8 Any other relevant legislation or regulations

The following additional legislative/regulatory requirements are also relevant to PC2.

Legislation / Regulation	Relevant Provisions
<p>Building Act 2004</p> <p>The Building Code (Schedule 1 of the Building Regulations 1992)</p> <p>The New Zealand Building Code Acceptable Solutions and Verification Methods</p>	<p>The design and construction of buildings are regulated by the Building Code, under the Building Act 2004. The Building Code prescribes a range of objectives, functional requirements and performance requirements that must be achieved by buildings. The New Zealand Building Code Acceptable Solutions and Verification Methods (administered by the Ministry for Business, Innovation and Employment) prescribe ways in which buildings can be designed to comply with the Building Code.</p> <p>The Building Code regulates a range of matters related to the design and construction of buildings, including:</p> <ul style="list-style-type: none"> <li>• Structure and durability;</li> <li>• Fire safety;</li> <li>• Accessibility;</li> <li>• Surface water, external moisture and internal moisture;</li> <li>• Safety of building users;</li> <li>• Interior environment quality (including ventilation, noise and natural light;</li> <li>• Water supply;</li> <li>• Wastewater disposal;</li> <li>• Energy efficiency.</li> </ul> <p>PC2 does not seek to duplicate the regulation of matters that are already addressed through the Building Code and associated Acceptable Solutions or Verification Methods.</p>

Te Ture Whenua Māori Act 1993	<p>Te Ture Whenua Māori Act 1993 is the primary legislation for Māori land. It aims to balance the protection of Māori land for future generations with the ability to use and develop land to meet the aspirations of whānau. The Act was amended in 2020 to improve the way in which papakāinga housing was provided for on land held under the Act, by enabling occupation licenses for papakāinga housing to be granted for greater than 14 years, with a right of renewal.</p> <p>The Act outlines several 'statuses' of land (s129), including:</p> <ul style="list-style-type: none"> <li>• Māori land (which is Māori customary land or Māori freehold land); and</li> <li>• General land (which includes general land owned by Māori).</li> </ul> <p>The Act is relevant to PC2 because PC2 seeks to provide for the development of papakāinga on both Māori land and general land owned by tangata whenua.</p>
Heritage New Zealand Pouhere Taonga Act 2014	<p>The Heritage New Zealand Pouhere Taonga Act 2014 requires that unless an archaeological authority is granted, archaeological sites must not be modified or destroyed. Under this Act, an archaeological site means:</p> <p><i>any place in New Zealand, including any building or structure (or part of a building or structure), that—</i></p> <p><i>(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</i></p> <p><i>(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand;</i></p> <p>Those who wish to modify or destroy an archaeological site must obtain an archaeological authority from Heritage New Zealand Pouhere Taonga, and the process for doing this is outlined in the Act.</p> <p>This Act is relevant to PC2 because development that is otherwise enabled by PC2 must still comply with the requirement to obtain (where relevant to the site) an archaeological authority. In addition to this, PC2 proposes to add Kārewarewa Urupā, which is considered an archaeological site, to Schedule 9 of the District Plan (Places and areas of significance to Māori).</p>

## 2.9 Other documents

The following other non-statutory documents have also been given consideration as part of the preparation of PC2:

Plan / Strategy	Organisation	Relevant Matters
Wellington Regional Growth Framework	Greater Wellington Regional Council (2021)	The Wellington Regional Growth Framework is a spatial plan for the Wellington-Horowhenua region that identifies how the region could accommodate population growth of 200,000 people over the next 30 years. The Kāpiti district is identified as part of the Western Growth Corridor in the spatial plan, which is anticipated to provide for 43% of the region's growth.

		<p>The Urban Form outcomes sought by the framework are of particular relevance to PC2. Paraparaumu, Waikanae and Ōtaki are identified as “Urban Renewal Areas” within the framework. The framework promotes intensification and higher density development in these areas. PC2 will contribute to achieving this outcome.</p>
Local Outcome Reports	Kāpiti Coast District Council (2006, 2007, 2009, 2012 and 2017)	<p>Some Kāpiti Coast communities have developed local outcome statements that contain area-specific outcomes sought by the local community. These statements were used to inform the previous development of the District Plan. There are a total of 12 local outcome statements associated with various parts of the district.</p> <p>As part of the preparation of PC2, consideration was given to the Local Outcome Statements, however it was concluded that these statements are not relevant to the Plan Change for the following reasons:</p> <ul style="list-style-type: none"> <li>• It is beyond the scope of this Plan Change to revisit the way in which these reports informed the development of the provisions of the District Plan; and</li> <li>• The statements were prepared prior to, and therefore do not take into account, central government direction requiring the intensification of urban environments. As a result, some aspects of the statements are inconsistent with the requirement to incorporate the MDRS and the objectives of the NPS-UD.</li> </ul>
MAIHI Ka Ora: The National Māori Housing Strategy	Ministry of Housing and Urban Development (2021)	<p>MAIHI Ka Ora – the National Māori Housing Strategy seeks that all whānau have safe, healthy, affordable homes with secure tenure, across the Māori housing continuum. The strategy focusses on how the Government can partner with iwi and hapū to achieve this outcome.</p> <p>The strategy outlines six priority goals for achieving this outcome:</p> <p><b>Priority 1: Māori Crown Partnerships</b></p> <p><i>To work in partnership where the Crown and Māori achieve balance through a collaborative work programme that strengthens housing solutions for whānau.</i></p> <p><b>Priority 2: Māori-led Local Solutions</b></p> <p><i>There is a significant increase in the number of quality, locally-led Māori housing solutions that meet the needs of whānau.</i></p>

		<p><b>Priority 3: Māori Housing Supply</b></p> <p><i>The number of Māori owned homes, iwi and hapū owned houses can meet the housing needs of all Māori.</i></p> <p><b>Priority 4: Māori Housing Support</b></p> <p><i>Whānau have better access to effective support that is fit for purpose and enables them to attain and maintain their preferred housing option.</i></p> <p><b>Priority 5: Māori Housing System</b></p> <p><i>The system supports Māori to accelerate Māori-led housing solutions.</i></p> <p><b>Priority 6: Māori Housing Sustainability</b></p> <p><i>Whānau are supported to achieve mana-enhancing housing solutions on their whenua. Māori are able to sustain a connection to their own land through housing and their housing is innovative and responsive to the impacts and effects of climate change.</i></p> <p>PC2, in particular the proposed papakāinga provisions, will support the Government and tangata whenua to achieve the priority goals for Māori housing outlined in MAIHI Ka Ora, at a local level.</p>
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## 3.0 Resource Management Issues Analysis

### 3.1 Resource Management Issues

Within the statutory scope of the Plan Change outlined under s80E of the Act, there are three resource management issues that PC2 seeks to address. These are:

- Issue 1: housing supply and intensification;
- Issue 2: providing for papakāinga;
- Issue 3: financial contributions.

The following sections outline the background to these issues in greater detail.

#### 3.1.1 Issue 1: housing supply and intensification

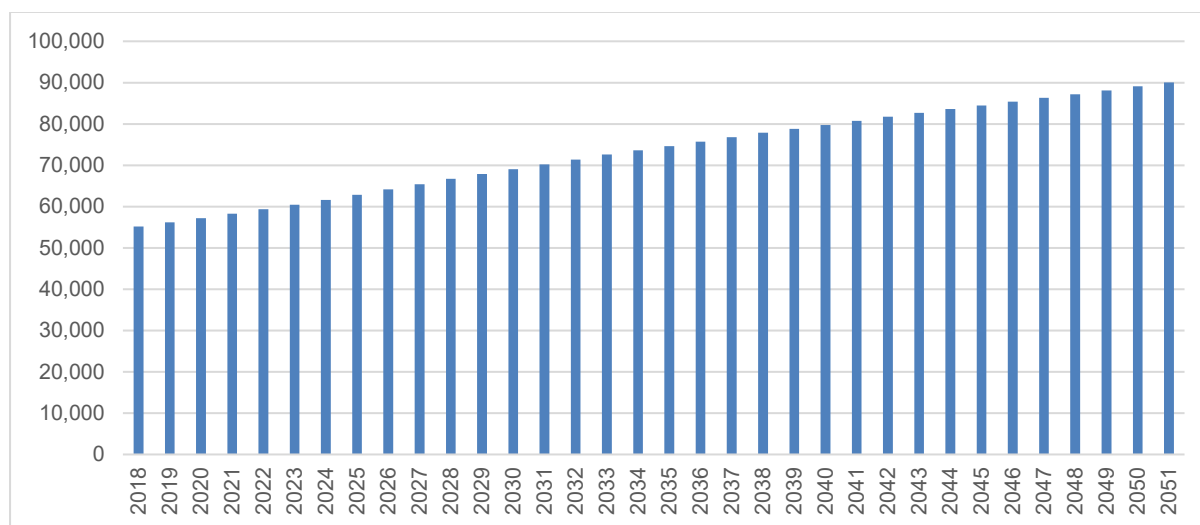
Providing for housing supply and providing for the intensification of urban environments are a key resource management issue for the District. The issue is broad and encompasses a range of matters. As such, this section discusses the provision of housing under the following topics:

- Sufficiency of housing supply;
- Character and amenity;
- Centres Zones and housing supply;
- Infrastructure; and
- Qualifying matters (which are discussed separately under section 6.1 of this report).

#### **Sufficiency of housing supply**

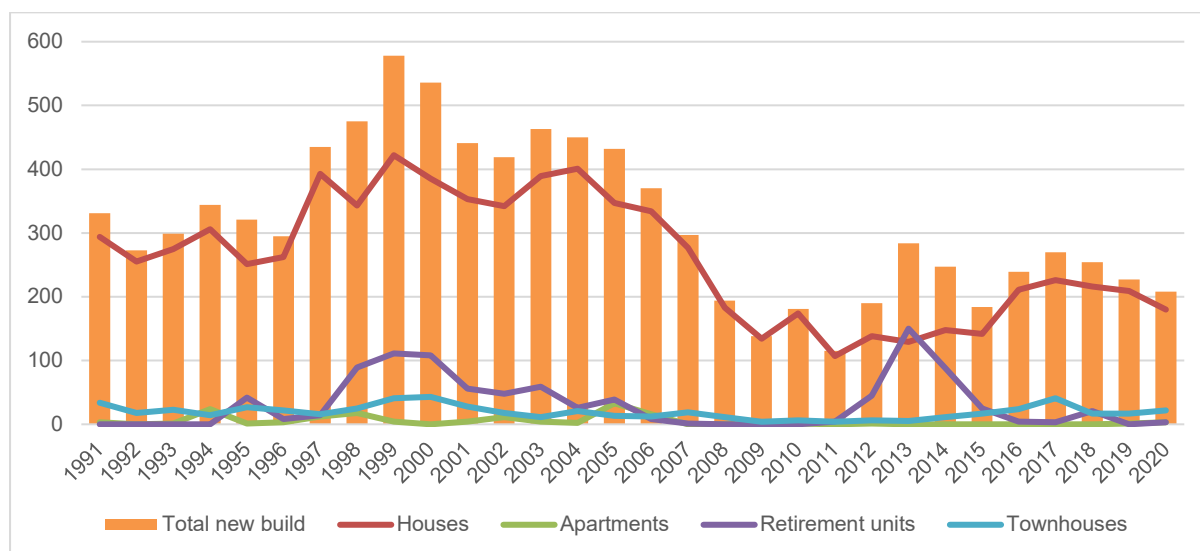
The population of the district is projected to grow by approximately 32,000 people by 2051 (see Figure 1). The Council's Housing and Business Development Capacity Assessment (HBA) has identified that this would create demand for 16,185 new dwellings over the same period. The HBA also identifies that approximately 43% of this demand will be for "joined" dwelling types (that is, terraced housing and apartments). However, under the current settings of the District Plan, only about 7,800 dwellings would be feasible or realisable. This means that there is insufficient housing development capacity to meet demand, with a shortfall of 8,367 dwellings over the long-term (to 2051).

Figure 1: projected population of the Kāpiti Coast District, median projection (source: Sense Partners (2021). Households and Dwelling Demand by SA2 – June 2021)



Historically, the construction of housing in the Kāpiti district has been focussed on the provision of stand-alone (detached) houses, by some margin. While there are peaks in the construction of retirement units (typically associated with the development of large retirement village projects), the proportion of attached housing typologies being built is low, and the construction of new apartments is marginal (see Figure 2). As a result, there is a relatively low degree of housing variety in the district, particularly with respect to higher-density dwelling typologies such as terraced housing and apartments. This also means that there are not many positive precedents for such development within the district.

Figure 2: building consents, new build housing by type, 1991 – 2020 (source: Greater Wellington Regional Council/Kāpiti Coast District Council (2022))



There are a range of factors that have contributed to a low variety of housing typologies and a focus on detached dwelling construction, including demand and feasibility. However, the below provisions of the District Plan have been identified as one of the factors that have contributed to this outcome:

- Existing height limits do not sufficiently provide for apartment development. The height limit for the majority of the General Residential Zone is 2 storeys, with heights of 3 storeys enabled

in Local and Town Centre Zones, and 4 storeys in some parts of the Metropolitan Centre Zone.

- There are existing provisions that seek to enable “medium-density housing”<sup>8</sup> within specified Medium Density Residential Precincts only. However, the restricted discretionary activity status of medium-density housing, in conjunction with prescriptive design standards embedded within the District Plan rules favours stand-alone and in-fill development over medium density development.
- Outside of the Medium Density Residential Precincts, medium-density housing is a non-complying activity.
- As a package, the policies and rules for development in the General Residential Zone, coupled with minimum allotment sizes for subdivision, promote “traditional low-density residential” development (see for example policy UFD-P4.5).

As a result, the provisions of the District Plan have the effect of encouraging the development of detached, stand-alone housing typologies at lower densities.

In summary:

- The District Plan does not enable a sufficient supply of housing to meet the demands of population growth over the long term;
- The District Plan does not enable a sufficient variety of dwelling typologies, in particular higher density typologies such as terraced housing or apartments, to meet the demands of population growth over the long term; and
- As a result, there are few existing precedents for higher density development (such as terraced housing or apartments) located within the District.

## Character and amenity

### *The General Residential Zone*

Within Kāpiti’s existing urban areas, the General Residential Zone is the primary zone where residential land use and development is intended to occur. Comprising approximately 2,670ha of land, the General Residential Zone covers a diverse range of locations and environmental settings, including Paekākāriki, Raumati, Paraparaumu, Waikanae, Waikanae Beach, Peka Peka, Te Horo Beach, and Ōtaki (including Waitohu and Ōtaki Beach). The District Plan acknowledges the underlying factors that influence the perception of character and amenity in these areas, including the coastal setting of some areas, underlying landforms, historic settlement patterns, natural features (such as rivers and estuaries) and mature vegetation<sup>9</sup>.

The perception of an area’s character and amenity values is influenced by the built form and development. The provisions of the District Plan generally seek a common outcome for the General Residential Zone in this regard, specifically that residential areas are characterised by low-density residential development of a variety of built forms<sup>10</sup>. As a result, the overall built character of the General Residential Zone is predominantly defined by one or two storey detached dwellings. This outcome is generally achieved through bulk and location controls that limit the height and density of development. In particular:

- Building heights are typically limited to two storeys;
- Building coverage is typically limited to 40% of the allotment;
- A 4.5m front yard setback provides for a setback of development from the street;

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<sup>8</sup> Defined in the District Plan as: *any housing type (detached, semi-detached, or terraced) falling within a gross average density range of 350m<sup>2</sup> – 250m<sup>2</sup> per unit with a minimum development area of 200m<sup>2</sup> and capable of containing an 8 metre diameter circle, involving four or more units. It does not include conventional ‘infill’ where a residential unit is placed on a single allotment with an existing residential unit*

<sup>9</sup> See the explanation to Objective DO-O11 in the District Objectives chapter of the District Plan.

<sup>10</sup> Refer Objective DO-O11 in the District Plan.

- Side and rear yards between 1.5m and 3m provide for separation between buildings and the boundary;
- A “height in relation to boundary” standard that limits development outside of an envelope that extends vertically 2.1m at the boundary, and then projects in at an angle of 45 degrees;
- An outdoor living space standard that requires a minimum provision of outdoor living space for each residential unit;
- A limit of 70% on impervious surfaces provides that at least 30% of the site is set aside for vegetation;
- Minimum allotment sizes for subdivision limit overall development density.

While these controls work together to contribute to the overall low-density built character sought for the Zone, these provisions also work together to provide for on-site residential amenity. Specifically:

- The bulk and location controls, in particular the building height and height in relation to boundary standards, generally work together to manage the effects of shading on surrounding sites<sup>11</sup>;
- Outdoor living space provisions ensure that on-site amenity is provided in the form of accessible, functional and private outdoor living space that is oriented so that it can achieve access to sunlight.

#### *Special character areas*

The General Residential Zone also includes a number of “special character areas”. These areas have been recognised as containing “distinct identity and valued character”<sup>12</sup>, and the District Plan includes policies and rules that seek to maintain the existing character of these areas. A key aspect of character common to each of these areas is that they are low density (refer policies GRZ-P4, P5 and P6 in the District Plan).

Together, these areas comprise approximately 390ha, or approximately 13% of the total area of the General Residential Zone. The areas include:

- The Beach Residential Precinct at Paekākāriki, Raumati, Waikanae and Ōtaki<sup>13</sup>;
- The Waikanae Garden Precinct<sup>14</sup>.

The initial identification of the key characteristics that contribute to the overall character of these areas is based on character assessments that were prepared in 2011 and 2017. These assessments have been reviewed and updated as part of the evidence base for this Plan Change<sup>15</sup>. While the assessments identify that the overall character of an area is determined by the combination of a range of characteristics, these assessments highlight a range of “primary character attributes” that contribute to the character of each area. The following table summarises the “primary character attributes” for each area:

Character area	Summary of primary character attributes
Beach Residential Precinct – Paekākāriki	<ul style="list-style-type: none"> <li>• Distinctive steep relict, and largely intact foredune landforms;</li> <li>• Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>• Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul>

<sup>11</sup> See option E-40.2.1 in: Boffa Miskell. (2021). *Kāpiti Coast Intensification Evaluation: Bulk and Location Analysis*.

<sup>12</sup> See policy GRZ-P3 in the District Plan.

<sup>13</sup> Refer *PREC3 Beach Residential Precinct* in the District Plan maps.

<sup>14</sup> Refer *PREC8 Waikanae Garden Precinct* in the District Plan maps.

<sup>15</sup> See Urban Perspectives in association with Boffa Miskell. (2022). *Character Assessments*. Refer Appendix G, Appendix H, Appendix I, Appendix J and Appendix K.

Character area	Summary of primary character attributes
Beach Residential Precinct – Raumati	<ul style="list-style-type: none"> <li>• Distinctive steep and largely intact landform;</li> <li>• Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>• Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul>
Beach Residential Precinct – Waikanae Beach	<ul style="list-style-type: none"> <li>• Existing topography incorporates prominent elevated dune landforms;</li> <li>• Distinctive and largely intact subdivision pattern associated with the historic development of the settlement;</li> <li>• Low-density/low-rise built character of stand-alone primarily single-storey buildings set within a compact layout with a generally regular block structure, consistent lot pattern and a good open space network.</li> </ul>
Beach Residential Precinct – Ōtaki	<ul style="list-style-type: none"> <li>• Relatively intact foredunes located within both the coastal and inland sub-precincts;</li> <li>• Relatively continuous tall vegetation pattern in the inland sub-precinct;</li> <li>• Direct relationship of the seafront sub-precinct to the beach;</li> <li>• Low-density built form.</li> </ul>
Waikanae Garden Precinct	<ul style="list-style-type: none"> <li>• Extensive and contiguous vegetation cover, especially that related to tall native and exotic trees.</li> </ul>

The special character areas are subject to a range of additional provisions that are more restrictive on development, and that seek to maintain the existing character within these areas. These provisions vary depending on the character area, but generally include:

- A more restrictive height standard;
- More restrictive yard setbacks;
- Reduced building coverage;
- Higher minimum allotment sizes;

Additionally, development within the Beach Residential Precincts is assessed against a Design Guide specific to the precinct.

While these provisions do not guarantee that the existing characteristics of the area will be individually maintained in the context of any individual development, the character assessments have identified that as a package, these provisions have generally achieved the objective of maintaining existing overall character in these areas.

#### *Low-density precincts*

The General Residential Zone also includes a range of low-density precincts. While these precincts are not identified as special character areas, they seek to provide for a range of characteristics specific to each area. These include maintaining low development density and reducing the visual effects of development at the urban edge. These areas are subject to higher minimum allotment size provisions.

#### *Summary – character and amenity in the General Residential Zone*

- The General Residential Zone covers a diverse range of locations and environmental settings at Paekākāriki, Raumati, Paraparaumu, Waikanae, Waikanae Beach, Peka Peka, Te Horo Beach, and Ōtaki (including Waitohu and Ōtaki Beach).
- The overall built character of the General Residential Zone is predominantly defined by low density development based around one or two storey detached dwellings.
- This character is reinforced by a range of District Plan provisions that seek a low-density built character outcome, while also seeking to provide for on-site residential amenity (such as access to light and private outdoor living space).
- The District Plan includes a range of special character areas recognised as containing “distinct identity and valued character”. The provisions of the District Plan seek to maintain existing character in these areas, primarily through reducing development density.

### Centres Zones and housing supply

The Kāpiti Coast District has developed as a series of urban areas around several centres that are distributed from south to north along the district. This pattern of development has been historically based on transport routes (the railway line in particular) as well as the establishment of beach settlements. The District’s Centres Zones play an important role in providing for commercial activities and community services to support the district’s urban areas and rural hinterland. They also help reinforce the individual identity of the surrounding urban areas within which they are located.

The Centres Zones are arranged in a logical hierarchy that relates to the function that each zone plays in providing commercial activities and community services to the surrounding urban area, or to the district more broadly. The hierarchy also signals the scale and nature of activity that is intended to occur within each of the Zones. The hierarchy is summarised in the following table.<sup>16</sup>

Centre Zone	Function	Location of Centre Zones
Metropolitan Centre Zone	The principle commercial, retail, cultural, civic and tourist centre for the District.	Paraparaumu
Town Centre Zone	Provides the urban focus for commercial activities and community services to meet the needs of the surrounding township community.	Ōtaki Main Street Ōtaki Railway Station Waikanae Paraparaumu Beach Raumati Beach
Local Centre Zone	Provides for commercial activities within a residential context, to primarily serve the local convenience, community and commercial needs of the surrounding residential community.	Waikanae Beach Kena Kena Mazengarb Meadows Raumati South Paekākāriki

While providing for commercial activities and community services, the Centres Zones are also intended to provide for the development of housing. The District Plan anticipates the development of higher density housing within the Centres Zones, and this can be seen as already occurring in places such as the Paraparaumu Beach and Raumati Beach town centres. However, residential activity is

<sup>16</sup> Refer Objective DO-O16 in the District Plan.

encouraged (through existing District Plan provisions) to occur above ground level. This approach recognises that the primary function of the Centres Zones is to provide for commercial activities and community services and also contributes to providing for street-level vibrancy within the Centres Zones, by providing for active uses at the ground floor.

The built character of the District's centres can generally be distinguished from the character of the surrounding environment through its increased density. This is typically expressed through taller building heights, larger building coverages, and reduced building setbacks (with buildings often being constructed to the street boundary). The denser built character and variety of activity that can occur within the centres zones helps to distinguish them from the surrounding residential environment and assists with reinforcing the individual identity of the surrounding urban areas.

The level of built form anticipated within each of the Centres Zones is also aligned with the centres hierarchy, in that the greatest level of development is anticipated within the Metropolitan Centre Zone, with lesser density anticipated in the Town and Local Centre Zones.

The Centres Zones are a key component of the District's "Working Zones". The Working Zones are intended as the focus for "business activities" in the District (these are broadly defined as retail activities, commercial activities and industrial activities). The most recent HBA that looked at the supply of land for business activities identified that there is sufficient business land located across the district to meet long-term demand<sup>17</sup>.

In summary:

- The District's Centres Zones are arranged in a logical hierarchy that is based on the function of each centre in relation to the surrounding urban environment. The Metropolitan Centre Zone serves the entire district, whereas the Town Centre Zone serves surrounding urban areas, and the Local Centre Zone serves the surrounding neighbourhood;
- While commercial activities and community services are the primary function of the Centres Zones, they also provide for higher density housing development, with mixed use ground floors where development fronts the street;
- The built character of the Centres Zones can be generally distinguished from the surrounding urban environment by its greater density, including through taller building heights, higher building coverage and reduced setbacks. The character is also distinguished through the variety of activities that occur within the Zone;
- The density of built form in each of the Centres Zones follows the Centres hierarchy;
- The most recent HBA that looked at the supply of land for business activities identified that there is sufficient business land located across the district to meet long-term demand.

## Infrastructure

The completion of the first HBA in 2019 identified that most of Council's infrastructure networks generally had sufficient capacity available or planned to meet current and future growth needs. Where there were known constraints, these were typically able to be managed or mitigated on a case-by-case basis or identified to be addressed through future infrastructure investment.

However, since the last assessment it has also become apparent that the district is growing much faster than previously projected, at twice the rate of growth identified in the 2019 assessment. The current assessment identifies that while infrastructure capacity continues to be generally available across most areas of the district in the short to medium term, the increase in growth presents challenges and opportunities for how longer-term growth is supported.

The Council's current HBA identifies the key infrastructure challenges related to the growth of the district<sup>18</sup>. A high-level assessment of constraints and opportunities associated with intensification has

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<sup>17</sup> Greater Wellington Regional Council. (2019). *Housing and Business Land Capacity Assessment 2017 – Kāpiti Coast District Council*.

<sup>18</sup> Kāpiti Coast District Council. (2022). *Housing and Business Development Capacity Assessment (HBA) 2021*.

also identified a range of infrastructure constraints associated with intensification of existing urban areas<sup>19</sup>.

The following sections summarise some of the key challenges related to infrastructure.

### *Water supply*

The HBA identifies that there is generally sufficient existing or planned capacity in the water supply network to meet the demands of short to medium term growth. The exception to this was the water network at Ōtaki, which is known to be close to capacity. The HBA notes that further work has been initiated to address this issue. Existing District Plan provisions require demand management measures (such as rainwater tanks) to be incorporated into new development, which assists with managing the pressure of development on the existing potable water supply network. In addition to this, the Council's LDMR document (which replaces the *Subdivision and Development Principles and Requirements 2012*)<sup>20</sup> specifies that development identifies and incorporates improvements required to the existing network as a result of the proposed works.

The HBA acknowledges that there is some uncertainty as to whether there is sufficient capacity in the water supply network to meet the long-term demands of growth, once the effects of the MDRS and policy 3 of the NPS-UD have been taken into account. This uncertainty and effects of intensification would be assessed as part of the next HBA, which will inform the development of the 2024 LTP.

The General Residential Zone at Te Horo Beach is not connected to a reticulated Council potable water supply (this is the only part of the General Residential Zone in the district that is not connected). This means that development at Te Horo Beach must provide for its own on-site water supply, in order to meet the requirements of the Council's LDMR, and clause G12 of the Building Code, which requires that all buildings have a safe and adequate water supply. The taking of water from ground water or surface water to achieve this requirement is subject to the rules of the Proposed Natural Resources Plan. As a result, in the absence of a reticulated potable water supply at Te Horo Beach, the degree of intensification that would be realised at Te Horo Beach is likely to be driven by the practical constraints associated with the supply of water to individual development to meet these requirements.

### *Wastewater*

The District is currently serviced by two wastewater networks, one that services the Waikanae/Paraparaumu urban areas (with a treatment plant at Ōtaihangā) and the other that services the Ōtaki urban area (with a treatment plan located between Ōtaki and the Ōtaki river).

The HBA identifies that there is generally sufficient existing or planned capacity in the wastewater networks to meet the demands of short- to medium-term growth. While both networks are subject to a range of constraints, many of these constraints can be addressed through an ongoing programme of upgrades to the network, including through upgrades to treatment plants, pump stations, storage facilities and power supplies. While accelerated growth may bring forward capacity tipping points, the network at Ōtaki is acknowledged as being more constrained presently, and as such more sensitive to accelerated growth. The HBA identifies a programme of network improvements intended to address growth pressures on the network. In addition to this, the Council's LDMR specifies that new development is compatible with the existing network and identifies and incorporates downstream improvements required as a result of the development.

The HBA acknowledges that there is some uncertainty as to whether there is sufficient capacity in the wastewater networks to meet the long-term demands of growth, once the effects of the MDRS and

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<sup>19</sup> Boffa Miskell. (2022). *Kāpiti Coast Urban Development Intensification Assessment*.

<sup>20</sup> Under rule INF-MENU-R27, all permitted activity development must be undertaken in accordance with this document.



policy 3 of the NPS-UD have been taken into account. This uncertainty and effects of intensification would be assessed as part of the next HBA, which will inform the development of the 2024 LTP.

Some parts of the General Residential Zone that are subject to the MDRS and policy 3 of the NPS-UD are not connected to reticulated Council wastewater networks. Specifically, these areas are Paekākāriki, Peka Peka and Te Horo Beach. Treatment and disposal of wastewater in these areas is typically undertaken on a site-by-site basis through on-site systems (such as septic tanks).

There are a range of existing rules and regulations that manage on-site wastewater treatment and disposal for new development. These include:

- The requirement under clause G13 of the Building Code that all buildings with sanitary fixtures are either connected to a Council wastewater network, or provide adequate on-site treatment and disposal of wastewater;
- The requirements for the provision of on-site wastewater treatment and disposal contained in the Council's LDMR;
- The requirements for the design and construction of on-site wastewater treatment and disposal facilities contained in the rules of the Proposed Natural Resources Plan.

As a result, until such time as these areas are connected to a Council wastewater network, the level of intensification that is feasible or realisable in these areas may be limited by the requirements associated with on-site treatment and disposal.

The Council has commissioned a report as part of understanding whether there are long-term options for providing reticulated infrastructure to these areas<sup>21</sup>. The report outlines that while there would be a range of risks and flow-on effects that would need to be resolved through the design, consenting and implementation of any system, there are options to providing for reticulated wastewater infrastructure to these areas that could be considered in future. Any of these options would involve significant time and cost resources, and as such are likely to be long-term solutions. In any case, decisions around the planning, funding and timing of infrastructure investment, and its desirability from a community perspective, are decisions that must be resolved through the LTP process.

### *Stormwater*

The HBA identifies that there is generally sufficient existing or planned capacity in the stormwater network to meet the demands of short to medium term growth. A significant planned programme of works has been incorporated into the LTP, the purpose of which is to upgrade the existing stormwater network so that it meets long-term demand. This includes investment to address existing flooding issues, ameliorate down-stream constraints in the network, renewing of existing assets, maintenance of open streams and drains, updating the Council's stormwater management strategy and rebuilding Council's flood hazard models.

In addition to this, the Council's LDMR, and the subdivision provisions within the District Plan, specify that all new development achieves hydraulic neutrality. This approach is intended to mitigate the effects of new development on existing stormwater networks. However, hydraulic neutrality requirements may have an impact on the feasibility and realisability of some development.

### *Transport*

The wider transport network includes roads (both state highways and local roads), public transport, and the walking/cycling/bridleway network. The HBA identifies that the completion of major roading projects will have the effect of increasing overall accessibility to the district, but that within the district, there are local congestion issues, particularly with east-west movement at Paraparaumu and Waikanae. These are in part being addressed through planned local roading projects. In terms of individual development, the District Plan contains a range of provisions that seek to manage the

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<sup>21</sup> Aecom. (2022). *Paekākāriki, Peka Peka and Te Horo Wastewater Servicing Assessment*.

effects of development on the transport network, and development must meet the requirements for transport networks outlined in the Council's LDMR.

In addition to this, the Council's Sustainable Transport Strategy anticipates that improvements in the integration of development with the transport network will improve overall accessibility and reduce pressure on transport networks.

The HBA also identifies that while the capacity of the public transport network in Kāpiti is not necessarily an issue, the frequency and reach of services is an issue that is leading to ongoing reliance on private vehicle usage. A key issue for the public transport network is that commuter rail does not extend to Ōtaki. Improving the frequency, reach and accessibility of public transport services is a responsibility of the Regional Council through the Regional Land Transport Plan and the Regional Public Transport Plan.

### *Open space*

The HBA identifies that there is generally sufficient existing or planned open space to meet the demands of long-term growth. This is largely because the district is currently well supplied with a variety of well-distributed open spaces. In addition to this, new development is required to provide a financial or development contribution towards new or improved open spaces to meet the demands of growth<sup>22</sup>.

### *Summary - infrastructure*

- The HBA identifies that there is generally sufficient existing or planned infrastructure capacity in the three-waters network to meet the demands of short to medium term growth across the district;
- While the HBA identifies that there is generally sufficient existing or planned infrastructure capacity in the water and wastewater networks in the long-term, it is uncertain whether this would be the case once the effects of the additional development capacity enabled by the MDRS and policy 3 of the NPS-UD are taken into account. This would be assessed as part of the next HBA, which will inform the development of the 2024 LTP;
- The General Residential Zone at Te Horo Beach is not connected to a reticulated potable water supply. As a result, new development in the area is required to provide its own water supply. Until such time as the area is connected to a potable water supply, the constraints associated with this may limit the feasibility and realisability of new development in this area;
- The General Residential Zone at Paekākāriki, Peka Peka and Te Horo Beach is not connected to a reticulated wastewater network. As a result, development in these areas is required to treat and dispose of wastewater on site. Until such time as the area is connected to a reticulated wastewater network, the constraints associated with this may limit the feasibility and realisability of new development in these areas;
- A programme of upgrades to the stormwater network, combined with hydraulic neutrality requirements for new development, provides for long-term capacity across the stormwater network. Hydraulic neutrality requirements for new development may impact the feasibility and realisability of new development;
- While there are existing constraints in the local roading network, these are in part addressed through planned local roading improvements, integration of land use and transport, and

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<sup>22</sup> As noted in the LTP, while reserve contributions are currently provided for as financial contributions under the District Plan, the Council plans to transfer reserve contributions into its Development Contributions Policy.

existing District Plan provisions that require development to manage its effects on the transport network;

- The frequency and reach of the public transport network are identified as issues for growth in the district. In particular, the lack of a commuter rail service to Ōtaki is a key issue. Addressing the frequency and reach of public transport services is the responsibility of the Regional Council;
- There is generally sufficient open space to meet long term demand, based on the requirement that new development contributes to the provision of open space through financial or development contributions.

### Qualifying Matters

The “qualifying matter” concept recognises that there may be circumstances where it is not appropriate to provide for the requirements of the MDRS or the heights and densities required by policy 3 of the NPS-UD. Because of this, the relationship between development and “qualifying matters” is a key resource management issue for the district.

Section 6.1 of this report provides detail on the range of existing and new qualifying matters that have been considered as part of the development of PC2, and includes the statutory information required where a qualifying matter applies.

#### 3.1.2 Issue 2: providing for papakāinga

Tangata whenua have expressed aspirations to develop papakāinga within the District. These aspirations include that:

- more iwi members can live and work closer to or within their ancestral homes and land, and participate in iwi, hapū and marae life;
- the District Plan provides for papakāinga broadly across the district, including in both urban and rural zones;
- papakāinga development is not limited to land held under Te Ture Whenua Māori Act 1993.

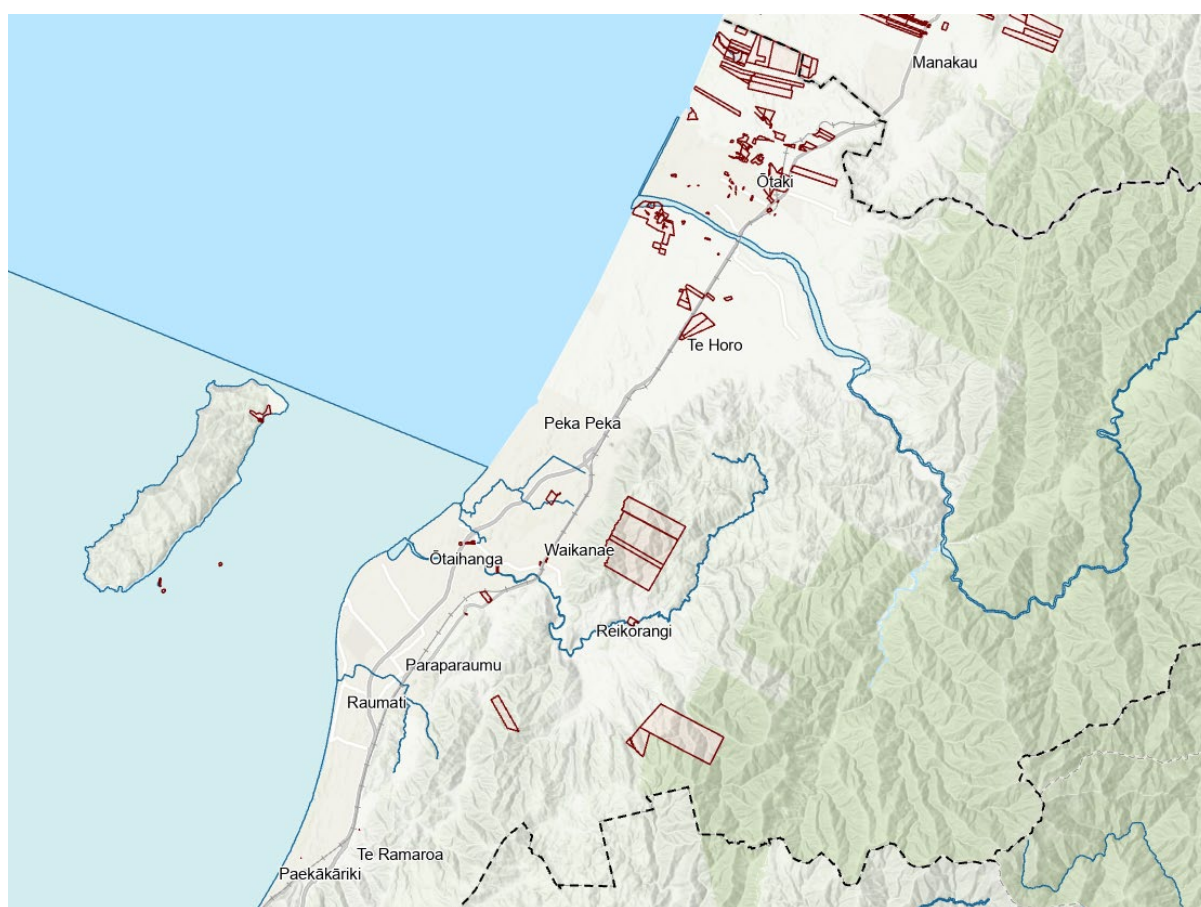
The Kāpiti Coast district is comprised of the ancestral land of tangata whenua<sup>23</sup>, who are represented by Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai and Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga). Ancestral land is land that belonged to tupuna<sup>24</sup>. Some of this land is held as Māori freehold land under Te Ture Whenua Māori Act 1993 (see Figure 3). However, the remainder of ancestral land is held under general land title. The relationship between tangata whenua and their ancestral land is a matter of national importance under s6(e) of the Resource Management Act.

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<sup>23</sup> *Tangata whenua* is defined in s2 of the RMA, and means: *in relation to a particular area, means the iwi or hapū that holds mana whenua over that area.*

<sup>24</sup> The term *ancestral land* has a broad definition, and simply means land, regardless of its current ownership, that has been owned by ancestors. See section 14.4: Nolan, D (ed). (2018). *Environmental and Resource Management Law*.

Figure 3: Māori freehold land in the Kāpiti Coast District (source: Land Information New Zealand)



The provision of housing for tangata whenua is also a key issue for the district. The HBA identifies that there has been a continued increase in the number of Māori households within the district, and that this could be attributed to Māori returning to live with their whānau. The make-up of Māori households in the district is distinct from non-Māori households, with Māori households more likely to be living in family or group arrangements (see Figure 4). In addition to this Māori households are more likely to be renting, and less likely to own their own homes, compared to non-Māori households (see Figure 5). The HBA acknowledges the issue of housing affordability for Māori: “with recent price increases affecting both the ability to buy and rent, it is clear from tenure differences that Māori households are more susceptible to housing affordability issues across the district”.

Figure 4: comparison of household composition (source: Greater Wellington Regional Council/Kāpiti Coast District Council (2022))

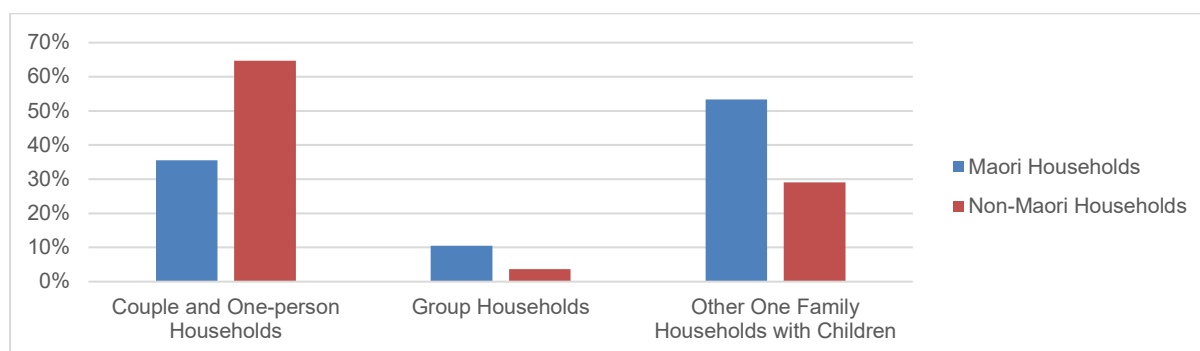
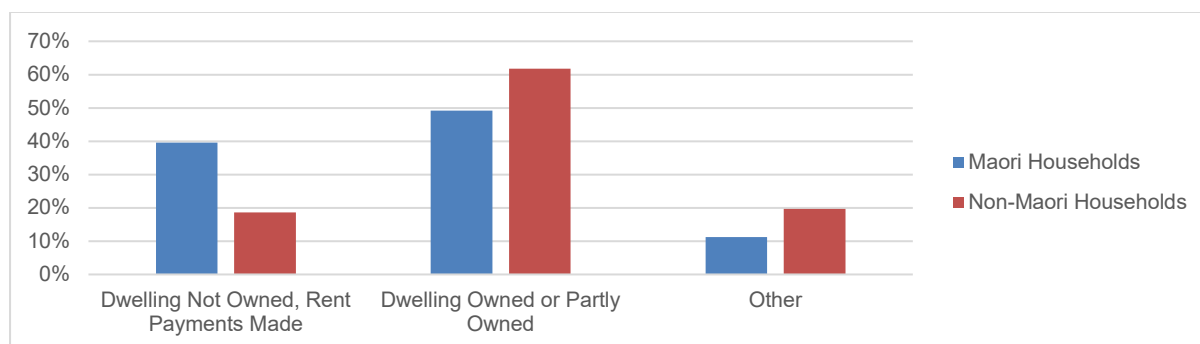


Figure 5: comparison of household tenure (source: Greater Wellington Regional Council/Kāpiti Coast District Council (2022))



The issue of the relationship between tangata whenua and their ancestral land, and the issue of housing for tangata whenua are in fact interrelated issues. This is because traditionally, ancestral land was the resource base upon which the hapū lived and was nurtured. In this context, papakāinga are recognised as a method for re-establishing the connection between tangata whenua and their ancestral land.

Papakāinga have been identified by the District’s iwi as a taonga that empower and enable tangata whenua to live on their ancestral land and maintain and enhance their traditional and cultural relationship with that land, in accordance with tikanga Māori. They provide for “Māori to live as Māori” and enable whānau to live together and participate in marae, iwi and hapū life.

Papakāinga are different to housing ordinarily promoted through the District Plan (and promoted by the MDRS), which places a focus on the development of “residential units” (although papakāinga do contain residential units). Papakāinga developments provide for housing, but may also include associated activities such as social, cultural, educational, recreational and commercial activities ancillary to the housing that support the papakāinga. These activities could include, for example, communal indoor and outdoor living spaces, cultivation of the land, kōhanga reo, and small business activity. This reflects that papakāinga seek to sustain the social, cultural and economic wellbeing of tangata whenua, while enabling a sustained occupation of the ancestral land on which the papakāinga is located.

Within the District Plan, papakāinga housing is currently enabled on Māori freehold land in Rural Zones (and in the Town Centre Zone at Whakarongotai Marae). However, iwi have identified that these provisions are limiting and do not sufficiently provide for their understanding of what papakāinga are to them and their aspirations to develop papakāinga.

There are a range of barriers that tangata whenua face to the development of papakāinga. These include:

- **Land ownership.** Many barriers to the development of papakāinga can be linked to the process of land alienation. This process occurred alongside the introduction by the Crown of a system of land tenure that individualised title to land in a manner that did not provide for the communal approach that underpinned Māori institutions, including Māori decision-making around the traditional use and development of land<sup>25</sup>. Over time, this has contributed to the fragmentation and loss of land owned by tangata whenua, to the point where the land currently held under Te Ture Whenua Māori Act 1993 represents a fraction of the ancestral land. This means that providing for papakāinga only on land held under Te Ture Whenua Māori Act 1993 does not sufficiently provide for the relationship between tangata whenua and their ancestral land.
- **Design constraints.** Rules and standards for residential development embedded within the District Plan (and the MDRS) do not adequately provide for the development of papakāinga, because they contain a range of design or density constraints that focus on the provision of

<sup>25</sup> The Waitangi Tribunal report on the Kārewarewa Urupā contains a useful background discussion on the process of land alienation. See Waitangi Tribunal. (2020). *The Kārewarewa Urupā Report*. Section 2.4.

individual housing units to single households. These rules and standards do not necessarily recognise the interconnected nature of housing within a papakāinga, and the range of activities that may need to be enabled to support the sustenance of a papakāinga. These constraints also present a barrier to tangata whenua exercising their rangatiratanga through the design and development of papakāinga.

- **Administrative barriers.** Because papakāinga are not sufficiently provided for in the District Plan, there is an increased likelihood that tangata whenua would face complex and costly resource consent processes in order to develop a papakāinga.

In summary, there is an insufficient supply of housing for Māori, Māori are more likely to live in less secure tenure conditions, and the type of housing promoted by the MDRS may not suitably provide for the needs of Māori households. Providing for the relationship between tangata whenua and their ancestral land is a matter of national importance under s6(e) of the RMA, and papakāinga are a type of development that can assist with addressing this, by enabling tangata whenua to develop and live on and be sustained by their ancestral land. On this basis, providing for papakāinga development in the District Plan would assist with addressing the interrelated issues of providing housing for tangata whenua, while providing for the relationship between tangata whenua and their ancestral land.

### 3.1.3 Issue 3: financial contributions

The District Plan provides for financial contributions to be taken for:

- reserves; and
- infrastructure that is not otherwise covered by the Development Contributions Policy (DCP).

Separately, the Council has a DCP that provides for development contributions to be taken for:

- roading;
- stormwater;
- water;
- wastewater; and
- community facilities.

Presently, new development is typically required to provide both financial contributions (for reserves) and development contributions (for other elements of infrastructure). This creates a system where developers are subject to two separate contribution payments, with two separate administrative processes. This has been identified by the Council as inefficient. As such, the Council plans to transfer reserves contributions to the DCP in the future to streamline the contributions for new development under the DCP. At this time, the provisions for taking reserves contributions as financial contributions under the District Plan will become redundant.

There may also be circumstances where a particular activity is not covered by the Council's DCP, in which case it may be appropriate for the Council to require a financial contribution. Existing District Plan policy FC-P2 provides for this, however there is no equivalent policy to provide for offsetting or compensation for adverse effects through financial contributions (as provided for by s108(10)(a) of the RMA). In addition to this, there are no rules in the District Plan that guide how financial contributions would be imposed in these circumstances.

In summary:

- while there is a policy that enables the Council to require financial contributions for the provision of infrastructure, there are no rules or standards that guide how financial contributions are determined under this policy;
- under s108 of the RMA, financial contributions can be imposed for the purpose of ensuring positive effects on the environment to offset any adverse effect, however there are no

policies, rules or standards within the chapter that specifically provide for this, or guide how financial contributions would be determined for this purpose;

- the provisions do not signal the Council's intent to transfer reserves contributions to the DCP.

### 3.2 Research and Analysis

The Council has reviewed the District Plan, referred to technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with preparing PC2. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Author	Brief synopsis
Housing and Business Development Capacity Assessment (HBA) 2021 (refer <a href="#">link<sup>26</sup></a> )	Greater Wellington Regional Council/Kāpiti Coast District Council (2022)	<p>The Housing and Business Development Capacity Assessment (HBA) 2021 is an update on the housing development capacity component of the 2017 HBA.</p> <p>The HBA identifies:</p> <ul style="list-style-type: none"> <li>• There is a demand for 16,185 new dwellings to meet the District's forecast population growth over the long-term;</li> <li>• There is sufficient development capacity to meet forecast demand for housing over the short and medium term ((2021 – 2024) – (2024 – 2031)), but insufficient capacity to meet demand across the full long-term period (2031 – 2051);</li> <li>• Over the long-term, there is a shortfall in plan-enabled, feasible and realisable development capacity of 8,367 dwellings;</li> <li>• The District Plan does not sufficiently enable a range of dwelling typologies to meet demand. Approximately 43% of the demand for new dwellings is for “joined” typologies (terraced housing and apartments). Approximately 5,900 of the total shortfall in residential development capacity is related to joined typologies.</li> <li>• While there is generally sufficient existing or planned infrastructure capacity to meet demand, this conclusion may need to be reviewed in the light of the level of development enabled by the MDRS, as it may be more difficult to identify where demand for infrastructure will be located.</li> </ul>
Housing and Business Land Capacity Assessment 2017 – Kāpiti Coast District Council (refer <a href="#">link<sup>27</sup></a> )	Greater Wellington Regional Council/Kāpiti Coast District Council (2019)	Housing and Business Land Capacity Assessment 2017 – Kāpiti Coast District Council represents the Kāpiti Coast District component of the regional HBA prepared by the Greater Wellington Regional Council under the previous National Policy Statement on Urban Development Capacity.

<sup>26</sup> [https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices\\_web.pdf](https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices_web.pdf)

<sup>27</sup> <https://www.kapiticoast.govt.nz/media/335jpnus/wellington-regional-hba-chpt-5-kapiti-coast-district-council.pdf>



Title	Author	Brief synopsis
		<p>The housing development capacity component of this HBA has been superseded by the Kāpiti Coast Housing and Business Development Capacity Assessment (HBA) 2021, however the business development capacity component is still relevant.</p> <p>The 2017 HBA identifies that there is sufficient business land development capacity within the district to meet anticipated demand.</p>
<p>Functional urban areas – methodology and classification</p> <p>(see <a href="#">link<sup>28</sup></a>)</p>	<p>Statistics New Zealand (2021)</p>	<p>This report outlines the classification of “Functional urban areas” by Statistics New Zealand. The classification is used to identify small urban and rural areas that are integrated with major, large and medium urban areas to create a functional urban area, based on the linkages between where people live and where they work, shop, access health care and recreate.</p> <p>The functional urban area classification has been used as a proxy for determining the housing and labour markets relevant to the Kāpiti Coast District, and their populations. This provides a basis for interpreting the definition of <i>urban environment</i> as it relates to PC2.</p>
<p>Spatial Application of NPS-UD Intensification Policies</p> <p>(see Appendix E)</p>	<p>Boffa Miskell (2022)</p>	<p>The purpose of this document is to outline the spatial application of the NPS-UD intensification policies within the Kāpiti Coast District.</p> <p>To achieve this purpose, this document outlines the following:</p> <ul style="list-style-type: none"> <li>• Interpretation of policy 3 of the NPS-UD as it applies to the Kāpiti Coast District;</li> <li>• A description of the methodology outlining how the spatial extent of the application of these policies has been determined, following a 3-step process;</li> <li>• A series of maps that cover the urban areas of the district from north to south, showing how each step of the methodology has been applied to identify the areas within which intensification is to be enabled under policies 3(c) and 3(d).</li> </ul>
<p>Understanding Medium Density Development in Kāpiti</p> <p>(see <a href="#">link<sup>29</sup></a>)</p>	<p>The Property Group (2021)</p>	<p>This report was prepared in response to the 2017 HBA, in order to gain an understanding of the factors in the Kāpiti Coast context that might influence a preference for greenfield development over medium density development. The report was prepared</p>

<sup>28</sup> <https://www.stats.govt.nz/assets/Methods/Functional-urban-areas-methodology-and-classification.pdf>

<sup>29</sup> <https://www.kapiticoast.govt.nz/media/bzen300x/understanding-medium-density-development-in-kapiti.pdf>



Title	Author	Brief synopsis
		<p>based on a review of existing Council document, and engagement with the property development sector.</p> <p>The report identified that there are a range of factors that influence the choices that developers make, including commercial feasibility, the planning framework, planning (and consenting) risks, and development contributions. The report also identified that there is not much precedent for medium density development in the district, which in itself can influence development choice.</p> <p>The report reviewed the existing provisions contained within the District Plan and found that the provisions intended to provide for medium-density development were restrictive and created uncertainty for developers. As a result, medium-density development was effectively discouraged and instead in-fill development was implicitly preferred by the existing District Plan provisions.</p> <p>Amongst a range of recommendations, the report recommends that the District Plan provisions are reviewed to promote greater certainty for applicants in terms of activity status, notification and information requirements.</p>
<p>Kāpiti Coast Intensification Evaluation: Bulk and location analysis (see Appendix F)</p>	<p>Boffa Miskell (2021)</p>	<p>This report provides a description and assessment of the effects associated with a range of development bulk and location standards on a typical residential allotment within the Kāpiti district.</p> <p>The assessment tests a range of theoretical building envelopes that test a combination of site coverage, set-back, building height and height in relation to boundary standards. These envelopes were tested as a single development, and as a “comprehensive development” involving a series of connected sites, as well in north-south and east-west orientations. The cumulative effects of shading at the mid-winter solstice was used as a benchmark for understanding the shading effects of the bulk and location standards. The models set a minimum cumulative 3 hours of sunlight in a 24 hour period as a proxy for reasonable access to sunlight.</p> <p>Key variables that were tested include:</p> <ul style="list-style-type: none"> <li>• A range of building heights, ranging from 2 storeys, through to 12 storeys;</li> <li>• A range of building coverages, ranging from 40% through to 60%;</li> <li>• A range of height in relation to boundary standards, including 2.1m + 45°, 6m + 60°, 8m + 60°, and no standard.</li> </ul>

Title	Author	Brief synopsis
		<p>The assessment was prepared in order to understand the effects associated with more enabling bulk and location standards that may have been required in order to give effect to policy 3 of the NPS-UD. The assessment was prepared prior to the finalisation of the MDRS, and while it does not test the MDRS, it is useful for understanding the effects of bulk and location standards that are more enabling than the MDRS. Scenario 3-50.6 can be taken as a close approximation of the MDRS (the main difference being that it uses a 6m height at the boundary for its recession plane, as opposed to a 4m height under the MDRS).</p> <p>Observations that can be drawn from the assessment include:</p> <ul style="list-style-type: none"> <li>Existing bulk and location controls in the District Plan generally work together to manage the cumulative effects of shading on surrounding sites. Where development is located at the north of a north-south oriented site, the cumulative effects of shading can be generally contained on site, however where the development is in an east-west orientation, or close to the southern boundary, the cumulative effects of shading extend over sites to the south.</li> <li>Taller 4 and 6 storey theoretical envelopes are likely to lead to cumulative shading effects resulting in less than 3 hours of mid-winter sunlight on surrounding sites, in both a north-south and east-west orientation;</li> <li>The key factor that determines shading is building height;</li> <li>The main impact that recession planes have on shading is through the building height that they permit. This is primarily influenced by the steepness of the recession plane.</li> <li>Under the range of recession plane scenarios tested, those with a 60° recession plane led to 6-storey theoretical envelope on a typical 18m wide site;</li> <li>The height of the start point of the recession plane at the boundary has a negligible effect on cumulative shading, but would have an effect on the height of building form permitted close to the boundary;</li> <li>Differences in site coverage have a marginal impact on cumulative shading effects on surrounding sites;</li> <li>Development that occupies the fullest extent of the theoretical envelope may struggle with</li> </ul>

Title	Author	Brief synopsis
		<p>aspects of on-site amenity, particular solar access to habitable spaces and outdoor living space.</p>
<p>Beach Residential Precincts – Paekākāriki: Character Assessment Update (see Appendix G)</p>	<p>Urban Perspectives in association with Boffa Miskell (2022)</p>	<p>The purpose of this assessment is to identify:</p> <ul style="list-style-type: none"> <li>the primary character attributes of the Paekākāriki Beach Residential Precinct that would be most sensitive to change/potential intensification; and</li> <li>the potential impact (degree and nature of potential change) of the proposed increased density provisions on each character attribute and the collective character of the precinct as a whole.</li> </ul> <p>The assessment is an update of an existing assessment for the area undertaken in 2011.</p> <p>The assessment finds the primary attributes that contribute to defining the character of the precinct are:</p> <ul style="list-style-type: none"> <li>Distinctive steep relict, and largely intact foredune landforms;</li> <li>Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul> <p>The primary attributes are enabled and supported by a range of other attributes that are primarily related to low-density development and informal street character.</p> <p>The assessment finds that the draft provisions enable development that would be distinctly different from existing predominant development patterns. This suggests that the Precinct's primary character could potentially be significantly affected/changed under the level of development enabled by the draft provisions.</p>
<p>Beach Residential Precincts – Raumati: Character Assessment Update (see Appendix H)</p>	<p>Urban Perspectives in association with Boffa Miskell (2022)</p>	<p>The purpose of this assessment is to identify:</p> <ul style="list-style-type: none"> <li>the primary character attributes of the Raumati Beach Residential Precinct that would be most sensitive to change/potential intensification; and</li> <li>the potential impact (degree and nature of potential change) of the proposed increased density provisions on each character</li> </ul>

Title	Author	Brief synopsis
		<p>attribute and the collective character of the precinct as a whole.</p> <p>The assessment is an update of an existing assessment for the area undertaken in 2011.</p> <p>The Raumati Beach Residential Precinct is comprised of two sub-precincts located to the north and south of Raumati Beach Town Centre.</p> <p>The assessment finds the primary attributes that contribute to defining the character of the precinct are:</p> <ul style="list-style-type: none"> <li>• Distinctive steep and largely intact landform;</li> <li>• Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>• Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul> <p>The primary attributes are enabled and supported by a range of other attributes that are primarily related to low-density development and informal street character.</p> <p>The assessment finds that the draft provisions enable development that would be distinctly different from existing predominant development patterns. This suggests that the Precinct's primary character attributes could potentially be significantly affected/alterd under the level of development enabled by the draft provisions.</p>
<p>Beach Residential Precincts – Waikanae Beach: Character Assessment Update (see Appendix I)</p>	<p>Urban Perspectives in association with Boffa Miskell (2022)</p>	<p>The purpose of this assessment is to identify:</p> <ul style="list-style-type: none"> <li>• the primary character attributes of the Waikanae Beach Residential Precinct that would be most sensitive to change/potential intensification; and</li> <li>• the potential impact (degree and nature of potential change) of the proposed increased density provisions on each character attribute and the collective character of the precinct as a whole.</li> </ul> <p>The assessment is an update of an existing assessment for the area undertaken in 2017.</p> <p>The assessment finds that the primary attributes that contribute to defining the character of the precinct are:</p> <ul style="list-style-type: none"> <li>• Existing topography incorporates prominent elevated dune landforms;</li> </ul>

Title	Author	Brief synopsis
		<ul style="list-style-type: none"> <li>• Distinctive and largely intact subdivision pattern associated with the historic development of the settlement;</li> <li>• Low-density/low-rise built character of stand-alone primarily single-storey buildings set within a compact layout with a generally regular block structure, consistent lot pattern and a good open space network.</li> </ul> <p>The primary attributes are enabled and supported by a range of other attributes that are primarily related to low-density development, informal street character and the presence of cross-block reserves.</p> <p>The assessment finds that the draft provisions enable development that would be distinctly different from existing predominant development patterns. This suggests that the Precinct's primary character attributes could potentially be significantly affected/alterd under the level of development enabled by the draft provisions.</p>
Beach Residential Precincts – Ōtaki: Character Assessment Update (see Appendix J)	Urban Perspectives in association with Boffa Miskell (2022)	<p>The purpose of this assessment is to identify:</p> <ul style="list-style-type: none"> <li>• the primary character attributes of the Ōtaki Beach Residential Precinct that would be most sensitive to change/potential intensification; and</li> <li>• the potential impact (degree and nature of potential change) of the proposed increased density provisions on each character attribute and the collective character of the precinct as a whole.</li> </ul> <p>The assessment is an update of an existing assessment for the area undertaken in 2011.</p> <p>The assessment finds the primary attributes that contribute to defining the character of the sub-precincts are:</p> <ul style="list-style-type: none"> <li>• Relatively intact foredunes located within both the coastal and inland sub-precincts;</li> <li>• Relatively continuous tall vegetation pattern in the inland sub-precinct;</li> <li>• Direct relationship of the seafront sub-precinct to the beach;</li> <li>• Low-density built form.</li> </ul> <p>The primary attributes are enabled and supported by a range of other attributes that are primarily related to low-density development and informal street character.</p>

Title	Author	Brief synopsis
		<p>The assessment finds that the draft provisions enable development that would be distinctly different from existing predominant development patterns, and this suggests that the Precinct's primary character attributes could potentially be considerably affected/alterd under the level of development enabled by the draft provisions.</p>
<p>Waikanae Garden Precinct: Character Assessment (see Appendix K)</p>	<p>Urban Perspectives in association with Boffa Miskell (2022)</p>	<p>The purpose of this assessment is to identify:</p> <ul style="list-style-type: none"> <li>the primary character attributes of the Waikanae Garden Precinct that would be most sensitive to change/potential intensification; and</li> <li>the potential impact (degree and nature of potential change) of the proposed increased density provisions on each character attribute and the collective character of the precinct as a whole.</li> </ul> <p>The assessment finds the primary attribute that contributes to defining the character of the precinct is the extensive and contiguous vegetation cover, especially related to tall native and exotic trees. This primary attribute is enabled and supported by a range of other attributes that are primarily related to low-density development.</p> <p>The assessment notes that the area could be sensitive to development where development results in a loss of vegetation.</p> <p>The assessment finds that the draft provisions enable development that would be distinctly different from existing predominant development patterns, and this suggests that the Precinct's primary character attribute could potentially be significantly affected/alterd under the level of development enabled by the draft provisions.</p>
<p>Kāpiti Coast Urban Development Intensification Assessment (see Appendix L)</p>	<p>Boffa Miskell (2022)</p>	<p>The purpose of this report is to provide a qualitative and quantitative assessment of the constraints and opportunities associated with the intensification of the existing urban environment. The focus of the report is on areas within and around existing Centres Zones and rapid transit stops. The report also provides an initial scoping of potential qualifying matters. The report was prepared to provide an information base to inform the initial scoping and development of PC2.</p> <p>Note the following limitations of this report.</p> <ul style="list-style-type: none"> <li>The estimates of additional theoretical dwelling capacity contained in this report were developed prior to the Council</li> </ul>

Title	Author	Brief synopsis
		<p>developing an Intensification Scenario Model, and therefore should be viewed as an indicative study only. Refer to discussion on the Intensification Scenario Model outlined after this table for more information.</p> <ul style="list-style-type: none"> <li>• The methodology and underlying assumptions that inform the estimate of additional theoretical dwelling capacity contained in this report are different to those used to develop the Intensification Scenario Model. The two estimates cannot be compared on a 'like-for-like basis'.</li> <li>• For a more up-to-date assessment of the level of development provided for within the Residential Intensification Precincts, refer also to the report prepared by <i>Property Economics (2022), Assessment of Kāpiti Coast Residential Intensification Area Feasibilities</i>. The report by Property Economics is based on the estimate of plan-enabled theoretical development capacity derived from the Intensification Scenario Model, and not the estimates outlined in this report.</li> <li>• The "Urban Intensification Study Areas" identified in the report are based on early identification of potential walkable catchments. While there is a reasonable correlation, they do not represent the final calculation of walkable catchments or final identification of Residential Intensification Precincts proposed by PC2. For the calculation of walkable catchments and identification of Residential Intensification Precincts, refer to the study <i>Boffa Miskell (2022), Spatial Application of NPS-UD Intensification Policies</i>.</li> <li>• The assessment contained in this report was prepared prior to the publication of <i>Jacobs (2022), Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results</i>. As such, this assessment does not identify the spatial extent of coastal erosion hazard as a potential qualifying matter, but it does acknowledge that such a matter would be a relevant consideration as a potential qualifying matter.</li> </ul>

Title	Author	Brief synopsis
<p>Assessment of Kāpiti Coast Residential Intensification Area Feasibilities</p> <p>(see Appendix M)</p>	<p>Property Economics (2022)</p>	<p>This report provides a high-level assessment of the feasibility of residential development within the proposed Residential Intensification Precincts (the areas around centres and rapid transit stops that give effect to policy 3 of the NPS-UD).</p> <p>Residential Intensification Precincts enable multi-storey apartment development. Key findings of the assessment include that:</p> <ul style="list-style-type: none"> <li>• The combination of greater height allowances and rising house prices (since the 2021 HBA report) have made apartments a more realistic development option in the Kāpiti Coast housing market overall.</li> <li>• While the Precincts provide for a significant amount of plan-enabled residential development capacity, only a small proportion of this (5%) is expected to be realisable.</li> <li>• Apartment development is most likely to be realisable in the beachfront settlement areas near the coast, specifically Paraparaumu Beach, Raumati Beach and Paekākāriki.</li> </ul> <p>Apartment development is least likely to be realisable at Ōtaki and in the eastern half of Waikanae. These areas are not likely to deliver development beyond the MDRS.</p>
<p>Kāpiti Coast Urban Development Greenfield Assessment</p> <p>(see Appendix N)</p>	<p>Boffa Miskell (2022)</p>	<p>This report was prepared in 2021 to provide a qualitative and quantitative assessment of the potential residential development capacity associated with a series of potential greenfield growth areas identified throughout the district. The report outlines the constraints and opportunities associated with the development of each study area, outlined against a range of criteria. Based on this assessment, the report categorises each area into a priority group.</p> <p>The report also includes an estimate of the theoretical dwelling capacity of each area, based on a methodology and set of assumptions that are outlined in the report.</p> <p>This report has been used to inform the consideration of areas proposed to be rezoned as General Residential Zone as part of PC2.</p>
<p>Waikanae Future Urban Zone High-level Issues Analysis</p>	<p>Boffa Miskell (2022)</p>	<p>This document provides a high-level assessment of the constraints and opportunities for development within the Future Urban Zone to the north of</p>



Title	Author	Brief synopsis
(see Appendix O)		<p>Waikanae. The assessment also includes a high-level theoretical dwelling estimate for each area.</p> <p>This assessment has been used to inform the proposed rezoning of parts of the Future Urban Zone as General Residential Zone, as part of PC2.</p>
<p>Kāpiti Coast District Council – Intensification Plan Change Infrastructure Input – Stormwater (Memo)</p> <p>(see Appendix P)</p>	Awa Environmental (2022)	This memo provides supplementary information on potential flood hazards within areas proposed to be rezoned as General Residential Zone, as part of PC2.
<p>Paekākāriki, Peka Peka and Te Horo Wastewater Servicing Assessment</p> <p>(see Appendix Q)</p>	Aecom (2022)	<p>The General Residential Zones at Paekākāriki, Peka Peka and Te Horo Beach are not currently connected to a Council reticulated wastewater network.</p> <p>The purpose of this report is to identify, at a high level, possible options for connecting these areas to a reticulated wastewater network. The report also outlines indicative cost estimates and risks associated with each option. The options consider what would be required to service both the existing community, and a future community under the level of development that would be enabled by the MDRS (and, at Paekākāriki, policy 3 of the NPS-UD).</p>
<p>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 1: Methodology</p> <p>(see <a href="#">link<sup>30</sup></a>)</p>	Jacobs (2021)	<p>The purpose of the <i>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment</i> is to update previous coastal hazard assessments undertaken along the Kāpiti Coast District shoreline involving the spatial extent of areas susceptible to current and future coastal erosion and inundation hazards.</p> <p>The outputs of the assessment are intended to provide base hazard data for future District Plan change processes.</p> <p><i>Volume 1: Methodology</i> outlines the methodology used to undertake the assessment. The methodology report has been externally peer reviewed by BECA and Greater Wellington Regional Council.</p>
<p>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results</p>	Jacobs (2022)	<p>The purpose of the <i>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment</i> is to update previous coastal hazard assessments undertaken along the Kāpiti Coast District shoreline involving the spatial extent of areas susceptible to</p>

<sup>30</sup> <https://www.kapiticoast.govt.nz/media/uubj3ebp/kapiti-coast-district-council-coastal-hazard-assessment-technical-report-volume-1-methodology.pdf>

Title	Author	Brief synopsis
<p>(see <a href="#">link<sup>31</sup></a> for main report)</p> <p>(see <a href="#">link<sup>32</sup></a> for report appendix)</p>		<p>current and future coastal erosion and inundation hazards.</p> <p>The outputs of the assessment are intended to provide base hazard data for future District Plan change processes.</p> <p><i>Volume 2: Results</i> presents the results of the assessment for the range of relative sea level rises projected to occur over the future timeframes of 30, 50 and 100 years. The report includes mapping of areas susceptible to coastal erosion and coastal inundation hazard.</p>
<p>Takutai Kāpiti Coastal Hazard Susceptibility Assessment GIS Viewer</p> <p>(see <a href="#">link<sup>33</sup></a>)</p>	<p>Jacobs (2022), KCDC (2022)</p>	<p>This is a web-based GIS viewer that provides an interactive method of viewing the results of the <i>Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment</i>.</p>
<p>The Kārewarewa Urupā Report (Pre-publication version)</p> <p>(see Appendix R)</p>	<p>Waitangi Tribunal (2020)</p>	<p>The <i>Kārewarewa Urupā Report</i> was prepared by the Waitangi Tribunal in response to a claim lodged by Te Ātiawa / Ngā Ātiawa ki Kāpiti as part of the Tribunal's Porirua ki Manawatu inquiry. The report is a "pre-publication" report released in advance of the Tribunal's main iwi report, however the Tribunal notes that its findings and recommendations will not change in the final publication.</p> <p>The report outlines the history of the Kārewarewa Urupā. The urupā is located to the east of the confluence of the Waikanae River and the Waimeha Stream, to the south-east of the Waimeha lagoon. In 1839, the historically important battle of Kuititanga occurred in the Waikanae district, and many of those who died in this battle were buried at the urupā. Since this time, other prominent ancestors were also buried there.</p> <p>In 1919, the block of land containing the urupā was partitioned off from a larger block of Māori freehold land. The Report states that on the basis of traditional, historical and archaeological evidence, it is clear that the block of land was an urupā.</p> <p>Since its sale in 1969, approximately half of the land has been subject to residential urban development, around Te Ropata Place, Barret Drive and Marewa Place. The remainder of the land (off Tamati Drive to the east) has remained undeveloped.</p>

<sup>31</sup> <https://www.kapiticoast.govt.nz/media/pwynpxj1/coastal-hazard-technical-assessment-technical-report-volume-2-report.pdf>

<sup>32</sup> <https://www.kapiticoast.govt.nz/media/wleode21/coastal-hazard-technical-assessment-technical-report-volume-2-appendices.pdf>

<sup>33</sup> <https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b>

Title	Author	Brief synopsis
		The extent of wāhi tapu proposed to be added to Schedule 9 of the District Plan are based on the extent of the urupā block as outlined in this Report.
Kāpiti Coast Papakāinga Commercial Land Use Economic Memorandum  (see Appendix S)	Property Economics (2022)	<p>This memo reviews the proposal to enable commercial activity as part of a papakāinga to identify whether this is likely to adversely impact on the viability of commercial activities in the District's Centres Zones.</p> <p>The memo finds that enabling commercial activities ancillary to a papakāinga, subject to the standard for commercial activities proposed by PC2, would be unlikely to undermine the future development potential or growth prospects of the existing centres to the point adverse impacts may be generated.</p>
Marae Takiwā Precinct Studies  (see Appendix T)	Boffa Miskell (2022)	This study provides information to support the determination of the extent of the Marae Takiwā precinct. It illustrates the potential for development surrounding marae to overlook marae and obstruct views towards the Tararua Range.

In addition to the material listed in the table above, the Council has also gathered the following information and advice that is relevant to these resource management issues:

### Intensification Scenario Model

The Council has undertaken high-level modelling to estimate the additional theoretical residential development capacity that could be enabled by PC2. The model is a simplified version of the Council's HBA model, and estimates the theoretical plan-enabled development capacity of each site under two different development scenarios:

- **Infill Scenario.** This scenario assumes that the existing buildings on the site are retained, with the remainder of the site developed.
- **Redevelopment Scenario.** This scenario assumes the entire site is redeveloped to its maximum capacity.

These two scenarios indicate the potential range of additional plan-enabled residential development capacity provided for by PC2.<sup>34</sup>

Note that the model represents “plan-enabled” capacity only and does not represent “feasible” or “realisable” development capacity. The modelling does not account for a range of site-specific factors that would influence the feasibility and realisability of development (such as the range of matters provided for as existing qualifying matters under section 6.1.1 of this report), and does not account for infrastructure availability, capacity or constraints. Notwithstanding this, the outputs of the model provide a useful indicator of the potential impact of PC2 on theoretical District Plan-enabled residential development capacity. A more accurate representation of the impacts of PC2 on feasible

<sup>34</sup> This is a simplified version of the methodology used by the Council's HBA model to calculate plan-enabled residential development capacity for the Council's HBA. The Council's HBA model generates plan-enabled residential development capacity for a range of infill and redevelopment scenarios, and selects the most likely scenario based on development feasibility considerations. This is why the output of the Council's HBA model is presented as a single figure (rather than a series of scenarios). Due to time and resource constraints, the Intensification Scenario Model simply presents both scenarios (infill and redevelopment), and does not make a determination on which would be the more likely outcome.

and realisable development capacity will be calculated as part of the Council's next HBA, which will be prepared in time to inform the 2024 Long-term Plan.

The following table summarises the additional theoretical plan-enabled residential development capacity enabled by PC2, as identified by the Intensification Scenario Model:

Zone	Theoretical plan-enabled residential development capacity (net additional number of dwellings)			
	Accounting for the impact of new qualifying matters identified in section 6.1 of this report (note 1)		Without new qualifying matters	
	Infill scenario	Redevelopment scenario	Infill scenario	Redevelopment scenario
General Residential Zone	17,756	82,572	19,483	89,380
General Residential Zone (Residential Intensification Precincts)	27,178	77,755	30,192	84,237
Centres and Mixed Use Zones (note 2)	1,879	3,693	1,950	3,766
<b>Total plan-enabled development capacity</b>	<b>46,813</b>	<b>164,020</b>	<b>51,625</b>	<b>177,383</b>
<b>Notes:</b>  Note 1: these figures account for the impact of the Coastal Qualifying Matter Precinct, Kārewarewa Urupā and the Marae Takiwā Precinct on theoretical plan-enabled development capacity.  Note 2: this includes the Metropolitan Centre Zone, the Town Centre Zone, the Local Centre Zone and the Mixed Use Zone. These figures assume that 20% of the zone area will be developed for residential purposes, with the remainder being developed for commercial/non-residential purposes.				

The following table provides a comparison of the additional theoretical plan-enabled residential development capacity enabled by the operative District Plan, compared to PC2 (as identified by the outputs of the Intensification Scenario Model). This table also identifies the percentage of additional plan-enabled development capacity that needs to be feasible and realisable in order to provide for the district's long-term demand (including competitiveness margins) of 16,185 additional dwellings<sup>35</sup>.

<sup>35</sup> Greater Wellington Regional Council/Kāpiti Coast District Council (2022). [Housing and Business Development Capacity Assessment \(HBA\) 2021](#). P.20.

	Theoretical plan-enabled residential development capacity (net additional number of dwellings)	% of additional capacity that needs to be feasible and realisable in order to meet long-term demand
Operative District Plan	17,983 <sup>36</sup>	90% (note 1)
PC2 – Infill scenario	46,813	34.6%
PC2 – Redevelopment scenario	164,020	9.9%
<b>Notes:</b>  Note 1: for comparison, the Council's current HBA estimates that approximately 43% of the theoretical additional plan-enabled development capacity enabled by the operative District Plan will be feasible and realisable over the long-term.		

## Review of Papakāinga Resource and Building Consents

The Council has undertaken a review of resource and building consents for papakāinga development undertaken over the past 10 years. This review found that over the past 10 years:

- One resource consent application has been lodged for a papakāinga development. This application was recently lodged, and at the time of writing this report, was still being processed;
- No building consent applications have been lodged for papakāinga development as a permitted activity.

## 3.3 District Plan Provisions

### 3.3.1 Operative District Plan provisions – Issue 1: housing supply and intensification

The following table provides a high-level analysis of the provisions of the District Plan relevant to the issue of housing supply and intensification.

Chapter	Summary
District Objectives	<p>The District Objectives that are particularly relevant to this issue include:</p> <ul style="list-style-type: none"> <li>• DO-O1 (Tangata Whenua)</li> <li>• DO-O3 (Development Management)</li> <li>• DO-O8 (Strong Communities)</li> <li>• DO-O11 (Character and Amenity Values)</li> <li>• DO-O12 (Housing Choice and Affordability)</li> <li>• DO-O13 (Infrastructure)</li> <li>• DO-O15 (Economic Vitality)</li> <li>• DO-O16 (Centres)</li> <li>• DO-O19 (Housing Bottom Lines)</li> </ul> <p>The existing District Objectives do not incorporate the mandatory objectives for the MDRS. In addition to this, some District Objectives are not consistent with, or do not give effect to, the objectives of the NPS-UD that are relevant to</p>

<sup>36</sup> Greater Wellington Regional Council/Kāpiti Coast District Council (2022). [Housing and Business Development Capacity Assessment \(HBA\) 2021](#). P.28.

Chapter	Summary
	<p>implementing policy 3 of the NPS-UD. In particular, parts of the District Objectives that seek to promote low-density development and maintain existing character and amenity values in urban environments are inconsistent with objectives 3 and 4 of the NPS-UD.</p>
Urban Form and Development	<p>The Urban Form and Development chapter includes district-wide policies that seek to manage the growth of residential and business areas and activities across the District. The following policies that are particularly relevant to the issue of housing supply and intensification include:</p> <ul style="list-style-type: none"> <li>• UFD-P1 (Growth Management)</li> <li>• UFD-P2 (Housing Choice)</li> <li>• UFD-P3 (Managing Intensification)</li> <li>• UFD-P4 (Residential Density)</li> <li>• UFD-P11 (Amenity Values)</li> <li>• UFD-P13 (Zoning Framework)</li> </ul> <p>Some parts of the policies within the chapter are inconsistent with the MDRS, as well as policy 3 and objectives 3 and 4 of the NPS-UD. In particular:</p> <ul style="list-style-type: none"> <li>• The policies don't provide for increased levels of development in the areas identified in objective 3 and policy 3 of the NPS-UD;</li> <li>• Many of the policies are worded in a manner that does not provide for the amenity values associated with urban environments to develop and change over time;</li> <li>• Many of the precincts identified in the policies would be superseded by the changes to precincts proposed as part of PC2.</li> </ul> <p>In addition to this, there is no policy that sets the direction for the overall urban built form anticipated for the district. Further, there are a number of precincts outlined in UDF-P13 within the General Residential Zone that do not incorporate the MDRS.</p>
General Residential Zone	<p>The General Residential Zone is the primary zone in the District where residential development is intended to occur. Because of this, all policies and rules within the zone chapter are relevant to the issue of housing supply and intensification.</p> <p>The General Residential Zone is subject to both the MDRS, and policies 3(c) and 3(d) of the NPS-UD.</p> <p>There are a range of issues with the existing provisions of the chapter. These include:</p> <ul style="list-style-type: none"> <li>• The zone policies do not incorporate the mandatory MDRS policies. In addition to this, there is no policy guiding how policy 3 of the NPS-UD will be applied within the zone.</li> <li>• The zone includes policies for Medium Density Housing (GRZ-P1) and Focussed Infill Precincts (GRZ-P2), to be applied in specific parts of the zone located near centres. The policies and rules for Medium Density Housing and Focussed Infill Precincts are more restrictive than the MDRS.</li> <li>• There are a range of existing policies for "special character areas" located within the General Residential Zone (policies GRZ-P3, GRZ-P4, GRZ-P5 and GRZ-P6). There are also a range of restrictions on</li> </ul>

Chapter	Summary
	<p>development in these areas outlined under the Zone “buildings” rule (GRZ-R6). These policies and associated rules generally seek to “protect” or “retain” the existing character of these areas by, amongst other things, restricting development density and seeking that existing character and amenity values are maintained or retained. These provisions do not incorporate the MDRS and are inconsistent with policy 3 and objectives 3 and 4 of the NPS-UD.</p> <ul style="list-style-type: none"> <li>• There are a range of existing policies that provide generally for character and amenity values across the zone (GRZ-P9 and GRZ-P10). Amongst other matters, these policies seek that development in the Zone is consistent with the scale and density of the surrounding residential environment.</li> <li>• The primary permitted activity rule for buildings within the zone (GRZ-R6) does not incorporate the MDRS and does not give effect to policy 3 of the NPS-UD. The rule, which generally enables 2 storey residential development, is more restrictive than the MDRS.</li> <li>• Medium-density residential development is currently a restricted discretionary activity (GRZ-R13). This rule, and the associated <i>Best Practice Medium Density Housing Design Guide</i>, are more restrictive than the MDRS;</li> <li>• There are no notification preclusions for residential units that breach permitted activity standards. This is inconsistent with the MDRS.</li> </ul>
Metropolitan Centre Zone	<p>The Metropolitan Centre Zone at Paraparaumu sits at the top tier of the District’s centres hierarchy, and the provisions of the zone are intended to enable a range of development and activities that recognises its importance as the core of the Paraparaumu sub-regional centre. The zone provisions enable housing development, although there is a focus on ensuring that housing supply does not detract from the vibrancy of the Zone’s streets by encouraging housing development to occur above ground level. On this basis where housing is provided, a mixed-use outcome is generally sought.</p> <p>The Metropolitan Centre Zone is subject to policy 3(b) of the NPS-UD.</p> <p>There are a range of issues with the existing provisions of the chapter. These include:</p> <ul style="list-style-type: none"> <li>• There is no clear policy outlining the anticipated urban built form outcome for the zone, particularly in relation to building height;</li> <li>• A zone policy on character and amenity values (MCZ-P5) seeks that amenity values are maintained, and character values are retained. This is inconsistent with objective 4 and policy 6 of the NPS-UD.</li> <li>• Some standards within the existing building development rules (MCZ-R5 and MCZ-R7) are more restrictive than the MDRS, which would apply in the General Residential Zone surrounding the Metropolitan Centre Zone;</li> <li>• The existing permitted building height in the zone varies between 3 and 4 stories, with no limit on building height as a restricted discretionary activity. There is no guidance on what would be an appropriate building height as a restricted discretionary activity.</li> <li>• Existing matters of discretion refer to the “Centres Design Principles”, which provide a series of high-level matters to be considered in the</li> </ul>

Chapter	Summary
	<p>design of development in the zone. While these principles identify a range of high-level outcomes sought for development in the zone, they do not provide any guidance on how these outcomes could be achieved.</p>
Town Centre Zone	<p>The Town Centre Zone sits in the middle of the District's centres hierarchy, and the provisions of the zone are intended to enable a range of development and activities that recognises the zone's role as providing for a range of commercial activities and community services to meet the needs of the surrounding community. Similar to the Metropolitan Centre Zone, the Town Centre Zone provisions enable housing development, although there is a focus on ensuring that housing supply does not detract from the vibrancy of the Zone's streets by encouraging housing development to occur above ground level. On this basis where housing is provided, a mixed-use outcome is generally sought.</p> <p>The Town Centre Zone is subject to policy 3(d) of the NPS-UD, and the Waikanae Town Centre Zone is subject to policy 3(c) (because it is within a walkable catchment of the Waikanae train station).</p> <p>There are a range of issues with the existing provisions of the chapter, and these are similar to the issues identified for the Metropolitan Centre Zone. These include:</p> <ul style="list-style-type: none"> <li>• There is no clear policy outlining the anticipated urban built form outcome for the zone, particularly in relation to building height.</li> <li>• A zone policy on character and amenity values (TCZ-P3) seeks that amenity values are maintained, and character values are retained. This is inconsistent with objective 4 and policy 6 of the NPS-UD.</li> <li>• Some standards within the existing building development rules (TCZ-R6 and TCZ-R7) are more restrictive than the MDRS, which would apply in the General Residential Zone surrounding the Town Centre Zone.</li> <li>• The existing permitted building height in the zone is 3 storeys, with no limit on building height as a restricted discretionary activity. There is no guidance on what would be an appropriate building height as a restricted discretionary activity.</li> <li>• Existing matters of discretion refer to the "Centres Design Principles", which provide a series of high-level matters to be considered in the design of development in the zone. While these principles identify a range of high-level outcomes sought for development in the zone, they do not provide any guidance on how these outcomes could be achieved.</li> </ul>
Local Centre Zone	<p>The Local Centre Zone sits at the base of the District's centres hierarchy, and the provisions of the zone are intended to enable a mix of commercial activities and community services to serve the daily convenience needs of the local community. Similar to the other centres zones, the Local Centre Zone provisions enable housing development, although there is a focus on ensuring that housing supply does not detract from the vibrancy of the Zone's streets by encouraging housing development to occur above ground level. On this basis where housing is provided, a mixed-use outcome is generally sought.</p> <p>The Local Centre Zone is subject to policy 3(d) of the NPS-UD, and the Paekākāriki Local Centre Zone is subject to policy 3(c) (because it is within a walkable catchment of the Paekākāriki train station).</p>



Chapter	Summary
	<p>There are a range of issues with the existing provisions of the chapter. These include:</p> <ul style="list-style-type: none"> <li>• There is no clear policy outlining the anticipated urban built form outcome for the zone, particularly in relation to building height.</li> <li>• A zone policy on character and amenity values (LCZ-P3) seeks that amenity values are maintained, and character values are retained. This is inconsistent with objective 4 and policy 6 of the NPS-UD.</li> <li>• Some standards within the existing building development rule (LCZ-R6) are more restrictive than the MDRS, which would apply in the General Residential Zone surrounding the Local Centre Zone.</li> <li>• The existing permitted building height in the zone is 3 storeys, with heights in excess of this being a non-complying activity.</li> <li>• Buildings in the Paekākāriki Local Centre Zone are a restricted discretionary activity (LCZ-R15), and consistency with the Paekākāriki Village Centre Design Guide is a matter of discretion. The built form outcomes sought by the Design Guide are not consistent with policy 3(c) of the NPS-UD.</li> <li>• Existing matters of discretion refer to the “Centres Design Principles”, which provide a series of high-level matters to be considered in the design of development in the zone. While these principles identify a range of high-level outcomes sought for development in the zone, they do not provide any guidance on how these outcomes could be achieved.</li> </ul>
Mixed Use Zone	<p>The Mixed Use Zone provides for a range of commercial activities, community services and residential activities.</p> <p>The Mixed Use Zone is not a centre zone in the context of the NPS-UD, however part of the zone is located within a walkable catchment of the Metropolitan Centre Zone, and is therefore subject to policy 3(c) of the NPS-UD.</p> <p>In this context, there are a range of issues with the existing provisions of the chapter. These include:</p> <ul style="list-style-type: none"> <li>• There is no clear policy outlining the anticipated urban built form outcome for the zone, particularly in relation to building height.</li> <li>• A zone policy on character and amenity values (MUZ-P4) seeks that amenity values are maintained, and character values are retained. This is inconsistent with objective 4 and policy 6 of the NPS-UD.</li> <li>• The building development rule (MUZ-R6) permits buildings up to and including 3 storeys. Heights in excess of this are a restricted discretionary activity (MUZ-R13), however there no guidance on what would be an appropriate building height as a restricted discretionary activity. This rule is not seen to enable the building heights required by policy 3(c) of the NPS-UD.</li> <li>• Existing matters of discretion refer to the “Centres Design Principles”, which provide a series of high-level matters to be considered in the design of development in the zone. While these principles identify a range of high-level outcomes sought for development in the zone, they do not provide any guidance on how these outcomes could be achieved.</li> </ul>

Chapter	Summary
Hospital Zone	<p>The Hospital Zone is a special purpose zone that provides for the Kāpiti Health Centre at Paraparaumu.</p> <p>The Hospital Zone is not a centre zone in the context of the NPS-UD, however part of the zone is located within a walkable catchment of the Metropolitan Centre Zone, and is therefore subject to policy 3(c) of the NPS-UD.</p> <p>In this context, a key issue with the existing provisions of the chapter is that the building development rule (HOSZ-R6) permits buildings up to and including 3 storeys, with buildings in excess of this height being a non-complying activity (HOSZ-R14). This rule does not enable the building heights required by policy 3(c) of the NPS-UD.</p>
District Wide Subdivision Matters	<p>The District Wide Subdivision Matters chapter includes a range of provisions that apply to subdivision across the district.</p> <p>Within this chapter, rule SUB-DW-R5 is a general restricted discretionary activity rule for subdivision in the residential and working zones that provides for a range of standards, including hydraulic neutrality, undergrounding of services, water supply, effluent disposal, and telecommunications and electricity supply.</p> <p>Rules for the subdivision of residential units are required to incorporate the MDRS. In this context, a key issue with this rule is that it does not provide for subdivision as a controlled activity, and it does not preclude notification in certain circumstances, both of which are a requirement of the MDRS.</p>
Subdivision in Residential Zones	<p>The Subdivision in Residential Zones chapter includes a range of provisions that apply to subdivision in the General Residential Zone.</p> <p>Rules for the subdivision of residential units are required to incorporate the MDRS. In this context, there are a range of issues with the existing provisions of this chapter. These include:</p> <ul style="list-style-type: none"> <li>• The existing general rule for the subdivision of land in the General Residential Zone provides for subdivision as a controlled activity (SUB-RES-R26). However, it includes a range of lot size and shape requirements that are inconsistent with the MDRS;</li> <li>• Subdivision in some parts of the General Residential Zone is a restricted discretionary activity under rule SUB-RES-R27. This rule is inconsistent with the MDRS, which requires subdivision for residential units to be a controlled activity.</li> </ul>
Subdivision in Working Zones	<p>The Subdivision in Working Zones chapter includes a range of provisions that apply to subdivision within the District's working zones. These provisions reference the rules for building activities in a number of the working zones. Where existing rules for building activities in the working zones are amended, it is necessary to also review the associated subdivision provisions within this chapter to ensure that there is alignment in activity status between the land use rules, and the corresponding rules for subdivision.</p>

The following District-Wide Matters chapters also include provisions that are relevant to the issue of housing supply and intensification:

- **Infrastructure.** This chapter includes provisions that seek to manage the effects of new development on infrastructure. The provisions also require that new development meet the

requirements of the Council's *Subdivision and Development Principles and Requirements 2012*<sup>37</sup>.

- **Transport.** This chapter includes provisions that seek to manage the effects of development on the transport network, including by managing trip generation/vehicle movements and vehicle access associated with development.
- **Natural Hazards.** This chapter includes provisions that seek to manage subdivision, land use and development in relation to waterbodies, flood hazards and earthquake hazards. Some of these matters are also managed through the District Wide Subdivision Matters chapter.
- **Historic Heritage.** This chapter includes provisions that seek to restrict subdivision, land use and development in relation to scheduled historic buildings, structures, sites and areas. This includes rules that enable repair and maintenance of scheduled historic heritage, and require resource consent for additions, alterations, partial demolition and full demolition of scheduled historic heritage items. Some of these matters are also managed through the District Wide Subdivision Matters chapter.
- **Notable Trees.** This chapter includes provisions that seek to restrict development in relation to scheduled notable trees. This includes rules that require resource consent for trimming or felling notable trees for development. Some of these matters are also managed through the District Wide Subdivision Matters chapter.
- **Sites and Areas of Significance to Māori.** This chapter includes provisions that seek to restrict subdivision, land use and development in relation to wāhi tapu and other places and areas of significance to Māori that are scheduled under the District Plan. This includes a stratified set of rules that apply varying degrees of development restriction to different categories of site. Some of these matters are also managed through the District Wide Subdivision Matters chapter.
- **Ecosystems and Indigenous Biodiversity.** This chapter includes provisions that seek to restrict subdivision, land use and development in relation to scheduled ecological sites, key indigenous trees and key indigenous tree species. This includes rules that restrict development in scheduled ecological sites, and restrict the trimming or felling of scheduled key indigenous trees. Some of these matters are also managed through the District Wide Subdivision Matters chapter.
- **Natural Features and Landscapes.** This chapter includes provisions that seek to restrict subdivision, land use and development in scheduled outstanding natural features and landscapes, including rules that restrict the height and size of buildings in these areas. This matter is also managed through the District Wide Subdivision Matters chapter.
- **Coastal Environment.** This chapter includes provisions from the 1999 District Plan that restrict development in some parts of the district immediately adjacent to the coast.
- **Earthworks.** This chapter includes a range of provisions that seek to manage the effects of earthworks associated with development. This includes a rule that permits earthworks (subject to standards) in relation to an approved building platform.
- **Noise.** This chapter includes a range of provisions that seek to control the emission of noise from land use and development, as well as the effects of environmental noise on sensitive uses. This includes rules and standards for noise sensitive activities (which includes residential activities) in relation to centres zones, the Kāpiti Coast Airport, the Hospital Zone, the General Industrial Zone, the rail corridor designation and transportation noise effects routes.

## **Subdivision and Development Principles and Requirements, 2012**

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<sup>37</sup> References to this document are proposed to be replaced with references to the Council's *Land Development Minimum Requirements, April 2022*, as part of PC2. See section 5.2.5.

The *Subdivision and Development Principles and Requirements, 2012* (or SDPR) is a technical document that sets out minimum standards when designing and constructing infrastructure assets that support new development in the district.

The objective of the document is to provide standards and guidance for the design, construction and maintenance of infrastructure assets that impact on the Council's network and/or neighbouring properties in the district. In many instances, the document prescribes requirements for the development of infrastructure that will be subsequently vested in the Council.

This document is a document incorporated by reference into the District Plan, and there are references to the document located throughout the plan.

The key provisions that provide for development to meet the requirements of the SDPR are located in the Infrastructure chapter, and include:

Provision	Summary
<b>INF-GEN-P11</b>	This policy requires that all development and subdivision and the provision of associated infrastructure will be undertaken in accordance with the Council's SDPR, 2012.
<b>INF-MENU-R27</b>	This permitted activity rule requires that for all permitted activities in all zones, development is undertaken in accordance with the Council's SDPR, 2012.

In addition to these two provisions, the SDPR is referred to as an activity standard and a matter of discretion in a number of zone rules, as well as rules contained in the subdivision chapters.

The Council has reviewed this document and identified that it is out of date and not prepared for the increasing levels of medium-density development provided for by the MDRS. Key issues identified as part of the review include:

- There are a range of references to national and regional rules, regulations and standards that are out-of-date;
- There are a range of references to Council plans, strategies, policies, guidelines and processes that are out-of-date;
- Some aspects of the SDPR do not appropriately address issues that may arise from an increase in permitted multi-unit development under the MDRS. Issues include providing for appropriate connections to Council's sewer system, increased pressure on spatial demand for uses within road carriageways, and ensuring that waste collection and minimisation are considered as part of multi-unit development;
- There are also a number of provisions that are worded ambiguously, so it is not clear whether the provision is an option or a requirement.

The review of the Council's SDPR was undertaken in consultation with the District's development community, and this discussed further in section 3.5.3 of this report.

### 3.3.2 Operative District Plan provisions – Issue 2: providing for papakāinga

The following table provides a high-level summary of the provisions of the District Plan relevant to the issue of providing for papakāinga.

Chapter	Summary
District Objectives	The District Objectives that are particularly relevant to this issue include: <ul style="list-style-type: none"> <li>• DO-O1 (Tangata Whenua)</li> </ul>

	This is a high-level objective that seeks that the Council work in partnership with tangata whenua. There are however no objectives in the District Plan that seek to enable or provide for papakāinga, and the range of outcomes associated with the use and development of papakāinga.	
Definitions	The District Plan includes the following definitions relevant to papakāinga:	
	Papakāinga and Papakāinga housing	<i>means communal housing, which occurs on Māori land, often based around a marae and providing housing for members of an extended family.</i>
	Māori land	<i>means the same as within the Te Ture Whenua Maori Act 1993.</i>
Urban Form and Development	<p>Policy UFD-P5 provides for the development of papakāinga on Māori land as defined in Te Ture Whenua Māori Act 1993:</p> <p><i>Development of papakainga on Māori land (as defined by the Te Ture Whenua Māori Act 1993) will be provided for where it is of a scale, extent and intensity that is determined by the physical characteristics of the subject site, surrounding environment and tikanga Māori. Development will be undertaken in accordance with the following principles:</i></p> <ol style="list-style-type: none"> <li><i>1. an appropriate level of residential privacy and amenity for each unit within the papakainga and adjoining properties will be provided for, including via:</i> <ol style="list-style-type: none"> <li><i>a. sufficient service areas, access and car parking;</i></li> <li><i>b. shared open space and private outdoor living spaces of a useable size and shape; and</i></li> <li><i>c. screening where appropriate;</i></li> </ol> </li> <li><i>2. the character, amenity, ecological function and productive capabilities of the surrounding environment will be maintained by:</i> <ol style="list-style-type: none"> <li><i>a. not restricting primary production activities on the balance of the subject site or on surrounding sites, where located in a Rural Zone;</i></li> <li><i>b. providing for the long term protection of the natural environment; and</i></li> <li><i>c. having a scale and appearance which positively relates to the surrounding residential character where located in a Residential Zone;</i></li> </ol> </li> <li><i>3. servicing methods will be suitable for individual subject site conditions, and where possible, use communal infrastructure.</i></li> </ol>	
Zones Generally	<p>Papakāinga are only enabled through rules in the following zones:</p> <ul style="list-style-type: none"> <li>• Town Centre Zone</li> <li>• General Rural Zone</li> <li>• Rural Lifestyle Zone</li> </ul>	

	<ul style="list-style-type: none"> <li>• Rural Production Zone</li> <li>• Future Urban Zone</li> </ul>
Town Centre Zone	<p>Papakāinga are enabled at Whakarongotai Marae in the Waikanae Town Centre Zone as a restricted discretionary activity (TCZ-R12).</p> <p>Under this rule, papakāinga are subject to a range of standards including:</p> <ul style="list-style-type: none"> <li>• A maximum of 10 papakāinga units on the site;</li> <li>• Each unit must meet exclusive outdoor living space requirements which by comparison are more onerous than the requirements for outdoor living space associated with residential units in the same zone (under rule TCZ-R7).</li> <li>• This rule retains nine matters of discretion, including the location, layout, size and design of the papakāinga.</li> </ul> <p>Under the existing provisions of the zone, papakāinga would be enabled to a similar degree as general housing as a restricted discretionary activity under rule TCZ-R11, but subject to fewer standards.</p>
General Rural Zone, Rural Lifestyle Zone, Rural Production Zone and Future Urban Zone	<p>Papakāinga are enabled as a permitted activity in each of the rural zones under rules GRUZ-R8, RLZ-R6, RPROZ-R6 and FUZ-R6, subject to the following standards:</p> <ul style="list-style-type: none"> <li>• The papakāinga is on Māori land (as defined under Te Ture Whenua Māori Act) which was subdivided/partitioned/leased before November 2012.</li> <li>• A maximum of 10 papakāinga units on the site.</li> <li>• A minimum land area of 2,000m<sup>2</sup> must be provided for each papakāinga unit.</li> <li>• Each unit must meet exclusive outdoor living space requirements (note that residential units generally in the rural zones do not require outdoor living space).</li> <li>• A maximum of one communal habitable building with a maximum total floor area not exceeding 200m<sup>2</sup> for group activities which do not include retail, commercial, industrial or service activities on each site.</li> </ul> <p>There are also a number of zone-specific provisions relevant to papakāinga:</p> <ul style="list-style-type: none"> <li>• Papakāinga are a restricted discretionary activity on Kāpiti Island (GRUZ-R12), subject to: <ul style="list-style-type: none"> <li>○ a minimum site area requirement of 250m<sup>2</sup> per papakāinga unit;</li> <li>○ a minimum distance between units;</li> <li>○ each unit must meet exclusive outdoor living space requirements;</li> <li>○ compliance with the permitted activity standards for activities on Kāpiti Island (under rule GRUZ-R6), which includes a maximum of 16 residential units on the site.</li> </ul> </li> <li>• Papakāinga in visually sensitive areas of the Waikanae North and Ōtaki North Eco-Hamlet Precincts are a restricted discretionary activity (GRUZ-R15). Papakāinga must meet specific design and exterior building material standards, including a height limit of 6 metres, and there are 8 matters of discretion to be considered at consent. There is a</li> </ul>

	notable amount of Māori land held under Te Ture Whenua Māori Act located within the Ōtaki North Eco Hamlet Precinct.
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The following District-Wide Matters chapters also include provisions that are relevant to the issue of papakāinga:

- **Business Activities.** This chapter includes a range of policies that seek to consolidate commercial activities within the District’s “working zones”. These policies are relevant to consider in relation to enabling commercial activities ancillary to the housing on a papakāinga.
- **Infrastructure.** This chapter includes provisions that manage the effects of new development on infrastructure. The provisions also require that new development meet the requirements of the Council’s SDPR<sup>38</sup>.
- **Transport.** This chapter includes provisions that manage the effects of development on the transport network, including by managing trip generation/vehicle movements and vehicle access associated with development.
- **Natural Hazards.** This chapter includes provisions that restrict subdivision, land use and development in relation to waterbodies, flood hazards and earthquake hazards.
- **Historic Heritage.** This chapter includes provisions that restrict subdivision, land use and development in relation to scheduled historic buildings, structures, sites and areas. This includes rules that enable repair and maintenance of scheduled historic heritage, and require resource consent for additions, alterations, partial demolition and full demolition of scheduled historic heritage items.
- **Notable Trees.** This chapter includes provisions that restrict development in relation to scheduled notable trees. This includes rules that require resource consent for trimming or felling notable trees for development.
- **Sites and Areas of Significance to Māori.** This chapter includes provisions that restrict subdivision, land use and development in relation to wāhi tapu and other places and areas of significance to Māori that are scheduled under the District Plan. This includes a stratified set of rules that apply varying degrees of development restriction to different categories of site.
- **Ecosystems and Indigenous Biodiversity.** This chapter includes provisions that restrict subdivision, land use and development in relation to scheduled ecological sites, key indigenous trees and key indigenous tree species. This includes rules that restrict development in scheduled ecological sites, and restrict the trimming or felling of scheduled key indigenous trees.
- **Natural Features and Landscapes.** This chapter includes provisions that restrict subdivision, land use and development in scheduled outstanding natural features and landscapes, including rules that restrict the height and size of buildings in these areas.
- **Subdivision.** The provisions of the subdivision chapters may be generally relevant where subdivision is proposed as part of a papakāinga development. However, partitioning of Māori land under Te Ture Whenua Māori Act 1993 is not subject to these provisions.
- **Coastal Environment.** This chapter includes provisions that manage development in areas of outstanding or high natural character in the coastal environment. This chapter also includes provisions from the 1999 District Plan that restrict development in some parts of the district immediately adjacent to the coast.

<sup>38</sup> References to this document are proposed to be replaced with references to the Council’s *Land Development Minimum Requirements, April 2022*, as part of PC2. See section 5.2.5.

- **Community Facilities.** This chapter includes provisions that manage the development of community facilities across the District. These provisions enable community facilities to be developed and used in all zones, subject to standards.
- **Earthworks.** This chapter includes provisions that manage the effects of earthworks associated with development. This includes a rule that permits earthworks (subject to standards) in relation to an approved building platform.
- **Noise.** This chapter includes provisions that control the emission of noise from land use and development, as well as the effects of environmental noise on sensitive uses. This includes rules and standards for noise sensitive activities (which includes residential activities) in relation to centres zones, the Kāpiti Coast Airport, the Hospital Zone, the General Industrial Zone, the rail corridor designation and transportation noise effects routes.

### 3.3.3 Operative District Plan provisions – Issue 3: financial contributions

The following table provides a high-level summary of the provisions of the District Plan relevant to the issue of financial contributions.

Chapter	Summary
District Objectives	<p>The Financial Contributions chapter notes that the following existing District Objectives are relevant to financial contributions:</p> <ul style="list-style-type: none"> <li>• DO-O1 (Tangata Whenua)</li> <li>• DO-O3 (Development Management)</li> <li>• DO-O8 (Strong Communities)</li> <li>• DO-O13 (Infrastructure)</li> <li>• DO-O17 (Open Space / Active Communities)</li> </ul>
Financial Contributions	<p>The chapter contains the following policies for financial contributions:</p> <ul style="list-style-type: none"> <li>• FC-P1 (Provision of Reserves and Public Open Spaces). This policy requires financial contributions for new development to reflect the demands on and cost of acquiring and improving reserves and public open spaces. The policy includes a method of calculating the financial contribution (which links to the rules for financial contributions).</li> <li>• FC-P2 (Provision of Infrastructure). This policy states that Council may require a financial contribution where a land use or subdivision application results in the need to upgrade infrastructure beyond the subject site.</li> </ul> <p>The chapter contains rules and standards that provide for the taking of financial contributions for the purposes of reserves and public open spaces (FC-R1, FC-R2, FC-R3, FC-R4 and FC-Table 1). These rules include the means of calculating the relevant financial contribution required by the rule.</p> <p>The policies and rules for financial contributions note that a financial contribution would not be taken where a development contribution has been taken for the same purpose.</p> <p>A number of issues have been identified with the existing provisions of the chapter:</p> <ul style="list-style-type: none"> <li>• While there is a policy that enables the Council to require financial contributions for the provision of infrastructure, there are no rules or</li> </ul>



	<p>standards that guide how financial contributions are determined under this policy;</p> <ul style="list-style-type: none"> <li>Under s108 of the RMA, financial contributions can be imposed for the purpose of ensuring positive effects on the environment to offset any adverse effect. However, there are no policies, rules or standards within the chapter that specifically provide for this, or guide how financial contributions would be determined for this purpose.</li> </ul>
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### 3.3.4 Analysis of other District Plan provisions – Issue 2: providing for papakāinga

While the District Plan includes provisions that provide for papakāinga housing in a limited manner, the approach proposed by PC2 is a new approach in the context of the Kapiti Coast District Plan. Because of this, it was considered necessary to review current practice with respect to providing for papakāinga within other District Plans which have a similar context to the Kāpiti Coast District.

The following District Plans were reviewed:

Plan	Local Authority	Description of approach
Proposed Porirua District Plan	Porirua City Council	<ul style="list-style-type: none"> <li>The plan includes a Papakāinga chapter which contains objectives and policies for papakāinga. Rules for papakāinga are embedded in the relevant zone chapters.</li> <li>Papakāinga are defined as: <i>any activity undertaken in the traditional rohe of tangata whenua to sustain themselves, which is on land held under Te Ture Whenua Māori Act 1993, or on land where there is an ancestral connection to the land and the land will remain in Māori ownership in the long term. Papakāinga may include (but not be limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.</i></li> <li>The plan has two objectives for papakāinga: <ul style="list-style-type: none"> <li>PK-O1: <i>Ngāti Toa Rangatira can use and develop ancestral land for papakāinga that enables thriving and self-sustaining Māori communities, while ensuring a quality, healthy and safe environment is provided.</i></li> <li>PK-O2: <i>Papakāinga are of a form and scale that is compatible with the Zone the site is located in, while recognising that they may contain activities of a character, scale, intensity or range that is not provided for in the surrounding area.</i></li> </ul> </li> <li>There are two policies for papakāinga. These policies focus on enabling papakāinga on land held under Te Ture Whenua Māori Act 1993, and allowing papakāinga on general title land, subject to adequate servicing, managing adverse effects on adjoining properties and the surrounding environment, and managing effects of commercial activities on the District's commercial, mixed-use and industrial zones.</li> <li>Rules to enable papakāinga are embedded in the following Zone chapters: <ul style="list-style-type: none"> <li>General Residential Zone;</li> <li>Medium Density Residential Zone;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ General Rural Zone;</li> <li>○ Rural Lifestyle Zone;</li> <li>○ Settlement Zone;</li> <li>○ Māori Purpose Zone (Hongoeka).</li> <li>• Papakāinga are a permitted activity where: <ul style="list-style-type: none"> <li>○ The site is held under Te Ture Whenua Māori Act 1993;</li> <li>○ The GFA of commercial activities does not exceed 100m<sup>2</sup> per site; and</li> <li>○ The GFA of community facilities does not exceed 200m<sup>2</sup>.</li> </ul> </li> <li>• Papakainga where the site is not held under Te Ture Whenua Māori Act is a restricted discretionary activity. Discretion is restricted to whether: <ul style="list-style-type: none"> <li>○ An ancestral connection to the land can be demonstrated;</li> <li>○ The land will remain in Māori ownership in the long term, or the land will be converted to Māori Freehold Land.</li> </ul> </li> <li>• Papakāinga where community facilities exceed 200m<sup>2</sup> GFA are a restricted discretionary activity. Discretion is restricted to policies for out-of-zone activities, and the policies related to functional requirements;</li> <li>• Papakāinga are a discretionary activity where commercial GFA exceeds 100m<sup>2</sup>.</li> <li>• Buildings as part of a papakāinga are a permitted activity subject to: <ul style="list-style-type: none"> <li>○ The zone height standard;</li> <li>○ The zone height in relation to boundary standard;</li> <li>○ A 45% building coverage standard (in urban zones) and a 1,800m<sup>2</sup> building coverage standard in rural zones;</li> <li>○ The zone setback standard.</li> </ul> </li> <li>• Papakāinga are not subject to outdoor living space standards.</li> <li>• There are no restrictions on the number of dwellings associated with a papakāinga.</li> <li>• Papakāinga development is subject to district wide rules, including rules for infrastructure, natural hazards and subdivision.</li> </ul>
Whangārei District Plan	Whangārei District Council	<ul style="list-style-type: none"> <li>• The plan includes a Papakāinga chapter which contains objectives, policies and rules for papakāinga. Papakāinga are enabled in all zones, except the Heavy Industrial Zone.</li> <li>• Papakāinga is not a defined term in the District Plan.</li> <li>• There are five objectives for papakāinga: <ul style="list-style-type: none"> <li>○ <i>For the District Plan to recognise the desire of Māori to maintain and enhance their traditional and cultural relationship with their ancestral land;</i></li> <li>○ <i>Provide for papakāinga development on ancestral land in a manner which is sensitive to tikanga Māori</i></li> </ul> </li> </ul>

		<p><i>and the sustainable management of the land resource.</i></p> <ul style="list-style-type: none"> <li>○ <i>Allow maximum flexibility for Māori to develop their ancestral lands, while ensuring appropriate health, safety and amenity standards are met.</i></li> <li>○ <i>Enable Māori to establish and maintain traditional settlement patterns, activities and development opportunities.</i></li> <li>○ <i>Protection and enhancement of ecological, landscape, cultural, heritage and other features which are of value to Māori and the wider community.</i></li> </ul> <ul style="list-style-type: none"> <li>• There are five policies for papakāinga: <ul style="list-style-type: none"> <li>○ <i>To limit papakāinga development to ancestral Māori land that is administered under the Te Ture Whenua Māori Act 1993.</i></li> <li>○ <i>To require the maximum intensity and scale of papakāinga development to be determined by the sustainable servicing capacity of the land and the surrounding environment.</i></li> <li>○ <i>To require the location and extent of built development to be determined by the physical characteristics of the land and tikanga Māori.</i></li> <li>○ <i>To provide for non-residential activities of a scale, character, and intensity that are compatible with the values of Māoritanga, character of the environment and the sustainable servicing capacity of the locality.</i></li> <li>○ <i>To encourage Māori to prepare Papakāinga Development Plans as a guide to sustainable management of ancestral land.</i></li> </ul> </li> <li>• Papakainga are a permitted activity on Māori Freehold Land as defined in Te Ture Whenua Māori Act 1993, subject to meeting the following standards: <ul style="list-style-type: none"> <li>○ The submission of a Papakāinga Development Plan to Council;</li> <li>○ Non-residential activities must be directly associated with the residential activities of the papakāinga;</li> <li>○ Non-residential activities must be set back 100m from existing residential units on surrounding sites;</li> <li>○ Commercial and industrial activities must not exceed 500m<sup>2</sup> gross floor area;</li> <li>○ The number of residential units per site does not exceed one per 2,000m<sup>2</sup>.</li> </ul> </li> <li>• Papakāinga that do not meet these standards are a restricted discretionary activity, with discretion restricted to the effects of the standard breached;</li> <li>• Papakāinga are a restricted discretionary activity on general land owned by Māori as defined in Te Ture Whenua Māori Act 1993, where: <ul style="list-style-type: none"> <li>○ The land is being converted to Māori Freehold Land; or</li> <li>○ An ancestral link to the land has been identified.</li> </ul> </li> </ul>
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		<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>○ Explanation as to the historical reasons why the land was transferred to general title;</li> <li>○ Evidence as to why the land should be considered as ancestral Māori land.</li> <li>○ Explanation as to why the land has not been converted to Māori freehold land pursuant to the Te Ture Whenua Māori Act 1993.</li> <li>○ Demonstration of appropriate legal mechanism(s) to ensure that the land is maintained in whānau ownership.</li> </ul> <ul style="list-style-type: none"> <li>• An advice note to the papakāinga provisions states that, subject to the requirements of section 33 of the RMA, the Whangarei District Council is able to transfer its powers to the relevant iwi authority for the rohe in which the land is located.</li> <li>• Papakāinga development is subject to district wide rules, including rules for infrastructure, natural hazards and subdivision.</li> </ul>
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These plans were selected because:

- They have been subject to current or recent District Plan reviews that have/has addressed similar issues;
- The associated Councils are of a similar scale to Kāpiti Coast District and are experiencing similar issues relating to papakāinga.

The key findings from reviewing these two plans are that:

- Papakāinga are generally enabled across multiple urban and rural zones;
- Papakāinga provisions are for the benefit of tangata whenua (as defined in the Act), and this is reinforced by the requirement that papakāinga development occurs either on Māori Freehold Land or on land where an ancestral connection can be demonstrated;
- Papakāinga can include a range of non-residential activities in addition to housing, although non-residential activities must be associated with the residential activities on the papakāinga;
- There are varying degrees of objective and policy detail, and this appears to be related to the drafting style of the District Plan;
- Papakāinga are a permitted activity on Māori Freehold Land under Te Ture Whenua Māori Act 1993.
- Papakāinga are a restricted discretionary activity on general title land, subject to an ancestral connection to the land, and the land being held in Māori ownership in the long term;
- Papakāinga rules generally manage building bulk and location to match the underlying Zone standards, although to varying degrees the standards are relaxed to recognise that papakāinga will be different to the underlying development intended for the zone;
- Non-residential activities are, to varying degrees, managed through permitted activity standards. This activity status provides a threshold for considering effects related to non-residential activities. This activity status could also be seen as recognising that non-residential activities as part of a papakāinga are by nature ancillary to the residential activities.

### 3.4 Engagement with tangata whenua

Preparation of PC2 included engagement with tangata whenua through the iwi authorities of Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, and Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga).

S32(4A) of the RMA requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

Under Clause 4A of Schedule 1 of the RMA local authorities are required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 of the RMA prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

The following sections provide a record of the engagement undertaken with iwi authorities and a summary of the advice received specific to the proposed provisions evaluated within this report.

#### 3.4.1 Timeline of engagement

Engagement with tangata whenua through iwi authorities on the preparation of PC2 began in late 2021. Since then, there have been a number of information exchanges, hui and wānanga with iwi that have informed the development of PC2. Representatives of each iwi authority were invited to take part in all engagements that occurred.

The following table provides a summary of the key engagement undertaken as part of the preparation of PC2:

Date	Engagement	Iwi Authorities	Purpose
Late 2021	Feedback on <i>Te tupu pai: Growing well</i> (the District Growth Strategy)	Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Feedback informed the development of the Growth Strategy.  Feedback provided a basis for scoping PC2 (see discussion in section 3.4.2).
22 December 2021	Discussion document sent by Council outlining the potential scope of PC2	Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Discussion document outlined the potential scope of PC2 based on statutory requirements and feedback received from iwi on the preparation of the Growth Strategy (see discussion in section 3.4.2).  Sought initial feedback on potential scope, including papakāinga

Date	Engagement	Iwi Authorities	Purpose
			provisions, qualifying matters, and proposed new areas of General Residential Zone.
13 January 2022	Hui on the scope of PC2	Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Discussed the overall scope of PC2. Identified an approach to the development of papakāinga provisions.
9 February 2022	Initial hui on papakāinga provisions	Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Discussed initial iteration of papakāinga provisions as drafted by iwi.
7 March 2022	Kārewarewa Urupā	Te Ātiawa ki Whakarongotai	Confirmation of approach to providing for Kārewarewa Urupā as a wāhi tapu site.
17 – 21 March 2022	Series of hui on papakāinga provisions	Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga), with draft provisions sent to Te Ātiawa ki Whakarongotai after the hui	Papakāinga provisions were refined over three separate hui.
17 March 2022	Hui on intensification at Ōtaki	Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Ngā Hapū o Ōtaki provided feedback on proposed intensification at Ōtaki.
31 March 2022	Draft Plan Change	Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Draft PC2 provided to iwi for feedback. This included a separate document that outlined the draft papakāinga provisions.
7 April 2022	Hui on Draft Plan Change	Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Hui to discuss the scope and contents of draft PC2.
21 April 2022	Hui on intensification at Ōtaki	Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	Hui at Ōtaki to discuss Ngā Hapū o Ōtaki's concerns with intensification at Ōtaki, and how these might be able to be addressed through

Date	Engagement	Iwi Authorities	Purpose
			PC2. This included a hikoi around a number of sites at Ōtaki.
18 May 2022	Hui on Draft Plan Change feedback	Ngāti Toa Rangātira, Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	<p>The purpose of the hui was to discuss:</p> <ul style="list-style-type: none"> <li>• Feedback received from iwi on the draft Plan Change;</li> <li>• Feedback received from the public on the draft Plan Change that may be of relevance to iwi.</li> </ul>

### 3.4.2 Iwi feedback on *Te tupu pai: Growing well* – the District Growth Strategy

Prior to undertaking engagement with iwi on the preparation of PC2, the Council received feedback from iwi authorities as part of the preparation of *Te tupu pai: Growing well* (the District Growth Strategy). This process occurred during late 2021. The feedback received from iwi authorities as part of the preparation of *Te tupu pai* provided the Council with an understanding of matters of concern to iwi in relation to growth and residential development, and as a result informed the initial scoping of PC2.

The following table provides a summary of the matters raised in feedback received on *Te tupu pai*, alongside the initial consideration given to these matters as part of the scoping of PC2:

Matter raised by iwi	Opportunities identified for PC2 to address these matters
That iwi members can live and work closer to or within their ancestral homes, and participate in iwi, hapū and marae life.	<ul style="list-style-type: none"> <li>• PC2 can enable a wide range of housing types (at different price points), including papakāinga.</li> </ul>
Concern that growth may displace whānau.	
That the development of Māori land is supported.	<ul style="list-style-type: none"> <li>• New papakāinga provisions can enable papakāinga to be developed on Māori land, as well as land under general title.</li> </ul>
That iwi are enabled to develop and grow their own businesses.	<ul style="list-style-type: none"> <li>• New papakāinga provisions could be developed to enable iwi, hapū and whānau to establish and grow businesses as part of a papakāinga.</li> </ul>
That the unique history, identity and culture is respected and given expression within the district.	<ul style="list-style-type: none"> <li>• New papakāinga provisions could be developed to enable iwi, hapū and whānau to create living and working environments that reflect their own customs, culture and way of living.</li> <li>• Sites of significance to iwi and hapū could be recognised as “qualifying matters” to place restrictions on urban intensification.</li> </ul>

Matter raised by iwi	Opportunities identified for PC2 to address these matters
Concerns with the effects of intensification at Ōtaki.	<ul style="list-style-type: none"> <li>• Government direction requires intensification to be enabled at Ōtaki, and the only tool to moderate this is the “qualifying matter” tool.</li> <li>• For specific sites of significance to tangata whenua, the “qualifying matter” tool could be used to manage intensification in relation to those sites. There are also a range of “existing qualifying matters” that will apply at Ōtaki, including existing heritage buildings, structures and sites, sites of significance to tangata whenua that are scheduled in the District Plan, open spaces, key indigenous trees that are protected in the District Plan, and flood hazard provisions.</li> <li>• New papakāinga provisions can provide the opportunity to support the growth and development of marae, kohanga and kura within Ōtaki. Development of papakāinga could support and strengthen the unique character of Ōtaki.</li> <li>• Design guides for new development that breaches density standards can encourage new development to take its surroundings into account, and encourage development to relate to/be sensitive towards existing features such as heritage buildings, structures, sites and areas and sites of significance to tangata whenua.</li> </ul>
That growth may put pressure on existing infrastructure.	<ul style="list-style-type: none"> <li>• Existing District Plan provisions requiring developers to make suitable provision for infrastructure will continue to apply. This includes wastewater, water supply, stormwater management and transport infrastructure.</li> <li>• Existing provisions requiring new houses to be fitted with rainwater tanks will continue to apply.</li> <li>• Existing hydraulic neutrality provisions for new developments will continue to apply.</li> <li>• Existing requirements for new development to provide Development Contributions to fund the development of infrastructure will continue to apply.</li> <li>• Council will continue to address broader infrastructure capacity issues, including long-term investment in infrastructure</li> </ul>



Matter raised by iwi	Opportunities identified for PC2 to address these matters
	networks, through its separate Infrastructure Strategy as part of future LTP processes.
That growth may put pressure on the natural environment.	<ul style="list-style-type: none"> <li>• PC2 can provide for a range of natural environment matters as qualifying matters. These include: <ul style="list-style-type: none"> <li>○ Ecological sites identified in the District Plan;</li> <li>○ Key indigenous trees listed in the District Plan;</li> <li>○ Setbacks for development from existing waterbodies;</li> <li>○ Outstanding natural features and landscapes identified in the District Plan.</li> </ul> </li> <li>• Consistent with Schedule 3A of the RMA, PC2 will require landscape plantings as part of permitted activity residential development.</li> <li>• Existing restrictions on impervious surfaces will continue to apply.</li> <li>• The provisions of the Proposed Natural Resource Plan provide for the management of development in relation to natural environment matters, including effects of urban development on waterbodies.</li> <li>• Requirements in the National Environmental Standards for Freshwater protecting wetlands and other waterbodies from development will continue to apply, and will prevail over intensification enabled through the District Plan.</li> </ul>
That growth should be directed away from natural hazards and the impacts of climate change.	<ul style="list-style-type: none"> <li>• Evidence prepared for the Council has identified that parts of the district are potentially susceptible to coastal erosion hazard over the next 100 years. A qualifying matter approach has been proposed as part of PC2 to avoid enabling intensification in these parts of the district, until such time as the management of coastal hazards can be addressed through a future coastal environment plan change.</li> <li>• Existing rules and restrictions on building in flood hazard and fault hazard areas (including in and around river and stream corridors) will continue to apply as qualifying matters.</li> </ul>

Matter raised by iwi	Opportunities identified for PC2 to address these matters
That growth should be used as an opportunity to improve the built environment through encouraging development to be constructed to higher building standards.	<ul style="list-style-type: none"> <li>• Government has restricted Council's ability to impose stricter requirements on development that meets the minimum density standards set by the government. However, Council will use Design Guides proposed as part of PC2 to encourage higher quality outcomes for development that is of a greater density than the minimum government requirements.</li> <li>• Existing District Plan standards around water conservation will continue to apply.</li> </ul>
That growth should be used as an opportunity to improve the natural environment, through improving riparian margins and revitalising lost wetlands.	<ul style="list-style-type: none"> <li>• Comprehensively addressing this issue is likely to be beyond the statutory scope of PC2.</li> <li>• However, requirements in the National Environmental Standards for Freshwater protecting wetlands and other waterbodies from development will continue to apply and will prevail over development enabled through the District Plan.</li> <li>• Within the scope of PC2, rules requiring riparian margins to be set aside through subdivision will be maintained as an existing qualifying matter.</li> </ul>

### 3.4.3 Summary of matters raised through engagement with iwi authorities on PC2

This section provides a summary of the matters raised through engagement with iwi authorities on PC2, and how the Council has responded to these as part of the preparation of PC2. The summary below combines the matters discussed with iwi authorities through the various hui and information exchanges undertaken as part of preparing PC2 (see 3.4.1), as well as written feedback received from iwi authorities on the draft Plan Change (see 3.4.4).

The following summary of matters raised through engagement with iwi authorities is discussed under two topics: development of the papakāinga provisions, and general feedback on the provisions of PC2.

#### Development of the papakāinga provisions

The need for the District Plan to better provide for the development of papakāinga was raised with the Council by iwi authorities prior to PC2, including through submissions on the LTP and *Te tupu pai*.

The papakāinga provisions that have been incorporated into PC2 are the result of a collaborative effort by tangata whenua and Council to develop a set of provisions that reflect tangata whenua aspirations for the use and development of papakāinga on their ancestral land in the District. It was also an iterative process where the provisions were refined a number of times to address issues raised during the drafting process.

The overall process for developing the papakāinga provisions was as follows:

1. A general approach to the papakāinga provisions was proposed by tangata whenua based on the provisions for papakāinga contained in the proposed Porirua District Plan. This was proposed as a start point based on previous feedback from iwi;
2. From this base, tangata whenua developed a set of draft provisions, which included objectives, policies and rules for papakāinga;
3. Tangata whenua and Council held a series of working hui to refine the draft provisions and discuss substantive and technical issues. These hui enabled the provisions to be refined so that they reflected the concepts and aspirations sought by tangata whenua, while being in a form that could be incorporated into the District Plan. The range of substantive and technical matters which were discussed are summarised below.
4. The refined draft papakāinga provisions were incorporated into the draft PC2 for community feedback.

The following table summarises the key matters raised by iwi during the development of the provisions and the Council's response:

Matters raised by iwi authorities	Council response
Papakāinga development should be for the benefit of tangata whenua.	<ul style="list-style-type: none"> <li>• The definition of papakāinga clarifies that papakāinga are “for tangata whenua on their ancestral land”.</li> <li>• The objectives for papakāinga specifically reference tangata whenua.</li> <li>• Policy PK-Px1 provides that papakāinga are provided for where there is an ancestral connection to the land (demonstrated by the land being held under Te Ture Whenua Māori Act, or by other means).</li> <li>• Policy PK-Px2 provides that papakāinga development will be led by tangata whenua.</li> <li>• A standard in the rules for papakāinga on general title requires that applicants are a member of one of the District's iwi.</li> </ul>
The traditional value of papakāinga as a taonga that enable tangata whenua to live on and be sustained by their ancestral land in accordance with tikanga Māori should be recognised.	<ul style="list-style-type: none"> <li>• Overarching objective DO-Ox4 seeks to achieve this outcome.</li> <li>• This objective is supported by the total package of policies and rules that provide for papakāinga.</li> </ul>
Papakāinga development should enable Māori to live as Māori, and should support tangata whenua to thrive as a community.	<ul style="list-style-type: none"> <li>• Objective DO-Ox5 seeks to achieve this outcome.</li> <li>• Policies PK-Px2 and PK-Px3 provide for the design and development of papakāinga to be led by tangata whenua, with their location, extent and design to be guided by kaupapa and tikanga Māori.</li> <li>• Rules for papakāinga provide minimum design control over the bulk, location and arrangement of papakāinga, enabling tangata whenua to determine the appropriate form, location and appearance of papakāinga.</li> </ul>

Matters raised by iwi authorities	Council response
<p>Papakāinga should support the social, cultural and economic wellbeing of iwi, hapū and whānau.</p>	<ul style="list-style-type: none"> <li>• Objective DO-Ox5 seeks to achieve this outcome.</li> <li>• The definition of papakāinga, and Policy PK-Px5 provide for a range of ancillary activities to be developed as part of a papakāinga, that support the social, cultural and economic wellbeing of the papakāinga.</li> <li>• Rules for papakāinga do not limit the number of dwellings on a papakāinga. Instead, the maximum scale of a papakāinga is determined by the limitations of the site (under policy PK-Px4).</li> <li>• Iwi expressed concern that commercial activities as part of a papakāinga were proposed to be subject to a permitted activity standard. Initially, a 100m<sup>2</sup> GFA standard was proposed, consistent with the provisions of the Proposed Porirua District Plan. The purpose of the standard is to recognise other policies in the District Plan that seek to address the effects of commercial activities established outside the District's working zones, and provide a consent trigger for assessing these effects. As a result of iwi concerns, a more nuanced standard is proposed that recognises that papakāinga development will vary in size depending on their urban or rural location, and that this should be recognised in the commercial activity standard. To address this, a revised commercial activity GFA standard of 20% of the site area, or 500m<sup>2</sup> (whichever is the lesser) has been proposed<sup>39</sup>.</li> </ul>
<p>Papakāinga development should enhance the relationship between tangata whenua and their ancestral land, through sustained occupation of ancestral land.</p> <p>Tangata whenua should be able to develop papakāinga on their ancestral land, regardless of whether it is land held under Te Ture Whenua Māori Act.</p>	<ul style="list-style-type: none"> <li>• Objectives DO-Ox6 and DO-Ox7 seek to achieve these outcomes.</li> <li>• Policy PK-Px1 provides that papakāinga will be provided for on land held under Te Ture Whenua Māori Act, and allowed for on general title land owned by tangata whenua, where this land will remain in Māori ownership.</li> <li>• Papakāinga are provided for broadly across the District, by being enabled in the General Residential Zone, Town Centre Zone, and all Rural Zones.</li> <li>• Rules for papakāinga permit papakāinga development on land held under Te Ture Whenua Māori Act 1993, and are a restricted discretionary activity on general title land, where an ancestral connection to the land can be demonstrated, and the land will remain in Māori ownership.</li> <li>• Iwi expressed concern at the restricted discretionary activity status for papakāinga on general title land. The Council considered permitted activity status, but found that there would not be a sufficiently certain permitted activity standard that could address the issue of demonstrating an ancestral</li> </ul>

<sup>39</sup> A separate study was commissioned to identify whether the increased standard would be likely to adversely impact on the viability of commercial activities in the District's centres zones. Refer to Property Economics (2022). *Kāpiti Coast Papakāinga Commercial Land Use Economic Memorandum* (see Appendix S). The memo found that this standard would be unlikely to undermine the future development potential or growth prospects of the existing centres.

Matters raised by iwi authorities	Council response
	<p>connection to the land. The following have been incorporated into the provisions in order to address iwi concerns:</p> <ul style="list-style-type: none"> <li>○ Policy PK-Px1 clarifies that papakāinga will be allowed on general title land where it can be demonstrated that there is a whakapapa or ancestral connection to the land, and the land will remain in Māori ownership;</li> <li>○ Council discretion for papakāinga on general title land is restricted to only those matters necessary to determine whether policy PK-Px1 is achieved;</li> <li>○ An advice note is added to the rule that requires Council to seek and rely on advice from the relevant iwi authority when determining an application under the rule.</li> </ul>
<p>Council will work in partnership with tangata whenua to exercise their rangatiratanga through the development of papakāinga.</p>	<ul style="list-style-type: none"> <li>• Objective DO-Ox8 seeks to achieve this outcome.</li> <li>• The principle of providing tangata whenua with maximum flexibility to determine the location, extent and design of papakāinga, within the limitations of the site, is embedded within Policies PK-Px3 and PK-Px4.</li> <li>• Rules for papakāinga provide minimum design control over the bulk, location and arrangement of papakāinga, enabling tangata whenua to determine the appropriate form, location and appearance of papakāinga.</li> <li>• An advice note has been added to the policies and rules for papakāinga with direction that the Council would seek and rely on advice from iwi for any matter related to tikanga Māori.</li> <li>• An advice note has been added to the papakāinga chapter noting that the Council is able to transfer its powers to iwi authorities under s33 of the Act.</li> </ul>
<p>The visibility of tangata whenua in the District should be increased through the design of papakāinga.</p>	<ul style="list-style-type: none"> <li>• Objective DO-Ox9 seeks to achieve this outcome.</li> <li>• Policy PK-Px3 provides that the design of papakāinga will be determined by tangata whenua in accordance with kaupapa and tikanga Māori.</li> <li>• Policy PK-Px6 provides that Council will actively partner with tangata whenua to prepare papakāinga design guides, and when these are prepared, tangata whenua will be encouraged to develop papakāinga consistent with these design guides.</li> <li>• Rules for papakāinga provide minimum design control over the bulk, location and arrangement of papakāinga, enabling tangata whenua to determine the appropriate form, location and appearance of papakāinga.</li> </ul>
<p>Papakāinga development enables tangata whenua to exercise kaitiakitanga.</p>	<ul style="list-style-type: none"> <li>• Objective DO-Ox10 seeks to achieve this outcome.</li> <li>• The full package of policies and rules for papakāinga improve the ability for tangata whenua to develop their ancestral land,</li> </ul>

Matters raised by iwi authorities	Council response
	and provides flexibility for tangata whenua to determine the most appropriate form of papakāinga development for their land, within the limitations of the site. This in turn enables tangata whenua to better exercise kaitiakitanga.

### General feedback on PC2

During the preparation of PC2, iwi authorities expressed a range of concerns with the potential effects of the intensification that would be enabled as a result of PC2. These matters should be read in conjunction with the matters raised by iwi in relation to *Te tupu pai*, which are also relevant (refer section 3.4.2).

The following table summarises the key matters raised during the development of PC2 and the Council's response:

Matters raised by iwi authorities	Council response
<p>Ngā Hapū o Ōtaki expressed concerns with the effects that intensification may have on the environment and community at Ōtaki. These concerns included:</p> <ul style="list-style-type: none"> <li>• That the environment more broadly, and infrastructure networks more specifically, does not have sufficient capacity to accommodate intensification;</li> <li>• Intensification may displace whānau from their existing homes and communities;</li> <li>• Increased building heights and densities may reduce the ability for tangata whenua to connect to parts of the broader environment that are significant to them (for example, by obscuring views of the Tararua ranges);</li> <li>• Intensification may adversely impact on the functioning and tikanga of marae and sites of significance. Marae are particularly sensitive to being overlooked by surrounding development;</li> <li>• Intensification may adversely affect the functioning of marae, wānanga and kura (for example by increased traffic flows).</li> </ul>	<ul style="list-style-type: none"> <li>• Government direction requires intensification to be enabled at Ōtaki, and the only tool to moderate this is the “qualifying matter” tool. Intensification can only be reduced where a qualifying matter applies.</li> <li>• PC2 does provide for a range of existing qualifying matters that will provide restrictions on development. At Ōtaki these include restrictions related to: <ul style="list-style-type: none"> <li>○ Development in flood hazard areas;</li> <li>○ Development on sites with key indigenous trees;</li> <li>○ Development on sites with scheduled historic heritage features;</li> <li>○ Development on sites with scheduled wāhi tapu.</li> </ul> </li> <li>• While infrastructure capacity is not, in and of itself, a qualifying matter, a range of existing District Plan provisions related to infrastructure capacity will apply to new development, including: <ul style="list-style-type: none"> <li>○ New development is required to meet the Council's infrastructure standards, which includes that adequate infrastructure is provided to service the development, and that downstream effects of the development on infrastructure capacity are addressed;</li> <li>○ Existing water demand management provisions (such as rainwater tanks) will continue to apply to new development;</li> </ul> </li> </ul>

Matters raised by iwi authorities	Council response
	<ul style="list-style-type: none"> <li>○ New subdivision is required to achieve hydraulic neutrality;</li> <li>○ New development will be subject to development contributions to fund the provision of new infrastructure or the upgrading of existing infrastructure.</li> <li>• In addition to these provisions, planning for new and upgraded infrastructure to meet the requirements of growth will continue to be regularly reviewed through the Council's future LTP processes.</li> <li>• It is difficult to address the potential for whānau to be displaced by development through District Plan provisions. However, the proposed papakāinga provisions improve the ability for tangata whenua to develop papakāinga in and around Ōtaki, which may contribute towards mitigating this issue.</li> <li>• PC2 proposes a "Marae Takiwā Precinct" as a qualifying matter precinct to manage the effects of intensification around Raukawa Marae (a similar precinct is proposed around Whakarongotai Marae in Waikanae). This includes: <ul style="list-style-type: none"> <li>○ lower height and density standards for new development around the marae;</li> <li>○ matters of discretion that ensure the effects of overlooking the marae, and the obstruction of views towards the Tararua Range from the marae, are considered as part of new development;</li> <li>○ a requirement that tangata whenua who are responsible for marae are considered as an affected person under s95E of the RMA for considering the notification of resource consent applications for new development within the precinct.</li> </ul> </li> <li>• It is difficult to address the broader effects of increased traffic may have on marae, wānanga and kura through District Plan provisions, although all new development will need to meet the requirements of the Transport provisions of the District Plan (which include standards for vehicle trip generation associated with new development).</li> </ul>

Matters raised by iwi authorities	Council response
	In summary, because of government direction that requires the District Plan to enable intensification at Ōtaki, there is limited ability for the Council to fully address the concerns raised by Ngā Hapū o Ōtaki through PC2. However, PC2 does seek to address, where practicable, some of these concerns through qualifying matters.
Wāhi tapu may be vulnerable to development as a result of intensification.	<ul style="list-style-type: none"> <li>All wāhi tapu sites scheduled in the District Plan are provided for as an existing qualifying matter. New development on these sites will be subject to the range of restrictions outlined in the Sites and Areas of Significance to Māori chapter of the District Plan.</li> </ul>
Te Ātiawa ki Whakarongotai seek that Kārewarewa Urupā is recognised and provided for as a wāhi tapu site.	<ul style="list-style-type: none"> <li>Kārewarewa Urupā, which is located in the General Residential Zone at Waikanae Beach, is proposed to be added to Schedule 9 of the District Plan as a new qualifying matter. As a result, new development on the site will be subject to additional restrictions outlined in the Sites and Areas of Significance to Māori chapter of the District Plan.</li> </ul>
The existing framework of District Plan provisions for Sites and Areas of Significance to Māori could be improved to better recognise other sites of significance, such as papakāinga, kura and marae.	<ul style="list-style-type: none"> <li>It is possible that the existing provisions of the Sites and Areas of Significance chapter could be reviewed and improved to provide more effectively for other sites of significance, however it would be difficult to achieve this in a comprehensive manner within the statutory scope of PC2 (which is an IPI).</li> <li>It would be more appropriate to more broadly consider the suitability of the existing District Plan provisions as part of a future plan change that is not subject to the same statutory limitations as an IPI.</li> </ul>

#### 3.4.4 Written feedback received from iwi authorities on draft PC2

A full copy of the written feedback received from iwi authorities on draft PC2 is contained in Appendix A.

The following table provides a summary of the matters raised through written feedback, and the Council's consideration or response to each matter:

Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
Te Ātiawa ki Whakarongotai	<ul style="list-style-type: none"> <li>Draft PC2 addresses elements of Ātiawa's input into the District Growth Strategy, specifically: <ul style="list-style-type: none"> <li>The provision of housing;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Section 3.4.2 provides further discussion on the matters raised by iwi during engagement on the District Growth Strategy (including Te Ātiawa ki Whakarongotai), and</li> </ul>



Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
	<ul style="list-style-type: none"> <li>○ Development focussed around transport hubs;</li> <li>○ Provision for papakāinga which includes activities beyond residential activity.</li> </ul>	<p>how these matters have been considered as part of preparing PC2.</p>
	<ul style="list-style-type: none"> <li>• Ongoing engagement is required to enable draft PC2 to give life to Te Ātiawa's values, principles and Iwi Kaitiakitanga Plan policies.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 2.5 provides a description of specific matters outlined in the Whakarongotai o te moana o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai (2019) that have been considered as part of the preparation of PC2.</li> <li>• It is noted that the requirement to have regard to the Kaitiakitanga Plan is an ongoing responsibility that extends beyond PC2 and into the range of future plan changes that the Council is responsible for.</li> </ul>
	<ul style="list-style-type: none"> <li>• Te Ātiawa ki Whakarongotai support Council's inclusion of Kārewarewa Urupā as a wāhi tapu as a reflection of its history and appropriate future use.</li> </ul>	<ul style="list-style-type: none"> <li>• PC2 provides for Kārewarewa Urupā to be added to Schedule 9 of the District Plan.</li> </ul>
Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga)	<ul style="list-style-type: none"> <li>• The ability for Ngā Hapū o Ōtaki to meaningfully participate in the preparation of PC2 has been limited by the legislation under which PC2 has been prepared (the Resource Management (Enabling Housing Supply and Other Matters) Act 2021).</li> <li>• The limitations created by the legislation are inconsistent with objectives 1 and 5, and policies 1 and 9 of the NPS-UD.</li> <li>• The legislation is regarded as a breach of Te Tiriti rights and obligations.</li> <li>• This has made it impossible for the aspirations of Ngā Hapū o Ōtaki to be truly considered in the preparation of PC2.</li> <li>• The exception to this is the development of the papakāinga provisions.</li> <li>• Ngā Hapū o Ōtaki has raised these concerns directly with the Ministers of the Crown responsible for the</li> </ul>	<ul style="list-style-type: none"> <li>• Within the limitations placed on PC2 by the legislation, reasonable steps have been taken to involve Ngā Hapū o Ōtaki in the preparation of PC2 and take its aspirations into account.</li> </ul>

Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
	<p>legislation, through their position statement.</p> <ul style="list-style-type: none"> <li>• Ngā Hapū o Ōtaki has serious concerns that imminent intensification in the Ōtaki area will have more negative impacts on the people of Ngā Hapū o Ōtaki, and the taiao, than positive.</li> <li>• Specifically: <ul style="list-style-type: none"> <li>○ Intensification may result in whānau (particularly those who are renting) being pushed out of the area;</li> <li>○ Whānau living close to the marae is important to the ongoing maintenance and survival of the marae;</li> <li>○ Connection to maunga, awa, marae and other important places is critical for wellbeing;</li> <li>○ There is concern that the effects of intensification may impact the ability of the people of Ngā Hapū o Ōtaki to practice cultural norms and to care for important institutions and places of significance.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Within the limitations placed on PC2 by the legislation, opportunities have been explored for PC2 to address some of these concerns. Specifically: <ul style="list-style-type: none"> <li>○ PC2 incorporates amendments made in response to feedback on the draft version to provide for a Marae Takiwā Precinct to limit intensification around the Raukawa marae. This recognises that intensification around the marae may adversely affect the ability for Ngā Hapū o Ōtaki to practice cultural norms on the marae. Refer to section 6.1.5 of this report for further information.</li> <li>○ Proposed matters of discretion for development in the General Residential Zone that breaches permitted activity standards have been amended in response to feedback on draft PC2 to include consideration of effects on cultural values, where development is located adjacent to a place or area of significance to Māori identified in the District Plan.</li> <li>○ The proposed design guides incorporate amendments made in response to feedback on draft PC2 to provide that new development considers its relationship to sites of significance to tangata whenua that are identified in the District Plan.</li> </ul> </li> </ul>

Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
	<ul style="list-style-type: none"> <li>The following steps are critical to achieving a well-functioning urban environment in Ōtaki before any further intensification occurs:               <ul style="list-style-type: none"> <li>Defining the level of population growth and development that can be sustained by waterways and the environment;</li> <li>A detailed plan for the development of infrastructure and prescribed building rules;</li> <li>More scope to be provided for qualifying matters to better protect areas of importance to mana whenua;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>The papakāinga provisions will enable tangata whenua to develop papakāinga in and around Ōtaki to assist with the provision of housing for whānau within the community. It is recognised however, that developing papakāinga is likely to take time.</li> </ul> </li> <li>However, while the District Plan can enable tangata whenua to provide for their housing needs (through the proposed papakāinga provisions for example), there is limited ability for the District Plan to prevent the displacement of existing households as a result of new development.</li> <li>The papakāinga provisions proposed within PC2 support the development of housing for tangata whenua to address this issue. Their effectiveness will be supported by the implementation of a range of central and local government initiatives to support the development of Māori housing, including the Council's Housing Strategy and the government's National Māori Housing Strategy: <i>MAIHI Ka Ora</i>.</li> </ul> <ul style="list-style-type: none"> <li>Defining the level of population growth and development that can be sustained by waterways and the environment is a significant task that would require planning and the establishment of an evidence base at a regional and district level. This exercise falls outside the scope of PC2. However, PC2 does provide for a range of existing qualifying matters that manage the effects of intensification in relation to waterbodies and the natural environment. These are outlined in section 6.1.1.</li> <li>In relation to the development of infrastructure, the infrastructure capacity assessment undertaken as part of the Council's next</li> </ul>

Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
	<ul style="list-style-type: none"> <li>○ Intensification is scaled back to a maximum of three storeys in Town Centres and two storeys in residential areas for the interim.</li> </ul>	<p>Housing and Business Development Capacity Assessment (HBA) will be prepared ahead of the 2024 Long-term Plan. Taking in to account the level of development enabled by PC2, this assessment will identify whether there are any shortfalls in long-term infrastructure capacity that need to be addressed through infrastructure planning.</p> <ul style="list-style-type: none"> <li>● In relation protecting areas of importance to mana whenua, PC2 provides that existing protections for sites and areas of significance to Māori identified in the district plan continue to apply to new development. As noted above, PC2 incorporates amendments to provide for a precinct to limit intensification around the Raukawa marae in response to feedback on the draft version of the plan change.</li> <li>● Notwithstanding the direction to achieve a well-functioning urban environment, the RMA requires that the District Plan incorporate the MDRS and give effect to policy 3 of the NPS-UD across the district, including at Ōtaki. Scaling intensification back to 3-storeys in the Town Centre Zone and 2-storeys in the General Residential Zone throughout Ōtaki would not be consistent with this requirement.</li> </ul>
	<ul style="list-style-type: none"> <li>● Protecting taonga is important to Nga Hapū ō Ōtaki. This includes but is not limited to: <ul style="list-style-type: none"> <li>○ Raukawa marae (the marae matua of the ART Confederation);</li> <li>○ Te Wananga o Raukawa;</li> <li>○ Our kohanga and kura;</li> <li>○ Rangiatea Church;</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● As noted above, PC2 incorporates amendments made in response to feedback on the draft version to provide for a precinct to limit intensification around the Raukawa marae. As discussed in section 6.1.5 there is a sufficient basis (including available evidence in support of this) to limit the level of development around the marae as a qualifying matter. As a result, it is considered appropriate to limit intensification around the marae as a qualifying matter.</li> </ul>

Iwi authority	Summary of matters raised by iwi authority	Council consideration/response
	<ul style="list-style-type: none"> <li>An area of whānau housing close to Raukawa marae.</li> </ul>	<ul style="list-style-type: none"> <li>In relation to the other areas noted, it was not considered that there was a sufficient basis or supporting evidence to limit the level of development otherwise required by the MDRS or NPS-UD around these areas. However, this does not preclude alternative approaches to managing development in and around these areas from being considered as part of a future plan change process (such as the future mana whenua plan change).</li> </ul>
	<ul style="list-style-type: none"> <li>Ngā Hapū o Ōtaki are proud of and fully supportive of the draft papakāinga provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Noted.</li> </ul>
	<ul style="list-style-type: none"> <li>Ngā Hapū o Ōtaki support the steps proposed to increase the protections for the Kārewarewa Urupā area.</li> <li>It is the intention of Ngā Hapū o Ōtaki to work towards the protection of a number of wāhi tapu in the Ōtaki Area over the next 2 to 3 years.</li> </ul>	<ul style="list-style-type: none"> <li>Outside of PC2, the Council intends to work in partnership with Ngā Hapū o Ōtaki to recognise and provide for wāhi tapu in the Ōtaki area as part of future plan change processes, including a future mana whenua plan change. This includes providing support to Ngā Hapū o Ōtaki to gather evidence for this purpose.</li> </ul>
	<ul style="list-style-type: none"> <li>Ngā Hapū o Ōtaki have sent a position statement outlining their concerns with the legislation, and the level of intensification proposed to be enabled at Ōtaki as a result of this, to the Ministers for Housing, the Environment, and Māori Crown Relations.</li> </ul>	<ul style="list-style-type: none"> <li>The position statement is noted, and the matters raised in it have been considered as part of the comments above.</li> </ul>

### 3.5 Consultation

The following section provides a summary of the consultation undertaken as part of the preparation of PC2. Consultation and engagement with iwi authorities on the development of PC2 is discussed separately under section 3.4.

#### 3.5.1 Consultation to inform the development of Draft PC2

The development of PC2 followed on from the development of *Te tupu pai: Growing well* (the District Growth Strategy). Public consultation on *Te tupu pai* occurred in October and November 2021, and informed the development of the strategy, which was adopted by Council in February 2022. Consultation on *Te tupu pai* included consultation on the level of intensification that would be required to give effect to policy 3 of the NPS-UD (including the spatial extent of intensification areas, and increased heights and densities within these areas). This level of intensification was incorporated into the adopted version of *Te tupu pai*, which subsequently became the basis for the level of intensification proposed to give effect to policy 3 of the NPS-UD in PC2.

### 3.5.2 Consultation on Draft PC2

Due to the short statutory timeframe for the preparation of PC2, seeking feedback on a draft version of PC2 was the primary method of consultation. The consultation document for draft PC2 included:

- A summary explanation of the scope of draft PC2, and how this had been determined;
- A full draft of PC2, which included:
  - Proposed amendments to District Plan provisions, on a chapter-by-chapter basis;
  - Notification of unamended provisions related to existing qualifying matters;
  - Appendices which included:
    - Areas proposed to be re-zoned as General Residential Zone;
    - Wāhi tapu areas proposed to be added to Schedule 9 of the District Plan;
    - A draft proposed Residential Design Guide;
    - A draft proposed Centres Design Guide;
    - Proposed amendments to the District Plan maps.

Consultation on a full draft of PC2 was considered appropriate because it was the primary form of consultation with the public on the Plan Change, and a full draft Plan Change would enable the public to have as full an understanding as possible on the scope and detail of the Plan Change. Because of the extensive nature of the draft Plan Change, a summary explanation was included with the consultation document, to assist with understanding and interpretation of the draft Plan Change.

Draft PC2 was publicly released on 4 April 2022, and feedback was invited by 2 May 2022.

Draft PC2 was made publicly available through the Council website, with a dedicated webpage that included the consultation document and instructions on how to provide feedback. Public awareness of the availability of draft PC2 was raised through the Council's "Everything Kāpiti" electronic newsletter (which has around 3,000 subscribers). Awareness was also raised through a number of articles and opinion pieces that appeared in local newspapers. The Council also directly e-mail a distribution list of people who had earlier indicated an interest in district plan matters, either through consultation on *Te tupu pai*, or through earlier Council consultations.

Feedback on draft PC2 was also sought from the following parties, through e-mail or hardcopy letter correspondence:

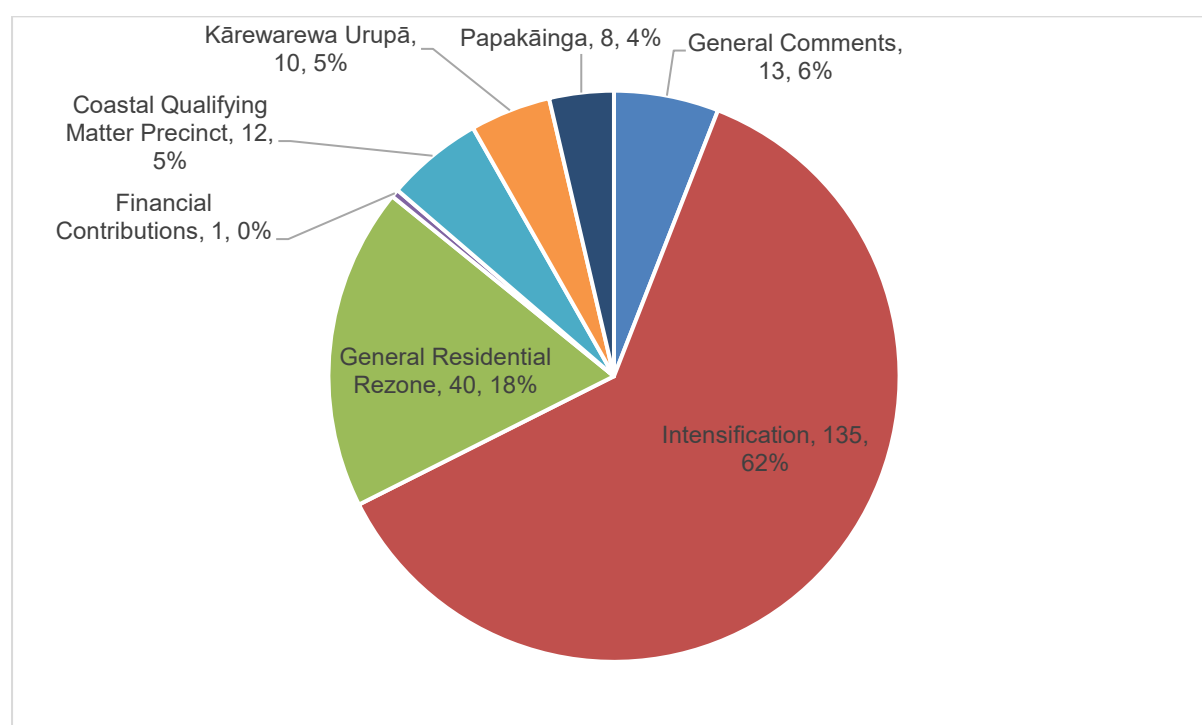
- The Minister for the Environment (in accordance with Schedule 1 cl3(1)(a) of the RMA);
- The Minister of Housing (in accordance with Schedule 1 cl3(1)(b) of the RMA);
- All territorial authorities within the Wellington Region, the Horowhenua District Council and the Greater Wellington Regional Council (in accordance with Schedule 1 cl3(1)(c) of the RMA);
- Iwi authorities (in accordance with Schedule 1 cl3(1)(c) and cl4A of the RMA);
- Owners of land within the proposed Kārewarewa Urupā wāhi tapu areas<sup>40</sup>;
- Owners of land proposed to be rezoned as General Residential Zone<sup>40</sup>.

201 submissions were received on draft PC2 from individuals, community groups, businesses and state entities. Submissions were received on the range of themes covered by the Plan Change (see Figure 6). Where submissions covered multiple topics, these were split by topic.

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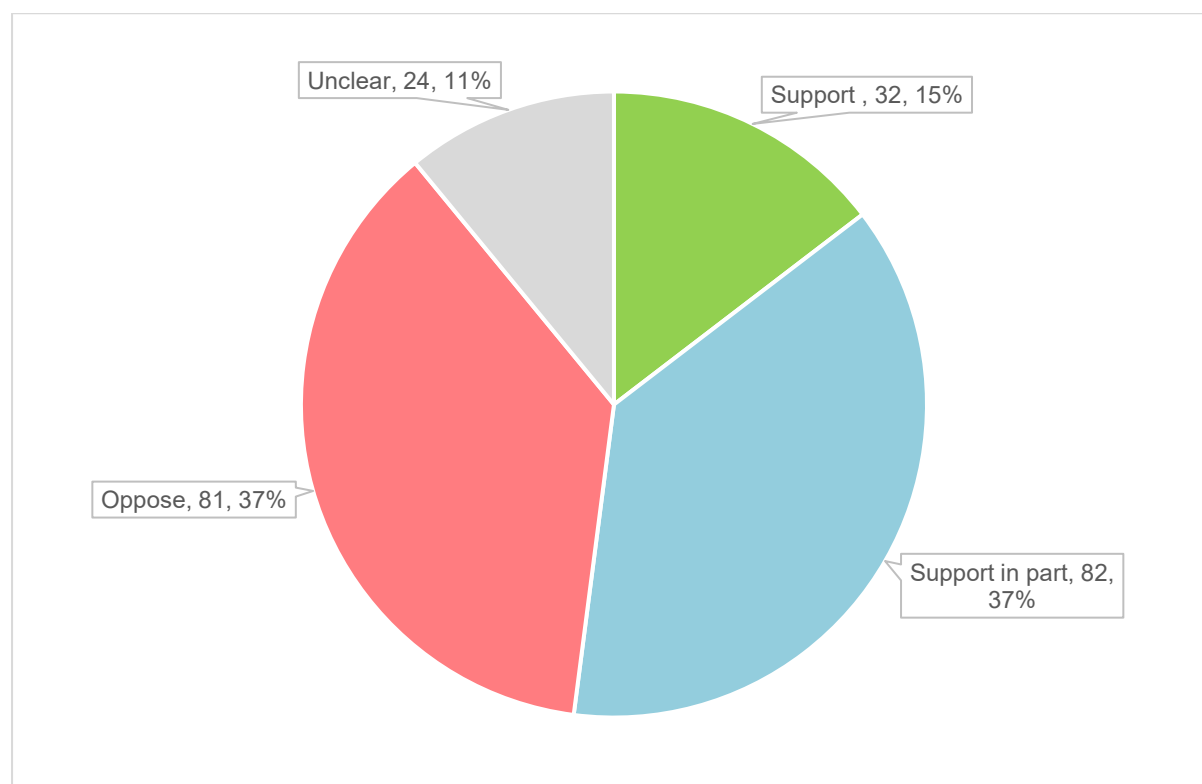
<sup>40</sup> Per clause 3(2) of Schedule 1 of the RMA, the Council may consult anyone else during the preparation of a proposed plan.

Figure 6: number of submissions received on draft PC2 by topic



Overall, support and opposition on the draft Plan Change, as expressed through the submissions, was relatively balanced (see Figure 7).

Figure 7: number of submissions received on draft PC2 categorised by support or opposition



A full summary of the feedback received from submitters, and the Council's response to each, is contained in Appendix B. This appendix also identifies how draft PC2 was amended in response to submissions.

The following table provides a high-level summary of the feedback received:

Topic	Themes
Intensification	<ul style="list-style-type: none"> <li>• There was a balance of support and opposition on the Plan Change, with a similar number of submissions opposed to the Plan Change, as supported the Plan Change, or supported it in part.</li> <li>• Themes amongst submissions opposed to intensification included: <ul style="list-style-type: none"> <li>○ Impacts on local character</li> <li>○ Impacts on amenity (particularly outdoor space)</li> <li>○ Coastal hazards (particularly inundation and tsunami)</li> <li>○ Impacts on trees, vegetation, open space</li> <li>○ Infrastructure capacity and upgrade requirements (particularly roads, parking, wastewater)</li> <li>○ Social infrastructure availability (supermarkets, schools, medical centres)</li> </ul> </li> <li>• Themes amongst submissions that supported intensification in part included: <ul style="list-style-type: none"> <li>○ Agreement in principle, but: <ul style="list-style-type: none"> <li>▪ Intensification should be focussed in particular areas</li> <li>▪ Infrastructure needs to be addressed</li> <li>▪ Proposed intensification goes too far</li> <li>▪ Proposed intensification does not go far enough</li> </ul> </li> <li>○ Concerned that intensification will be ad-hoc</li> <li>○ Council must enforce standards</li> </ul> </li> <li>• Themes amongst submissions that supported intensification included: <ul style="list-style-type: none"> <li>○ More housing is needed</li> <li>○ More variety and more affordable housing is needed</li> <li>○ More people want to live on the Kāpiti Coast</li> <li>○ People want to live closer to centres and public transport</li> <li>○ Using the existing urban environment more efficiently helps address broader growth pressures</li> <li>○ Promotes lower-impact development</li> </ul> </li> </ul>
Coastal Qualifying Matter Precinct	<ul style="list-style-type: none"> <li>• Some submitters thought the Coastal Qualifying Matter Precinct is a sensible approach.</li> <li>• Other submitters thought it was not restrictive enough and should include coastal inundation and tsunami hazard.</li> <li>• Submitters opposed to the precinct were concerned about the evidence used to establish the precinct. They were also concerned that the precinct may be seen as predetermining the outcome of the future coastal environment plan change process.</li> </ul>
General Residential Rezoning	<ul style="list-style-type: none"> <li>• While there were a range of views on rezoning of areas as General Residential Zone, the majority of submitters supported the approach.</li> </ul>



	<ul style="list-style-type: none"> <li>• Several submitters thought the Council should be rezoning more areas as General Residential Zone. Some additional areas were requested and additional evidence was provided in submissions.</li> <li>• Opposition to rezoning was based around the following themes: <ul style="list-style-type: none"> <li>○ A change from rural to urban character was not seen as desirable (this was particularly noted in the part of the Waikanae North FUZ located at 174-211 Ngarara Road);</li> <li>○ The capacity of roads and infrastructure to accommodate more growth;</li> <li>○ Flood hazard;</li> <li>○ Lack of access to open space (Rangiuru Road, Ōtaki).</li> </ul> </li> </ul>
Papakāinga	<ul style="list-style-type: none"> <li>• There was strong support for the proposed papakāinga provisions.</li> </ul>
Kārewarewa Urupā	<ul style="list-style-type: none"> <li>• In general, owners of the land proposed to be scheduled as <i>wāhanga rua</i><sup>41</sup> were sympathetic to the proposal, but held a range of concerns about how the provisions would impact their ability to use or develop their land.</li> <li>• There was concern about the future use and management of the undeveloped land proposed to be scheduled as <i>wāhanga tahi</i><sup>41</sup>.</li> <li>• The owner of the land proposed to be scheduled as <i>wāhanga tahi</i><sup>42</sup> strongly opposed the proposal.</li> </ul>

### 3.5.3 Consultation on the proposal to include the *Land Development Minimum Requirements, April 2022* as a document incorporated by reference

In addition to the consultation outlined above, the Council also undertook consultation to inform the development of the *Land Development Minimum Requirements, April 2022* (LDMR) and to seek feedback on the proposal to incorporate the LDMR as a document incorporated by reference into the District Plan as required by Schedule 1 clause 34 of the RMA.

#### Consultation and review to inform the development of the LDMR

The review of the SDPR and the subsequent development of the LDMR was informed by internal and external consultation and review, undertaken between 2019 and 2022. This included:

- Internal review by Council technical experts and asset managers, between 2019 and 2022;
- Workshops with the development community in 2020;
- Review by an engineering consultant in 2021 and 2022 to assess proposed changes and test regional consistency;
- Feedback from developer and iwi representatives on a draft of the LDMR in March 2022.

For context, while the LDMR is differently titled to the SDPR, the LDMR can be described as an update of the SDPR, rather than a substantial replacement of its content. The changes to the

<sup>41</sup> The District Plan provides for various *wāhanga* (or category) of wāhi tapu. In relation to Kārewarewa Urupā, the provisions associated with *wāhanga tahi* and *wāhanga rua* are described in further detail in section 6.1.4 of this report. Refer also to the Sites and Areas of Significance to Māori chapter of the District Plan for relevant provisions.

document are discussed in section 5.2.5 of this report. Further, the Council plans to review the LDMR again in the near future (anticipated to occur in approximately 18 months' time) to account for the changes as a consequence of other Council work programmes such as the Council's review of stormwater management.

### **Consultation on the proposal to include the LDMR as a document incorporated by reference in the District Plan**

Consultation on the proposal to incorporate the LDMR as a document incorporated by reference into the District Plan was undertaken in accordance with the requirements of Schedule 1 clause 34 of the RMA and took place in April and May 2022. This involved:

- Publishing public notices in the Kāpiti News and Kāpiti Observer (20<sup>th</sup> April 2022);
- Making the public notice and a copy of the LDMR available on the Kāpiti Coast District Council webpage;
- Making hard copies of the LDMR available at the Council's libraries and service centres, with an option to purchase a copy of the document from the Paraparaumu Service Centre; and
- Directly notifying and inviting feedback from neighbouring Councils, Greater Wellington Regional Council, the Ministry for the Environment, iwi authorities and developer representatives.

Consultation was open for three and a half weeks, closing on 13 May 2022.

Feedback was received from two land development consultants, a land developer and an iwi authority (Te Ātiawa ki Whakarongotai Charitable Trust) on the proposal to incorporate the LDMR into the District Plan. The following is a high-level summary of the feedback received:

Who	Feedback	Consideration by Council
Iwi authority (Te Ātiawa ki Whakarongotai)	<ul style="list-style-type: none"> <li>• The LDMR should take into account Whakarongotai o te moana o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai (2019).</li> </ul>	<ul style="list-style-type: none"> <li>• The Whakarongotai o te moana o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai (2019) has been considered in the development of the LDMR.</li> </ul>
	<ul style="list-style-type: none"> <li>• Ātiawa seeks greater involvement in future substantive reviews of the LDMR.</li> <li>• Ātiawa seeks review of Parts 1 and 2 of the LDMR to reflect Ātiawa's recommendations made in the partnership review.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted, Council will seek greater involvement in future reviews.</li> </ul>
Development consultants	<ul style="list-style-type: none"> <li>• The potential impacts of enabling increased intensification under PC2 should be considered as part of the LDMR.</li> </ul>	<ul style="list-style-type: none"> <li>• Review of the LDMR has considered the potential impacts of intensification enabled under PC2.</li> </ul>
	<ul style="list-style-type: none"> <li>• The diagrams contained in the proposed Residential and Centres design guides may not meet many of the engineering requirements outlined in the LDMR.</li> </ul>	<ul style="list-style-type: none"> <li>• The Residential and Centres design guides have been amended to note that diagrams identified in the design guides are indicative illustrations, and actual development will need to comply with a range of development and engineering requirements</li> </ul>

Who	Feedback	Consideration by Council
		(including those outlined in the LDMR).
	<ul style="list-style-type: none"> <li>Detailed comments on the interpretation, efficiency or effectiveness of a range of specific requirements outlined in the LDMR (including those that are not proposed to change from the SDPR).</li> </ul>	<ul style="list-style-type: none"> <li>Council has considered all comments raised by development consultants.</li> <li>Most matters raised were considered through the development of the LDMR.</li> <li>A number of matters raised by development consultants are appropriate to consider as part of the planned review of the LDMR in 18 months' time.</li> </ul>
Developer	<ul style="list-style-type: none"> <li>Concern with the provision that Council can require, in some situations, commuted sums to provide for future maintenance and replacement costs of infrastructure assets prior to vesting.</li> </ul>	<ul style="list-style-type: none"> <li>The provision for commuted sums is already contained in the SDPR and is not proposed to be changed by the LDMR. The approach is consistent with other local authorities.</li> </ul>
	<ul style="list-style-type: none"> <li>Concern that the increased road carriageway width requirements in instances where development does not provide on-site parking (Schedule 3 clause 3.3.1) could be interpreted as a requirement to provide on-site parking.</li> <li>Concern that this may discourage transportation mode shift.</li> </ul>	<ul style="list-style-type: none"> <li>The provision does not require on-site parking to be provided. Rather, it manages the effects on demand for road space that is likely to be caused by increased demand for on-street parking where development does not provide on-site parking.</li> <li>The provision supports mode shift by ensuring that there is sufficient carriageway space for public transport (busses) to use roads within new development.</li> </ul>

The Council considered all feedback received on the proposal to incorporate the *Land Development Minimum Requirements, April 2022* into the District Plan as a document incorporated by reference. In considering the feedback received, it is acknowledged that there are some matters identified in feedback on the proposal that will be relevant to consider as part of the next review of the document.

It is noted that the document proposed to be incorporated by reference into the District Plan as part of PC2 is substantively the same as the document that was consulted on under Schedule 1 clause 34 (outlined above), except for the following errata:

- A reference to the standard for road lighting on page 103 has been corrected from AS/NZS 1158:2005 to AS/NZS 1158:2020.

### 3.6 Summary of Relevant Resource Management Issues

Based on the research, analysis, engagement with iwi and consultation outlined above the following issues have been identified:

Issue	Summary of key matters	Response as part of PC2
Issue 1: housing supply and intensification	<ul style="list-style-type: none"> <li>The District Plan does not incorporate the MDRS and does not give effect to policy 3 of the NPS-UD.</li> <li>The District Plan does not enable a sufficient supply of housing, or a sufficient variety of dwelling typologies to meet the demands of population growth over the long term.</li> </ul>	<ul style="list-style-type: none"> <li>Amend the provisions of the District Plan to enable a greater supply and variety of housing, including by:               <ul style="list-style-type: none"> <li>Incorporating the MDRS into the General Residential Zone;</li> <li>Rezoning land as General Residential Zone in areas where there is a low degree of complexity;</li> </ul> </li> <li>Giving effect to policy 3 of the NPS-UD in a range of urban environment zones.</li> </ul>
	<ul style="list-style-type: none"> <li>District Plan provisions generally seek to provide for character and amenity values in urban environments based on low-density development outcomes. In some areas recognised as containing “distinct identity and valued character”, further restrictions are placed on development density.</li> </ul>	<ul style="list-style-type: none"> <li>Amend objectives, policies and rules relevant to the issue of character and amenity values in urban environments, to ensure that they give effect to and/or are not inconsistent with the objectives and policies of the MDRS and NPS-UD.</li> </ul>
	<ul style="list-style-type: none"> <li>There may be some circumstances where it is inappropriate to provide for intensification due to the presence of a qualifying matter.</li> </ul>	<ul style="list-style-type: none"> <li>Provide for new qualifying matters where it is appropriate to do so.</li> </ul>
	<ul style="list-style-type: none"> <li>There are few existing precedents in the District that demonstrate what high-quality higher-density residential or mixed-use development looks like.</li> </ul>	<ul style="list-style-type: none"> <li>Include new design guides that demonstrate how high-quality higher density residential or mixed-use development can be achieved.</li> </ul>
	<ul style="list-style-type: none"> <li>The <i>Council's Subdivision and Development Principles and Requirements, 2012</i> document has become out of date, and does not take into consideration the potential impacts of increased levels of intensification.</li> </ul>	<ul style="list-style-type: none"> <li>Replace references to the <i>Subdivision and Development Principles and Requirements, 2012</i> with the recently reviewed <i>Land Development Minimum Requirements, April 2022</i>.</li> </ul>
Issue 2: providing for papakāinga	<ul style="list-style-type: none"> <li>There is an insufficient supply of housing, and insufficient variety of housing, for tangata whenua.</li> <li>Tangata whenua have expressed a desire that they are enabled and supported to develop papakāinga.</li> <li>There are no objectives or policies in the District Plan that recognise the aspirations of tangata whenua to provide for their ancestral connection to the land through the</li> </ul>	<ul style="list-style-type: none"> <li>Provide a district-wide chapter that includes objectives and policies for the use and development of papakāinga across the district.</li> </ul>

Issue	Summary of key matters	Response as part of PC2
	<p>design, use and development of papakāinga;</p> <ul style="list-style-type: none"> <li>• Recognising and providing for the relationship between tangata whenua and their ancestral land is a matter of national importance under s6(e) of the RMA. Papakāinga provide for this by enabling tangata whenua to develop, live on and be sustained by their ancestral land.</li> <li>• Existing rules for papakāinga only enable papakāinga on Māori land held under Te Ture Whenua Māori Act 1993, and do not recognise that tangata whenua may have interests in general title land.</li> <li>• Papakāinga are restricted to rural zones (with the exception of the Town Centre Zone). There are no existing rules that enable papakāinga in urban areas more generally.</li> <li>• There has been no development of papakāinga in the district under the existing District Plan provisions. This suggests that the existing provisions may not be sufficiently enabling to provide for their development.</li> <li>• Papakāinga can include a range of activities in addition to housing as part of sustaining the social, cultural and economic wellbeing of the papakāinga.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide greater flexibility for tangata whenua to use and develop papakāinga on their ancestral land, including by: <ul style="list-style-type: none"> <li>○ Enabling papakāinga to be developed on general title land where there is an ancestral connection, in addition to Māori land held under Te Ture Whenua Māori Act 1993;</li> <li>○ Enabling papakāinga to be developed in urban as well as rural areas.</li> </ul> </li> <li>• Provide rules for the development of papakāinga that enable tangata whenua to determine the design, form, appearance and location of papakāinga, while managing effects on the environment and adjoining properties.</li> <li>• Provide for a range of activities ancillary to housing to occur as part of a papakāinga.</li> <li>• Recognise that papakāinga development may be of a character, scale or intensity that may be different to that of the surrounding environment.</li> </ul>
Issue 3: financial contributions	<ul style="list-style-type: none"> <li>• While there is a policy that enables the Council to require financial contributions for the provision of infrastructure, there are no rules or standards that guide how financial contributions are determined under this policy.</li> <li>• Under s108 of the RMA, financial contributions can be imposed for the purpose of ensuring positive effects on the environment to offset</li> </ul>	<ul style="list-style-type: none"> <li>• Provide a set of general rules and standards that guide how financial contributions are determined in instances where they are required to provide for infrastructure or for positive effects.</li> <li>• Include a policy that provides for financial contributions for ensuring positive effects on the environment.</li> </ul>

Issue	Summary of key matters	Response as part of PC2
	<p>any adverse effect, however there are no policies, rules or standards within the chapter that specifically provide for this, or guide how financial contributions would be determined for this purpose.</p>	
	<ul style="list-style-type: none"> <li>• The provisions do not signal the Council's intent to transfer reserves contributions to the Development Contributions Policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Amend the chapter preamble to clarify the relationship between financial contributions and development contributions, and indicate the Council's intention to transfer reserves contributions to the Development Contributions Policy.</li> </ul>

## 4.0 Scale and Significance & Quantification of Benefits and Costs

This assesses the level of detail required for the purposes of this evaluation, including the nature and extent to which the benefits and costs of the proposal have been quantified.

### 4.1 Scale and Significance

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria. These criteria provide a framework for determining the scale and significance of the Plan Change.

Based on this the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change		✓		<ul style="list-style-type: none"> <li>The District Plan does not currently incorporate the MDRS. RMA s77G requires that the District Plan incorporate the MDRS into relevant residential zones.</li> <li>The District Plan does not currently give effect to policy 3 of the NPS-UD. RMA ss77G and 77N require that the Plan gives effect to policy 3 of the NPS-UD in relevant residential and non-residential zones.</li> <li>The HBA identifies that there is insufficient development capacity over the long term to meet expected demand for housing. Changes to the District Plan to enable greater plan-enabled residential development capacity assist with meeting the Council's obligations under policy 2 of the NPS-UD and RMA s31(1)(aa), and assist with meeting the housing bottom lines identified in District Objective DO-O19.</li> <li>Tangata whenua have expressed aspirations to develop papakāinga in the district, and the provisions of the District Plan have been identified as a barrier to establishing papakāinga.</li> <li>It has been identified that the efficiency and effectiveness of financial contributions provisions can be improved.</li> <li>The Council is required to notify an Intensification Planning Instrument on or before 20 August 2022 (s80F), and the IPI</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>must/may address the matters outlined above (s80E).</p> <ul style="list-style-type: none"> <li>The matters outlined above are consistent with the Council's functions under RMA s31.</li> </ul> <p>Overall the basis for change has medium significance, as the significant majority of the Plan Change is being undertaken under mandatory statutory direction (in other words, the Council does not have a choice as to whether or not to undertake a Plan Change).</p>
Addresses a resource management issue			✓	<ul style="list-style-type: none"> <li>There is insufficient residential development capacity to meet the expected demand for housing over the long term.</li> <li>There is an insufficient variety of housing types enabled by the District Plan to meet the expected demand for a variety of housing types over the long term. This is particularly the case for 'joined' dwelling types such as terraced housing and apartments.</li> <li>There are circumstances where it is not appropriate to provide for the requirements of the MDRS or the heights and densities required by policy 3 of the NPS-UD because a "qualifying matter" applies.</li> <li>Providing for papakāinga development in the District Plan would assist with addressing the interrelated issues of providing housing for tangata whenua, while providing for the relationship between tangata whenua and their ancestral land (which is a matter of national importance under RMA s6(e)).</li> <li>There is a need to provide for financial contributions for the purposes of offsetting, and there is a need to provide procedural clarity on how financial contributions are determined in circumstances where they are taken because the Development Contributions Policy does not apply.</li> </ul> <p>Overall, the Plan Change addresses a number of highly significant resource management issues.</p>



Criteria	Scale/Significance			Comment
	Low	Medium	High	
Degree of shift from the status quo		✓		<ul style="list-style-type: none"> <li>There will be a high degree of shift from the status quo in the parts of the General Residential Zone and Centres Zones where heights and densities are increased because of the application of the MDRS and policy 3 of the NPS-UD.</li> <li>In parts of the district where existing qualifying matters apply, there will be a lesser degree of shift from the status quo, as existing provisions related to qualifying matters will continue to apply.</li> <li>In the Coastal Qualifying Matter precinct, there will be no shift from the status quo, as existing District Plan provisions for development are maintained in this area.</li> <li>The proposed new areas of General Residential Zone represent a low degree of shift from the status quo (as they represent approximately 2.2% of the total area of the General Residential Zone).</li> <li>The proposed papakāinga provisions represent a medium degree of shift from the status quo. Papakāinga are not currently enabled in the General Residential Zone, however they are enabled in the Town Centre, General Rural, Rural Lifestyle, Rural Production and Future Urban Zones (although with a number of restrictions).</li> <li>The proposed amendments to the financial contributions provisions are primarily to improve interpretation and administration, and represent a low degree of shift from the status quo.</li> </ul> <p>While some parts of the Plan Change reflect a high degree of shift from the status quo, others parts represent a lesser shift (with the status quo being maintained in some areas). On balance, the Plan Change represents a moderate to high degree of shift from the status quo.</p>
Who and how many will be affected/ geographical scale of effect/s			✓	<ul style="list-style-type: none"> <li>Providing for housing supply and choice is likely to generate a high level of public interest.</li> <li>The potential effects of increased levels of development on amenity values (including character) are likely to generate a high level of public interest.</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<ul style="list-style-type: none"> <li>The Plan Change covers a large geographical area, including the General Residential and Centres Zones (for the MDRS and application of policy 3 of the NPS-UD), and the General Residential, Town Centre, General Rural, Rural Lifestyle, Rural Production and Future Urban Zones (for papakāinga provisions).</li> <li>Within the large geographical scale of the Plan Change, it is difficult to determine with certainty who and how many people will be affected. The majority of effects will be felt by those in or near development where this occurs, however only a fraction of the development enabled by this Plan Change is required to meet the expected demand for development capacity. It is impossible to determine with certainty where development will occur. Therefore, while all people and communities (including future generations) within the geographical area covered by this Plan Change could potentially be affected by the Plan Change, these effects are likely to be concentrated in areas where development actually occurs.</li> </ul> <p>Overall, the geographical scale of the Plan Change and the quantum of people and communities affected as a result of the Plan Change, is of high significance.</p>
Degree of impact on or interest from tangata whenua			✓	<ul style="list-style-type: none"> <li>Tangata whenua have indicated concern with the effects that residential intensification might have on their relationship with the environment and sites of significance to them.</li> <li>Tangata whenua have indicated concern that residential intensification may displace whānau from their existing homes and communities.</li> <li>The ability to develop, use and live on ancestral land is of a high degree of interest to tangata whenua.</li> <li>Providing for papakāinga is of high interest to tangata whenua, and is likely to have a positive impact on tangata whenua.</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<ul style="list-style-type: none"> <li>Recognising and providing for Kārewarewa Urupā is of high interest to tangata whenua.</li> </ul> <p>Overall, the degree of impact on and interest from tangata whenua is of high significance.</p>
Timing and duration of effect/s			✓	<ul style="list-style-type: none"> <li>The effects of the proposed provisions may be realised once the provisions have legal effect. It is noted that the MDRS (except within qualifying matter areas) and the provisions for Kārewarewa Urupā will have immediate legal effect when the Plan Change is notified.</li> <li>Developments will also require authorisations under other provisions in the District Plan, the Proposed Natural Resources Plan, relevant National Environmental Standards, the Building Act and the Heritage New Zealand Pouhere Taonga Act, so the effects of development would not occur prior to these authorisations being granted.</li> <li>The effects of development that occurs as a result of the provisions will only be realised when development occurs. Based on the most recent HBA, the majority of development is expected to occur in the long-term (after 2031).</li> <li>Once development occurs, the effects of development are likely to be on-going in duration.</li> <li>There will be temporary effects associated with demolition and construction activity, as new development or redevelopment occurs.</li> </ul> <p>Overall, the permanency of effects associated with the Plan Change is of a high degree of significance.</p>
Type of effect/s		✓		<ul style="list-style-type: none"> <li>There is likely to be a positive impact on individual and community social and economic wellbeing as a result of increased housing supply and choice.</li> <li>Enabling papakāinga development is likely to have a positive impact on the wellbeing of tangata whenua by increasing the ability for tangata whenua to develop, use and live on their ancestral land.</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<ul style="list-style-type: none"> <li>Where development occurs, there are likely to be local effects on amenity values (including visual amenity, privacy, access to sunlight, access to outdoor living space, access to on-street or off-street parking, alteration of landforms and loss of established tree cover). Cumulatively, these effects are likely to alter the character of the urban environment over time.</li> <li>Over time, there are likely to be broader permanent effects on infrastructure capacity as a result of increased residential development (including impacts on transport network capacity, public transport, the stormwater network, the wastewater network, and the water supply network).</li> <li>There may be a range of potential effects on the environment related to section 6 matters, although these are managed through maintaining existing District Plan provisions related to section 6 matters as a qualifying matter.</li> </ul> <p>Due to the range of positive and negative effects likely to occur as a result of the Plan Change, the type of effects are considered on balance to be of moderate significance.</p>
Degree of risk and uncertainty		✓		<ul style="list-style-type: none"> <li>The approach taken to incorporating the MDRS and giving effect to policy 3 of the NPS-UD provides a high degree of certainty to the community as to the level of development anticipated by the District Plan in urban environments. However, there is less certainty as to where development will actually occur as a result of the broad enablement of residential intensification across the urban environment, and consequently less certainty as to location, distribution and concentration of the effects of increased development.</li> <li>There is an uncertain level of impact on infrastructure capacity over the long-term.</li> <li>The approach taken to enabling papakāinga, while relatively new at a nation-wide level, has been previously adopted by other districts. While there is a</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>low degree of certainty as to when and where papakāinga development may actually occur, the Plan Change provides a high degree of certainty to tangata whenua with respect to their ability to develop papakāinga on ancestral land.</p> <ul style="list-style-type: none"> <li>• The approach taken to amending existing financial contributions provisions increases the certainty as to how these will be applied in circumstances where the Development Contributions Policy does not apply.</li> <li>• Consultation with the community on <i>Te tupu pai</i> and a full draft of the Plan Change provided the community with a greater degree of certainty as to the content of the Plan Change.</li> </ul> <p>Overall, while there are aspects of the Plan Change that increase certainty for the community, there are other aspects that result in a decrease of certainty. On balance, the degree of risk and uncertainty is considered to be of medium significance.</p>

Overall, the scale and significance of the proposed provisions is considered to be medium-to-high for the reasons outlined above.

Consequently, this evaluation report should contain a high level of detail and analysis related to the evaluation of the proposed provisions.

The following are exceptions to this:

- **Amendments to Financial Contributions Provisions.** These amendments improve the interpretation and administration of existing financial contributions policy, and, in terms of offsetting, clarify that financial contributions can be used for this purpose. These amendments are considered to be of a relatively low scale and significance, and as a result, a lesser level of detail and analysis is considered necessary in order to evaluate these provisions.
- **Replacing references to the *Subdivision and Development Principles and Requirements, 2012 (SDPR)* with references to the *Land Development Minimum Requirements, 2022 (LDMR)*.** This is considered to be of a lower scale and significance on the basis that the review and development of the LDMR has been undertaken under a separate process, which included consideration of alternatives, expert review and consultation. It is also noted that the LDMR is not a substantive replacement of the SDPR, rather it represents a series of amendments to the provisions that are currently contained in the SDPR. In addition to this, consultation has been undertaken on the proposal to replace the SDPR with the LDMR as a document incorporated by reference into the District Plan, under Schedule 1 Part 3 of the RMA. The evaluation of the proposal to replace references to the SDPR with references to the LDMR has been incorporated into the evaluation of

provisions to incorporate the MDRS and give effect to Policy 3 of the NPS-UD (see section 8.3.1 of this report). However, to support this, the evaluation of alternatives that was undertaken as part of the development of the LDMR has been included as an appendix to this report (see section 8.3.5).

## **4.2 Quantification of Benefits and Costs**

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of all benefits and costs associated with PC2 is considered neither practicable nor readily available. In general, a qualitative assessment of costs and benefits associated with this Plan Change is considered sufficient, and this is provided for in the assessment of policies, rules and other methods contained in section 8.0 of this report. However, where practicable and considered appropriate to supporting the evaluation, some of the benefits or costs associated with PC2 have been quantified.

The identification of costs and benefits has been informed by the body of evidence outlined in section 3.0 (and in the case of qualifying matters, section 6.1) of this report.

## 5.0 Overview of Proposals

This section provides an overview of the amendments to the District Plan proposed by PC2. The amendments are discussed as packages of proposals that each relate to the resource management issues identified in section 3.0 of this report. The following packages of proposals are discussed:

- Package 1: housing supply and intensification;
- Package 2: providing for papakāinga;
- Package 3: financial contributions.

The proposed amendments are set out in detail in the Plan Change document and these should be referenced in conjunction with this evaluation report.

### 5.1 Statutory scope of an IPI

PC2 is an Intensification Planning Instrument (IPI), the scope of which is defined by s80E of the RMA. Under this provision, the Plan Change must:

- Incorporate the MDRS; and
- Give effect to policies 3 and 4 of the NPS-UD.

In addition to this, the Plan Change may also include:

- Provisions to enable papakāinga housing in the district;
- Amendments to financial contributions provisions; and
- Provisions that support or are consequential on incorporating the MDRS or giving effect to policy 3 of the NPS-UD.

Under s80G(1)(b) of the RMA, the Plan Change cannot be used for any other purpose.

The amendments to the District Plan proposed by PC2 fall within the scope of an IPI as defined by s80E of the RMA.

### 5.2 Overview of Package 1: housing supply and intensification (MDRS & NPS-UD)

The purpose of package 1 is to address the issue of housing supply and intensification by incorporating the MDRS into the District Plan and giving effect to policy 3 of the NPS-UD in the District's urban environments.

This package is discussed in five parts:

- **Definition of *urban environment*.** The MDRS and the NPS-UD apply to *urban environments*. This part outlines how the definition of *urban environment* has been interpreted in the context of the Kāpiti Coast District.
- **Definition of *relevant residential zone*.** The MDRS must be incorporated into *relevant residential zones*. This part outlines how the definition of *relevant residential zone* has been interpreted in the context of the Kāpiti Coast District.
- **Incorporating the MDRS.** This part describes how PC2 proposes to incorporate the MDRS into the District Plan.
- **Giving effect to Policy 3 of the NPS-UD.** This part describes how PC2 proposes to give effect to policy 3 of the NPS-UD.
- **Zone framework.** This part describes the options considered for the zone framework to incorporate the MDRS and give effect to policy 3 of the NPS-UD.

Providing for qualifying matters is also a key part of this package. Refer to section 6.1 for further discussion of qualifying matters.

### 5.2.1 Definition of *urban environment*

Both the MDRS and the NPS-UD apply to *urban environments*. Under s77F of the RMA<sup>42</sup>, an *urban environment* is defined as:

*any area of land (regardless of size, and irrespective of territorial authority boundaries) that –*

*(a) is, or is intended by the specified territorial authority to be, predominantly urban in character; and*

*(b) is, or is intended by the specified territorial authority to be, part of a housing and labour market of at least 10,000 people.*

For any area of land to meet the definition of an urban environment, it must meet both of the tests outlined in the definition above. The following sections describe how these tests are met in relation to land within the Kāpiti Coast District.

#### **Predominantly urban in character**

The provisions of the District Plan describe whether an area of land is, or is intended to be, predominantly urban in character. The District Plan defines the following zones as urban areas:

- Residential Zones;
- Metropolitan Centre Zone;
- Town Centre Zone;
- Local Centre Zone;
- Mixed Use Zone;
- General Industrial Zone;
- Airport Zone; and
- Hospital Zone.

The District Plan describes how urban development is intended to take place within these areas<sup>43</sup>. Further to this, the provisions for these zones provide for a range of urban activities, such as housing, commercial activities, community services, social, cultural and recreational activities, industrial activities, and associated infrastructure to occur in these areas. The objectives, policies and rules for these zones provide for the development of sites and buildings to enable these activities to occur at urban densities. On this basis of the provisions of the District Plan, it is determined that the parts of the district that are located within these zones are, or are intended to be, predominantly urban in character.

#### **Part of a housing and labour market of at least 10,000 people**

Statistics New Zealand has identified the spatial extent of “functional urban areas” throughout New Zealand. These functional urban areas are described as “socially and economically integrated areas based on the linkages between where people live and where they work, and subsequently learn, trade, and access facilities and services”<sup>44</sup>, and can be used as a proxy for determining the spatial extent of a housing and labour market. Functional urban areas include one or more urban cores, satellite urban areas, and the hinterland that surrounds them.

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<sup>42</sup> The definition of *urban environment* under clause 1.4(1) of the NPS-UD has a corresponding meaning.

<sup>43</sup> Refer policy UFD-P1 of the District Plan.

<sup>44</sup> Stats NZ (2021). *Functional urban areas – methodology and classification*, p. 11.



There are two Functional Urban Areas within the Kāpiti District: the Kāpiti Coast Functional Urban Area and the Ōtaki Functional Urban Area. The following table summarises their spatial extent, as well as their current and future projected populations.

Functional Urban Area	Spatial extent (Stats NZ SA2 units) <sup>45</sup>	Population (2018 Census) <sup>46</sup>	Future population (2051) <sup>47</sup>
Kāpiti Coast Functional Urban Area	<ul style="list-style-type: none"> <li>• Te Horo</li> <li>• Ōtaki Forks</li> <li>• Peka Peka</li> <li>• Waikanae Beach</li> <li>• Waikanae Park</li> <li>• Waikanae West</li> <li>• Waikanae East</li> <li>• Paraparaumu Beach North</li> <li>• Paraparaumu Beach West</li> <li>• Paraparaumu Beach East</li> <li>• Otaihanga</li> <li>• Paraparaumu North</li> <li>• Paraparaumu Central</li> <li>• Raumati Beach West</li> <li>• Raumati Beach East</li> <li>• Paraparaumu East</li> <li>• Raumati South</li> <li>• Paekākāriki</li> <li>• Maungakotukutuku</li> </ul>	46,683	75,681
Ōtaki Functional Urban Area	<ul style="list-style-type: none"> <li>• Ōtaki</li> <li>• Ōtaki Beach</li> <li>• Waitohu</li> <li>• Forest Lakes (Kāpiti Coast District)</li> </ul>	6,984	14,388

On this basis, all parts of the district outlined in the table above are, or are intended to be, part of a housing and labour market of at least 10,000 people. It is noted that this applies to all areas within the district, with the exception of Kāpiti Island and the Tararua Forest Park.

### Urban environments in the Kāpiti Coast District

The areas of land that meet the definition of an *urban environment* in the Kāpiti Coast District are those areas that meet both of the tests outlined above. Therefore, for the purposes of this Plan Change, the district's *urban environments* are:

1. the areas of land that are contained within the following zones in the District Plan:
  - a. Residential Zones;
  - b. Metropolitan Centre Zone;

<sup>45</sup> As determined by an overlay of the "Statistical Area 2 – 2022" layer and the "Functional Urban Areas – 2022" layer on the Stats NZ Geographic Boundary Viewer. Refer

<https://statsnz.maps.arcgis.com/apps/webappviewer/index.html?id=6f49867abe464f86ac7526552fe19787>

<sup>46</sup> Stats NZ (2021). Refer Appendix 2: Functional urban area components and 2018 usually resident population.

<sup>47</sup> Sense Partners (2021). The 2051 projected population is relevant because the test is whether an area "is intended to be" part of a housing and labour market of at least 10,000 people. 2051 is situated within the "long term" as defined by the NPS-UD, which means "between 10 and 30 years".

- c. Town Centre Zone;
  - d. Local Centre Zone;
  - e. Mixed Use Zone;
  - f. General Industrial Zone;
  - g. Airport Zone;
  - h. Hospital Zone; and
2. other areas of land not presently included in any of these zones, but proposed to be rezoned as General Residential Zone as part of this Plan Change.

### 5.2.2 Definition of *relevant residential zone*

S77G(1) of the RMA states that “every *relevant residential zone* of a specified territorial authority must have the MDRS incorporated into that zone”. In determining how the MDRS are to be incorporated into the District Plan, it is necessary to interpret the meaning of *relevant residential zone* in the context of the Kapiti Coast District Plan. In making this interpretation, it is relevant that the District Plan has implemented the National Planning Standards 2019. Therefore, any references to zone names contained in the District Plan are references to the same zone listed and described in standard 8 (zone framework standard) of the National Planning Standards 2019.

S2 of the RMA defines *relevant residential zone* as:

*(a) means all residential zones; but*

*(b) does not include—*

*(i) a large lot residential zone:*

*(ii) an area predominantly urban in character that the 2018 census recorded as having a resident population of less than 5,000, unless a local authority intends the area to become part of an urban environment:*

*(iii) an offshore island:*

*(iv) to avoid doubt, a settlement zone*

The only zone in the District Plan that meets the definition of a *relevant residential zone* is the General Residential Zone. This is because:

- The General Residential Zone is the only zone in the District Plan that is listed and described as a residential zone in standard 8 (zone framework standard) of the National Planning Standards 2019;
- None of the exemptions listed under (b) apply in the Kāpiti Coast District. Specifically:
  - There is no large lot residential zone in the District Plan;
  - While there are areas within the district that are predominantly urban in character that had a population of less than 5,000 at the 2018 census, these areas meet the definition of an *urban environment* (see section 5.2.1);
  - There are no residential zones located on any of the district’s offshore islands;
  - There is no settlement zone in the District Plan.

### 5.2.3 Incorporating the MDRS

S77G of the RMA imposes a duty on the Council to incorporate the MDRS in relevant residential zones. The MDRS are the requirements, conditions and permissions set out in Schedule 3A of the RMA. In summary, Schedule 3A requires that the construction and use of up to three, three-storey residential units is a permitted activity subject to a range of density standards. There are also a range of other requirements, including subdivision as a controlled activity, limits on the specification of allotment size and shape requirements, and notification preclusions.

As part of incorporating the MDRS into the General Residential Zone, the Council is authorised under s77G(4) of the RMA to create new residential zones. A number of areas within the district are proposed to be rezoned as General Residential Zone. These areas have been identified on the basis that:

- they are located next to an urban area that is connected to infrastructure services;
- they have a relatively low degree of constraints (and any existing constraints can be managed through existing District Plan rules);
- they are not sufficiently large or complex enough to require a “structure planned” approach;
- they would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is appropriate to regularise the area into the surrounding zoning pattern.

This means that these areas can be re-zoned as General Residential Zone (which incorporates the MDRS), without the need for any consequential or supporting amendments to other provisions in order to manage site-specific issues. Refer to Appendix V for a schedule of areas proposed to be re-zoned as General Residential Zone.

Refer to Appendix C for a detailed summary of the proposed amendments to incorporate the MDRS into the District Plan as part of this package. The following list provides a high-level summary of this package of amendments:

- District Objectives
  - Incorporation of the mandatory objectives required by Schedule 3A of the RMA into the District Objectives chapter, and relevant associated chapters (DO-Ox1 and DO-Ox2).
  - Amendments to a range of existing District objectives to ensure these are not inconsistent with the MDRS.
- Policies
  - Urban Form and Development Chapter
    - A new policy that describes the anticipated urban built form in urban environments (UFD-Px). This policy integrates both the MDRS and policy 3 of the NPS-UD.
    - Amendments to a range of existing policies to ensure they are consistent with the MDRS.
  - General Residential Zone Chapter
    - Incorporating the mandatory policies required by Schedule 3A of the RMA into the General Residential Zone chapter (GRZ-Px1, GRZ-Px2, GRZ-Px3, GRZ-Px4 and GRZ-Px5).
    - A new policy that applies to development in the Coastal Qualifying Matter Precinct (GRZ-Px7).
    - A new policy that applies to development in the Marae Takiwā Precinct (GRZ-Px8);
    - Amendments to a range of existing policies to ensure they are consistent with the MDRS.
  - Subdivision in Residential Zones Chapter
    - Amendment to an existing policy to ensure it is consistent with the MDRS.
- Rules
  - General Residential Zone Chapter
    - A new permitted activity rule for the MDRS that incorporates the requirements of Schedule 3A of the RMA (GRZ-Rx1).
    - New restricted discretionary activity rules for the MDRS that incorporates the requirements of Schedule 3A of the RMA (GRZ-Rx5, GRZ-Rx6 and GRZ-Rx7).

- Amendment to the existing permitted activity rule for buildings so that it only applies to development in the Coastal Qualifying Matter Precinct (GRZ-R6).
    - New rules that control development within the Marae Takiwā Precinct (GRZ-Rx3 and GRZ-Rx8).
    - Deleting the existing rule for Medium Density Housing, which is superseded by the MDRS (GRZ-R13).
    - Consequential amendments to a range of existing rules.
  - District Wide Subdivision Matters Chapter
    - A new rule (which is the equivalent of existing rule SUB-DW-R5) to provide for subdivision as a controlled activity in accordance with the requirements of Schedule 3A of the RMA (SUB-DW-Rx1).
  - Subdivision in Residential Zones Chapter
    - A new rule to provide for subdivision in the General Residential Zone as a controlled activity, in accordance with the requirements of Schedule 3A of the RMA (SUB-RES-Rx1);
    - Amendment to the existing rules for subdivision so that they apply to subdivision in the Coastal Qualifying Matter Precinct (SUB-RES-R26 and SUB-RES-R27);
    - A new table that clarifies allotment size and shape requirements for subdivision, in accordance with the requirements of Schedule 3A (SUB-RES-Table x1);
    - Consequential amendments to a range of existing subdivision rules.
- Definitions
  - A set of new definitions relevant to the MDRS, including:
    - Access site.
    - Driveway (in relation to outdoor living space).
    - Entrance strip.
    - Land Development Minimum Requirements.
    - Medium density residential standards or MDRS.
    - Qualifying matter area.
    - Relevant residential zone.
  - Amending/deleting existing definitions consequential to the MDRS, including:
    - Medium density housing.
    - Yard.
- District Plan Appendices
  - A new Residential Design Guide, for use as a matter of discretion where development occurs as a restricted discretionary activity. This is referred to as a matter of discretion in the General Residential Zone rules.
  - Deleting a range of existing design guides and structure plans that are no longer relevant because of the MDRS.
- District Plan Schedules
  - Amendments to Schedule 9 to add the Kārewarewa Urupā to the schedule as a qualifying matter.
- District Plan Maps
  - Amendments to the existing “Zones and Precincts” map series:
    - To identify areas of new General Residential Zone.
    - To amend or delete a range of existing precincts that are no longer relevant because of the MDRS.
    - To identify the extent of the Coastal Qualifying Matter Precinct.
    - To identify the extent of the Marae Takiwā Precinct.
  - Amendments to the existing “Historical, Cultural, Infrastructure and Districtwide” map series:

- To identify the extent of the Kārewarewa Urupā wāhi tapu area (as added to Schedule 9).
- Other consequential or supporting amendments
  - All references throughout the District Plan to the *Subdivision and Development Principles and Requirements 2012*, are replaced with references to the *Land Development Minimum Requirements*. A new definition is added to the District Plan that defines the *Land Development Minimum Requirements* as the *Land Development Minimum Requirements, April 2022*.
  - Supporting amendment to an existing rule to ensure water supply is provided for new development in the General Residential Zone at Te Horo Beach (INF-MENU-R29);
  - Consequential/supporting amendments to the General Approach chapter of the District Plan.

#### 5.2.4 Giving effect to Policy 3 of the NPS-UD

S77G(2) and s77N of the RMA impose a duty on the Council to give effect to policy 3 of the NPS-UD in each residential and urban non-residential zone in the urban environment. The parts of policy 3 that are relevant to the Kāpiti Coast District are:

**Policy 3:** *In relation to tier 1 urban environments, ... district plans enable:*

- (a) ...
- (b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- (c) *building heights of at least 6 storeys within a walkable catchment of the following:*
  - (i) *existing and planned rapid transit stops:*
  - (ii) ...
  - (iii) *the edge of metropolitan centre zones; and*
- (d) *within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form commensurate with the level of commercial activities and community services.*<sup>48</sup>

The approach taken by PC2 to giving effect to policy 3 of the NPS-UD is based on the existing hierarchy of centres zones contained within the District Plan<sup>49</sup>. The centres zones provide for commercial activities (such as shops, offices and other places of employment) and community services (such as healthcare services, libraries and other community facilities) in areas located throughout the District, and the hierarchy of centres zones recognises that larger centres, such as the Metropolitan and Town Centre Zones, are intended to serve broader parts of the community, whereas the Local Centre Zone is primarily intended to serve local neighbourhoods. The level of intensification proposed by PC2 is based on, and reinforces, the relative position of each centre zone within the centres hierarchy.

The following table summarises the level of intensification proposed by PC2, based on the existing centres hierarchy and rapid transit stops<sup>50</sup> located within the District:

<sup>48</sup> Policy 3(d) was amended by Schedule 3B of the RMA.

<sup>49</sup> The District Plan contains three centres zones: the Metropolitan Centre Zone, the Town Centre Zone and the Local Centre Zone.

<sup>50</sup> The train stations at Paekākāriki, Paraparaumu and Waikanae meet the definition of a "rapid transit stop" under clause 1.4(1) of the NPS-UD.

Proposed building height (up to and including)	Area	Location	NPS-UD policy
<b>Centres Zones</b>			
40 metres (12-storeys)	Metropolitan Centre Zone	Paraparaumu	3(b)
21 metres (6-storeys)	Town Centre Zone	Ōtaki Main Street Ōtaki Railway Waikanae <sup>51</sup> Paraparaumu Beach Raumati Beach	3(d)
	Mixed Use Zone (Ihakara Street West, Ihakara Street East and Kāpiti Road precincts) Hospital Zone	Within an 800m walkable catchment of the edge of the Metropolitan Centre Zone at Paraparaumu	3(c)(iii)
	Local Centre Zone (at Paekākāriki)	Within an 800m walkable catchment of Paekākāriki Station	3(c)(i)
15 metres (4-storeys)	Local Centre Zone	Waikanae Beach Kena Kena Mazengarb Road Meadows Raumati South	3(d)
<b>General Residential Zone</b>			
20 metres (6-storeys)	Within an 800m walkable catchment of the edge of the Metropolitan Centre Zone	Paraparaumu	3(c)(iii)
	Within an 800m walkable catchment of a rapid transit stop	Waikanae station Paraparaumu station Paekākāriki station	3(c)(i)
14 metres (4-storeys)	Within a 400m walkable catchment of the Town Centre Zone <sup>52</sup>	Ōtaki Main Street Ōtaki Railway Paraparaumu Beach Raumati Beach	3(d)
	Within a 200m walkable catchment of the Local Centre Zone <sup>53</sup>	Waikanae Beach Kena Kena	3(d)

<sup>51</sup> The Town Centre Zone at Waikanae is also covered by policy 3(c)(i) of the NPS-UD.

<sup>52</sup> Intensification adjacent to the Town Centre Zone at Waikanae is excluded from this list, as intensification in this area is already covered by policy 3(c)(i), which applies to intensification within a walkable catchment of Waikanae station.

<sup>53</sup> Intensification adjacent to the Local Centre Zone at Paekākāriki is excluded from this list, as intensification in this area is already covered by policy 3(c)(i), which applies to intensification within a walkable catchment of Paekākāriki station.

Proposed building height (up to and including)	Area	Location	NPS-UD policy
		Mazengarb Road Meadows Raumati South	
3-storeys (11m +1m for 50% of a building's roof in elevation where the entire roof slopes 15 degrees or more)	Everywhere else within the General Residential Zone		MDRS <sup>54</sup>

The method for determining the spatial application of the NPS-UD intensification policies is shown in Appendix E.

Refer to Appendix C for a detailed summary of the proposed amendments to the District Plan to give effect to policy 3 of the NPS-UD as part of this package. The following list provides a high-level summary of this package of amendments:

- District Objectives
  - A new objective for Residential Intensification Precincts.
  - Amendments to a range of existing district objectives to ensure they give effect to or are consistent with the objectives of the NPS-UD.
- Policies
  - Urban Form and Development Chapter
    - A new policy that describes the anticipated urban built form in urban environments (UFD-Px). This policy integrates both the MDRS and policy 3 of the NPS-UD.
    - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD.
  - General Residential Zone Chapter
    - A new policy enabling higher density development in Residential Intensification Precincts (GRZ-Px7). There are two Residential Intensification Precincts. Residential Intensification Precinct A gives effect to policy 3(c), and Residential Intensification Precinct B gives effect to policy 3(d).
    - A new policy that applies to development in the Coastal Qualifying Matter Precinct (GRZ-Px7).
    - A new policy that applies to development in the Marae Takiwā Precinct (GRZ-Px8).
    - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD.
  - Metropolitan Centre Zone Chapter
    - Amendment to the existing policy for urban form and design of centres to identify the level of built urban form anticipated in the zone, in accordance with policy 3 of the NPS-UD (MCZ-P8).
    - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD and reference the proposed Centres Design Guide.

<sup>54</sup> This is not an NPS-UD policy, however it is showing in this table for comparison purposes.

- Town Centre Zone Chapter
  - Amendment to the existing policy for urban form and design of centres to identify the level of built urban form anticipated in the zone, in accordance with policy 3 of the NPS-UD (TCZ-P6).
  - A new policy that applies to development in the Coastal Qualifying Matter Precinct at Raumati Beach (TCZ-Px1).
  - A new policy that applies to development in the Marae Takiwā Precinct (TCZ-Px2).
  - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD and reference the proposed Centres Design Guide.
- Local Centre Zone Chapter
  - Amendment to the existing policy for urban form and design of centres to identify the level of built urban form anticipated in the zone, in accordance with policy 3 of the NPS-UD (LCZ-P6).
  - A new policy that applies to development in the Coastal Qualifying Matter Precinct at Raumati South (LCZ-Px1).
  - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD and reference the proposed Centres Design Guide.
- Mixed Use Zone Chapter
  - Amendment to the existing policy for urban form and design to identify the level of built urban form anticipated in the parts of the zone that are covered by policy 3 of the NPS-UD (MUZ-P7).
  - Amendments to a range of existing policies to ensure they give effect to or are consistent with the objectives and policies of the NPS-UD and reference the proposed Centres Design Guide.
- Rules
  - General Residential Zone Chapter
    - A new permitted activity rule for development within Residential Intensification Precincts (GRZ-Rx2).
    - Amendment to the existing permitted activity rule for buildings so that it only controls development in the Coastal Qualifying Matter Precinct (GRZ-R6).
    - New rules that control development in the Marae Takiwā Precinct (GRZ-Rx3 and GRZ-Rx8).
    - Consequential amendments to a range of existing rules.
  - Metropolitan Centre Zone Chapter
    - Amendment to the existing permitted activity rules for buildings so that they are not more onerous than the MDRS (MCZ-R5 and MCZ-R7).
    - Amendment to the existing restricted discretionary rule for buildings in the zone to clarify the height enabled under the rule, and to refer to the proposed Centres Design Guide (MCZ-R13).
    - Consequential amendments to a range of existing rules.
  - Town Centre Zone Chapter
    - Amendment to the existing permitted activity rules for buildings so that they are not more onerous than the MDRS (except within the Coastal Qualifying Matter Precinct) (TCZ-R6 and TCZ-R7).
    - Amendment to the existing restricted discretionary rule for buildings in the zone to clarify the height enabled under the rule, and to refer to the proposed Centres Design Guide (TCZ-R11).
    - A new rule that provides for development in the Marae Takiwā Precinct that does not meet permitted activity standards (TCZ-Rx4).



- Consequential amendments to a range of existing rules.
- Local Centre Zone Chapter
  - Amendment to the existing permitted activity rule for buildings so that they are not more onerous than the MDRS (except within the Coastal Qualifying Matter Precinct) (LCZ-R6).
  - Amendment to the existing restricted discretionary rule for buildings in the zone to clarify the height enabled under the rule, and to refer to the proposed Centres Design Guide (LCZ-R12).
  - Delete the existing restricted discretionary activity rule for development in the Local Centre Zone at Paekākāriki (LCZ-R15);
  - Consequential amendments to a range of existing rules.
- Mixed Use Zone Chapter
  - Amendment to the existing permitted activity rule for buildings so that they are not more onerous than the MDRS (MUZ-R6).
  - Amendment to the existing restricted discretionary rule for buildings in the zone to clarify the height enabled under the rule, and to refer to the proposed Centres Design Guide (MUZ-R13).
- Hospital Zone Chapter
  - Amendment to the existing permitted activity rules for buildings so that they are not more onerous than the MDRS (HOSZ-R6).
  - Amendment to the existing restricted discretionary rule for buildings in the zone to clarify the height enabled under the rule (HOSZ-R8).
  - Consequential amendments to the existing non-complying activity rule for buildings in the zone (HOSZ-R14).
- Subdivision in Working Zones Chapter
  - Consequential amendment to existing rules for subdivision in the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Hospital Zones, to ensure standards align with amended standards in the zone chapters.
- District Plan Appendices
  - A new Residential Design Guide, for use as a matter of discretion where development occurs as a restricted discretionary activity. This is referred to as a matter of discretion in the General Residential Zone rules.
  - A new Centres Design Guide, for use as a matter of discretion where development occurs as a restricted discretionary activity. This is referred to as a matter of discretion in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use Zone rules.
  - Deleting the existing Paekākāriki Village Centre Design Guide and making consequential amendments to existing provisions that refer to this guide.
- District Plan Maps
  - Amendments to the existing “Zones and Precincts” map series:
    - To identify the extent of Residential Intensification Precincts A and B.
    - To identify the extent of the Coastal Qualifying Matter Precinct in the Town and Local Centre Zones.
    - To identify the extent of the Marae Takiwā Precinct in the Town Centre Zone.

### 5.2.5 Land Development Minimum Requirements, April 2022

PC2 proposes to delete all references to the *Subdivision and Development Principles and Requirements, 2012* (SDPR) document and replace these with references to the *Land Development Minimum Requirements, April 2022* (LDMR). The LDMR is contained in Appendix X.

For the avoidance of doubt, PC2 proposes to provide for the LDMR as a document incorporated by reference, in accordance with Part 3 of Schedule 1 of the RMA. It does not propose to append the LDMR to the District Plan.

While the *Land Development Minimum Requirements, April 2022* has a different title to the SDPR, it is not a substantive replacement of the SDPR. Rather, it represents a review of the SDPR, with the overall structure, and many of the provisions, remaining the same or similar to the SDPR. The changes from the SDPR are outlined in Appendix Y, and are summarised as follows:

- Changed the name of the document to the *Land Development Minimum Requirements*;
- Amendments to update references to external standards;
- Updates to provisions associated with roads, including:
  - Updated references to the Council's Sustainable Transport Strategy and NZTA's One Network Framework;
  - Updated road design standards (including carriageway widths) to better provide for public transport, emergency services vehicles and rubbish collection vehicles particularly in situations where on-street parking is likely to be in high demand;
  - Updated lighting requirements for private roads;
  - Updated swale construction requirements;
  - Approval requirements for footpath and cycle path materials;
  - Updated structural engineering design and information provision requirements;
- Updates to provisions associated with stormwater, including:
  - Adding references to the principle of Te Mana o te Wai;
  - Adding references to Building Act and Regional Council consenting requirements;
  - Updated methods to measure hydraulic neutrality;
- Updates to provisions associated with wastewater, including:
  - Updated connection requirements for multi-unit developments;
  - Updated requirements for wastewater pump stations and low pressure sewer systems;
- A new section on waste services, including:
  - Reference to the Council's Solid Waste Management and Minimisation Bylaw;
  - Requirements to consider waste management, storage and servicing as part of multi-unit development design.
- Rectification of errors identified in the SDPR.

The changes improve the efficiency and effectiveness of the document and recognise the increased levels of multi-unit development that may occur under the MDRS. As such, replacing references to the SDPR with the LDMR supports the incorporation of the MDRS into the District Plan. This means that amending the District Plan to replace references to the SDPR with references to the LDMR can be included in the IPI under s80E(1)(b)(iii) of the RMA.

The amendments required to update the LDMR as a document incorporated by reference form part of this package outlined in Appendix C, and are identified as amendments 16.1 and 20.6 in the IPI document. This provides for:

- All existing references to the *Subdivision and Development Principles and Requirements, 2012* to be replaced with references to the *Land Development Minimum Requirements*, which will be a defined term in the District Plan (IPI amendment 16.1); and
- Add a definition of *Land Development Minimum Requirements* to the District Plan, which will be defined as the *Land Development Minimum Requirements, April 2022* (IPI amendment 20.6).

### 5.3 Overview of Package 2: enabling papakāinga

Recognising and providing for the relationship between tangata whenua and their ancestral land by providing for the use and development of papakāinga on that land has been identified as a significant resource management issue for the district, and there is an obligation for the District Plan to recognise and provide for the relationship between tangata whenua and their ancestral land under s6(e) of the RMA.

Including provisions to enable papakāinga housing in an IPI is authorised under s80E(b)(ii) of the RMA.

Refer to Appendix C for a detailed summary of the proposed amendments to the District Plan as part of this package. The following list provides a high-level summary of this package of amendments:

- New District Plan Chapter
  - A new “Papakāinga” chapter is added to the District Plan, to provide a single location for the objectives and policies that provide for the use and development of papakāinga.
- Objectives
  - Seven new District Objectives provide for a range of matters related to the use and development of papakāinga by tangata whenua on their ancestral land (DO-Ox4, DO-Ox5, DO-Ox6, DO-Ox7, DO-Ox8, DO-Ox9, DO-Ox10).
- Policies
  - New Papakāinga chapter
    - Six new policies that provide for various aspects of the use and development of papakāinga (PK-Px1, PK-Px2, PK-Px3, PK-Px4, PK-Px5, PK-Px6).
  - General Rural, Rural Lifestyle, Rural Production, Future Urban Zone and Community Facilities chapters
    - Consequential amendments to a range of existing policies to ensure that papakāinga are enabled consistent with the objectives for papakāinga.
- Rules
  - General Residential Zone chapter
    - A new permitted activity rule to provide for papakāinga on land held under Te Ture Whenua Māori Act 1993 (GRZ-Rx4).
    - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (GRZ-Rx9).
    - A new restricted discretionary activity rule for papakāinga where standards are breached (GRZ-Rx10).
  - Town Centre Zone chapter
    - A new permitted activity rule to provide for papakāinga on land held under Te Ture Whenua Māori Act 1993 and at Whakarongotai Marae (TCZ-Rx1).
    - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (TCZ-Rx2).
    - A new restricted discretionary activity rule for papakāinga where standards are breached (TCZ-Rx3).
    - Deleting the existing superseded restricted discretionary activity for papakāinga development at Whakarongotai Marae (TCZ-R12).
  - General Rural Zone chapter
    - Amendment to the existing rule for papakāinga on land held under Te Ture Whenua Māori Act 1993 to align with the proposed objectives and policies for papakāinga (GRUZ-R8).
    - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (GRUZ-Rx1).

- A new restricted discretionary activity rule for papakāinga where standards are breached (GRUZ-Rx2).
  - Changing the activity status for papakāinga development on land held under Te Ture Whenua Māori Act 1993 to permitted (under rule GRUZ-R8), by deleting rule GRUZ-R12. Note that papakāinga development on Kāpiti Island must still comply with the permitted activity standards for development on the island outlined under GRUZ-R6;
  - Consequential amendments to a range of existing rules.
- Rural Lifestyle Zone chapter
  - Amendment to the existing rule for papakāinga on land held under Te Ture Whenua Māori Act 1993 to align with the proposed objectives and policies for papakāinga (RLZ-R6).
  - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (RLZ-Rx1).
  - A new restricted discretionary activity rule for papakāinga where standards are breached (RLZ-Rx2).
  - Consequential amendments to a range of existing rules.
- Rural Production Zone chapter
  - Amendment to the existing rule for papakāinga on land held under Te Ture Whenua Māori Act 1993 to align with the proposed objectives and policies for papakāinga (RPROZ-R6).
  - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (RPROZ-Rx1).
  - A new restricted discretionary activity rule for papakāinga where standards are breached (RPROZ-Rx2).
  - Consequential amendments to a range of existing rules.
- Future Urban Zone chapter
  - Amendment to the existing rule for papakāinga on land held under Te Ture Whenua Māori Act 1993 to align with the proposed objectives and policies for papakāinga (FUZ-R6).
  - A new restricted discretionary activity rule to enable papakāinga on general title land where there is an ancestral connection (FUZ-Rx1).
  - A new restricted discretionary activity rule for papakāinga where standards are breached (FUZ-Rx2).
  - Consequential amendments to a range of existing rules.
- Community Facilities chapter
  - Consequential amendments to existing district wide rules for community facilities, to ensure community facilities are enabled as part of a papakāinga.
- Noise chapter
  - Consequential amendment to ensure papakāinga are managed as a noise sensitive activity under the rules of the chapter.
- Definitions
  - New definitions relevant to papakāinga, including:
    - Ancestral land.
    - General title land (in relation to papakāinga).
    - Tipuna/tupuna.
  - Amending existing definitions relevant to papakāinga, including:
    - Noise sensitive activity.
    - Papakāinga and papakāinga housing.
    - Tino rangatiratanga.
- Advice notes
  - New Papakāinga chapter

- Advice notes to direct Council to seek advice from iwi authorities when interpreting certain provisions under the chapter.
- Advice notes to identify the possibility of transferring power in accordance with s33 of the RMA.
- General Residential, Town Centre, General Rural, Rural Lifestyle, Rural Production, Future Urban Zone chapters
  - Advice notes attached to the papakāinga rules refer to the Papakāinga chapter for objectives and policies related to papakāinga.
  - Advice notes attached to the restricted discretionary activity rules for papakāinga that direct Council to seek advice from iwi authorities when considering certain matters.

#### 5.4 Overview of Package 3: financial contributions

Improving the efficiency and effectiveness of the existing financial contributions provisions has been identified as a significant resource management issue for the district.

Including provisions relating to financial contributions in an IPI is authorised under s80E(1)(b)(i) of the RMA.

Refer to Appendix C for a detailed summary of the proposed amendments to the District Plan as part of this package. The following list provides a high-level summary of the proposed amendments to the District Plan as part of this package:

- Financial Contributions chapter introductory text
  - Amendments to the chapter introduction to clarify the relationship between financial contributions and development contributions, and to signal the Council's intent to provide for reserves and open space contributions under the Development Contributions Policy in future.
- Financial Contributions policies
  - A new policy that enables financial contributions to ensure positive effects on the environment (FC-P3).
- Financial Contributions rules
  - A new set of general rules and standards that identify how financial contributions are determined in instances where they are required under policies FC-P2 and FC-P3.

## 6.0 Additional Requirements for Intensification Planning Instruments

S77J and s77P of the RMA require that an evaluation report for an Intensification Planning Instrument includes additional information to that ordinarily required by s32 of the RMA.

The following sections provide for these statutory information requirements.

### 6.1 Qualifying matters

Under s77G(6) and s77N(3)(b) of the RMA and policy 4 of the NPS-UD, the Council may provide for District Plan provisions to be less enabling of development than the requirements of the MDRS or policy 3 of the NPS-UD, where a qualifying matter exists.

S77I and s77O<sup>55</sup> of the RMA provide that the following matters can be given consideration as qualifying matters:

- (a) a matter of national importance that decision makers are required to recognise and provide for under section 6:*
- (b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
- (c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:*
- (d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
- (e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
- (f) open space provided for public use, but only in relation to land that is open space:*
- (g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
- (h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
- (i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*
- (j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L<sup>56</sup> is satisfied.*

Where an IPI proposes to accommodate a qualifying matter, the RMA requires that the section 32 evaluation report include a specific examination of the qualifying matter. The following sections include an examination of the qualifying matters provided for under the IPI, or considered in the preparation of the IPI.

#### 6.1.1 Existing qualifying matters

Existing qualifying matters<sup>57</sup> are qualifying matters referred to in sections 77I(a) to (i) and sections 77O(a) to (i) of the RMA that are operative in the District Plan at the date the IPI is notified. S77K and

<sup>55</sup> Clause 3.32 of the NPS-UD also specifies a list of qualifying matters relevant to giving effect to policy 4 of the NPS-UD. This list differs in minor respects from the lists contained s77I and s77O of the Act. For the purposes of PC2, the lists contained in s77I and s77O of the Act are considered sufficient for the examination of qualifying matters relevant to PC2.

<sup>56</sup> Or s77R in the case of s77O.

<sup>57</sup> Refer s77K(3) and s77Q(3).

s77Q of the RMA outline the information requirements for existing qualifying matters. Specifically, this evaluation report must:

- (a) identify by location (for example, by mapping) where an existing qualifying matter applies:*
- (b) specify the alternative density standards proposed for those areas identified under paragraph (a):*
- (c) identify in the report prepared under section 32 why the territorial authority considers that 1 or more existing qualifying matters apply to those areas identified under paragraph (a):*
- (d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3:*
- (e) notify the existing qualifying matters in the IPI.<sup>58</sup>*

Consistent with the Council's functions under s77G(6) and s77N(3)(b) of the RMA, an existing qualifying matter is taken to mean an operative rule that:

- Has the effect of making the requirements set out in Schedule 3A of the RMA (the MDRS) less enabling of development by:
  - altering the density standards in Part 2 of Schedule 3A of the RMA; or
  - making the development of up to 3 residential units that comply with the density standards something other than a permitted activity, contrary to cl2; or
  - providing for the construction and use of one or more residential units that do not comply with the building density standards in the District Plan as something other than a restricted discretionary activity, contrary to cl4; or
  - making the subdivision of land where the MDRS apply something other than a controlled activity, contrary to cl3 and cl7; or
  - including allotment size-related requirements where the MDRS apply, contrary to cl8.
- Has the effect of modifying the requirements set out in policy 3 of the NPS-UD to be less enabling of development.

In accordance with sections 77K and 77Q of the RMA, the following existing qualifying matters have been provided for as part of PC2:

- The National Grid;
- The high-pressure gas pipeline;
- Flood hazard category areas;
- Fault avoidance areas;
- Scheduled historic buildings, structures, sites or areas;
- Scheduled notable trees;
- Scheduled places and areas of significance to Māori;
- Scheduled ecological sites;
- Scheduled key indigenous trees;
- Scheduled outstanding natural features and landscapes;
- Development in the General Industrial Zone (business land suitable for low-density uses);
- Development in the Mixed-Use Precinct of the Airport Zone (business land suitable for low-density uses);
- Development in the Airport Buffer and Airport Core Precincts of the Airport Zone;
- Development in the Open Space Zones;

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<sup>58</sup> S77K(1) and s77Q(1).

- Esplanade reserve/strip requirements.

Refer to Appendix D for the examination of these qualifying matters against the information requirements of s77K and s77Q of the RMA.

### 6.1.2 New qualifying matters

New qualifying matters are qualifying matters that are referred to in s77I and s77O of the RMA that are not already provided for through the operative District Plan. S77J(3) and s77P(3) of the RMA outline the matters that must be considered in an evaluation report if new qualifying matters are proposed to be included in an IPI. Specifically, this evaluation report must, in relation to the proposed amendment to accommodate the qualifying matter:

*(a) demonstrate why the territorial authority considers—*

*(i) that the area is subject to a qualifying matter; and*

*(ii) that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*

*(b) assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*

*(c) assess the costs and broader impacts of imposing those limits.<sup>59</sup>*

The following table summarises the matters that are proposed to be provided for as new qualifying matters under PC2:

Qualifying matter	Relevant provision (s77I and s77O of the RMA)	Report section
Coastal Qualifying Matter Precinct	S77I(b) and s77O(b) of the RMA (referring to the New Zealand Coastal Policy Statement)	Refer sections 6.1.3 and 8.3.2
Kārewarewa Urupā	S77I(a) of the RMA (referring to matters of national importance under s6(e) and s6(f) of the RMA)	Refer sections 6.1.4 and 8.3.3
Marae Takiwā Precinct	S77I(a) of the RMA (referring to matters of national importance under s6(e) of the RMA)	Refer section 6.1.5

Note that for the Coastal Qualifying Matter Precinct and Kārewarewa Urupā, the scale and/or significance of these matters is considered such that the costs, benefits, efficiency and effectiveness of the provisions associated with each matter have also been separately evaluated under section 8.0 of this report. For these matters, the evaluation contained under section 8.0 has been used to satisfy the requirements of sections 77J(3)(c) and 77P(3)(c) of the RMA.

<sup>59</sup> S77J(3) and s77P(3) of the RMA.



### 6.1.3 New qualifying matter: Coastal Qualifying Matter Precinct

The purpose of the Coastal Qualifying Matter Precinct is to identify the area where it is not considered appropriate to enable the level of development otherwise required by the Medium Density Residential Standards (MDRS) and policy 3 of the NPS-UD until the management of coastal hazards is addressed through a future coastal environment plan change.

Separately to PC2, the Council, iwi and the community are engaged in a planning process to identify and develop solutions to the management of hazards in the coastal environment. The district plan does not currently give effect to the NZCPS with respect to the management of coastal hazards, relying on the 1999 coastal hazard provisions until a plan change giving effect to the NZCPS is prepared and publicly notified. To help inform the future plan change, in 2019 the Council alongside iwi and the community initiated the Takutai Kāpiti Coastal Adaptation Project. The project is a collaborative community-led process working in partnership with iwi, that “aims to encourage the Kāpiti Community to become more aware of the impacts of coastal hazard risks resulting from sea-level rise and climate change, and empower them to take part in developing solutions and pathways for adapting to coming change”<sup>60</sup>. The recommendations of the Takutai Kāpiti project will assist the Council in the development of District Plan provisions to manage a range of coastal environment issues, including coastal hazards. A coastal environment plan change will be notified after considering the recommendations from the Takutai Kāpiti project, and after consulting widely on draft plan change provisions.

In this context, the purpose of the Coastal Qualifying Matter Precinct is to maintain the status quo level of development enabled by the provisions of the operative District Plan in the relevant area, to ensure that the management of coastal hazards can be appropriately addressed through the future coastal environment plan change process, while avoiding intensification in areas that may need to be subsequently reversed as part of this process. This approach is consistent with policy 3 of the NZCPS which requires the Council to adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change so that avoidable social and economic loss and harm to communities does not occur. Further to this:

- The precinct is intended as an interim measure and it is expected that the purpose, extent and provisions associated with the precinct will be reviewed as part of the future coastal environment plan change process. This may include providing for more or less development to occur within the area covered by the precinct.
- The precinct is not intended to restrict development to less than what is permitted by the rules of the operative District Plan (although the precinct does not preclude such an approach being considered as part of a future coastal environment plan change process);
- The precinct is not intended to prejudice or predetermine the range of planning options to manage coastal hazard risk that may be considered during the Takutai Kāpiti and subsequent plan change process. It is also not intended to predetermine the spatial extent of these options (particularly in relation to the range of scenarios included within the *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment*, see discussion below).

The wording of the policy associated with the precinct has been carefully considered in order to communicate this intent.

The following provisions proposed by PC2 are relevant to the Coastal Qualifying Matter Precinct. Refer to the IPI for the full content of these provisions:

Chapter	Provision
General Residential Zone	GRZ-Px7, GRZ-R6
Town Centre Zone	TCZ-Px1, TCZ-R6

<sup>60</sup> Refer <https://takutaikapiti.nz/articles/takutai-kapiti/>

Chapter	Provision
Local Centre Zone	LCZ-Px1, LCZ-R6
Subdivision in Residential Zones	SUB-RES-R26, SUB-RES-R27, SUB-RES-Table x
District Plan Maps	<p>PRECx3 – Coastal Qualifying Matter Precinct (General Residential Zone)</p> <p>PRECx4 – Coastal Qualifying Matter Precinct (Town Centre Zone)</p> <p>PRECx5 – Coastal Qualifying Matter Precinct (Local Centre Zone)</p>

### Justification for the qualifying matter (s77J(3)(a) and s77P(3)(a) of the RMA)

The Coastal Qualifying Matter Precinct is a qualifying matter under the following provisions of the Act:

- S77I(b) and s77O(b): *a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010.*

The Coastal Qualifying Matter Precinct is required to ensure that PC2 does not reduce the degree to which the District Plan gives effect to policy 25 of the New Zealand Coastal Policy Statement 2010. Specifically, policy 25(a) and (b) states:

*In areas potentially affected by coastal hazards over at least the next 100 years:*

- (a) *avoid increasing the risk of social, environmental and economic harm from coastal hazards;*
- (b) *avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;*
- (c) ...

Enabling an increase in the level of development that could occur in an area potentially susceptible to coastal erosion hazard over at least the next 100 years would reduce the degree to which the District Plan gives effect to this policy. Specifically, enabling more people to live in (and more assets to be located in) areas potentially affected by coastal erosion hazard would result in an increase in the risk of social, environmental and economic harm, as well as exposure to adverse effects, from coastal hazards. Policy 25 of the NZCPS directs the District Plan to avoid this outcome. Policy 3 of the NZCPS also requires the Council to take a precautionary approach so that avoidable social and economic loss and harm to communities does not occur.

Until the District Plan is updated to fully give effect to the NZCPS, the level of development provided for by the operative District Plan more appropriately gives effect to these NZCPS policies than the level of development that would otherwise be required by the MDRS and policy 3 of the NPS-UD.

The spatial extent of the Coastal Qualifying Matter Precinct is identified as PRECx3, PRECx4 and PRECx5 in the proposed District Plan Maps.

The spatial extent of the precinct has been determined based on *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results* (Jacobs, 2022)<sup>61</sup>. The Jacobs assessment outlines areas potentially susceptible to coastal erosion hazard by using a probabilistic

<sup>61</sup> The discussion in the following paragraph is a summary of section 2 (methods overview) of Jacobs (2022), *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results*. Refer to pages 20 to 30 of this report for further information.

modelling method to map the “projected future shoreline position” (PFSP) under a range of sea level rise scenarios. The PFSP is mapped over 30-year (2050), 50-year (2070) and 100-year (2120) time frames. The 2120 PFSP is mapped against four different relative sea level rise scenarios, including:

2120 Scenario	Relative sea level rise projection
RCP 2.6 (with -1mm/year vertical land movement)	0.60m
RCP 4.5 (with -1 to -3mm/year vertical land movement)	0.85m
RCP 8.5 (with -1 to -3mm/year vertical land movement)	1.25m
RCP 8.5+ (with -3mm/year vertical land movement)	1.65m

The spatial extent of the Coastal Qualifying Matter Precinct is based on the 2120 P10 projected future shoreline position using the RCP 8.5+ (with -3mm/year vertical land movement) relative sea level rise scenario<sup>62</sup>. This scenario is the most landward scenario modelled by Jacobs, and while it is described as highly unlikely, this scenario does have the potential to occur<sup>63</sup>. Specifically, the Coastal Qualifying Matter Precinct is defined as the parts of the General Residential, Local Centre and Town Centre Zones that are located within this area.

For the purposes of PC2, this scenario is considered the most appropriate to determine the spatial extent of the precinct because:

- It represents an area potentially affected by coastal erosion hazard over at least the next 100 years;
- It ensures that PC2 does not reduce the degree to which the District Plan gives effect to policy 25 of the NZCPS in areas potentially area potentially affected by coastal erosion hazard over at least the next 100 years;
- Because it is the most landward of the scenarios modelled, it retains the greatest degree of flexibility for the Takutai Kāpiti and future coastal environment plan change process to determine an appropriate hazard management regime within all areas identified as being potentially susceptible by the Jacobs assessment.

This scenario has been specifically used for the purpose of identifying a qualifying matter in relation to incorporating the MDRS and giving effect to policy 4 of the NPS-UD as part of PC2, in accordance with the justification outlined above. The use of this scenario in PC2 does not predetermine its utility for any future coastal environment plan change process. Whether this scenario (or any other scenario) has any application to a future coastal environment plan change process is a matter to be determined through that process.

There are several reasons that the spatial extent of the Coastal Qualifying Matter Precinct focusses on the area potentially susceptible to coastal erosion hazard, as distinct from coastal inundation hazard (which is also covered by the Jacobs’ assessment). These include:

- The Jacobs’ assessment represents the best available information in relation to coastal erosion susceptibility in the District;
- The existing provisions that relate to coastal erosion date from the 1999 District Plan, predate the New Zealand Coastal Policy Statement 2010, and do not reference the best available information on the hazard;

<sup>62</sup> This scenario is referred to in the Coastal Erosion Susceptibility Mapping Tool online GIS viewer as the “1.65m RSLR Range of Potential Shoreline Positions (99-10%)”. See:

<https://maps.kapiticoast.govt.nz/portal/apps/storymaps/stories/dbc000c7263f4d63b8978047ed0e826b>

<sup>63</sup> See Jacobs (2022), *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results*. Refer to the discussion on relative sea level rise projections outlined in section 2.1 and the discussion on the probabilistic approach to modelling outlined in section 2.2.6 of the report.

- Coastal inundation risk is managed by proxy through the existing flood hazard provisions of the District Plan. There is a reasonable correlation between the areas in the urban environment identified as susceptible to coastal inundation in the Jacobs' assessment, and the flood hazard category areas in the District Plan<sup>64</sup>. In addition to this, the flood hazard provisions of the District Plan are dynamic in that the 1% AEP flood event is to be determined using the best available information (which includes site-specific modelling). On this basis, for the purposes of PC2 this hazard is considered to be appropriately managed by existing District Plan provisions. However, a review of the District Plan's flood hazard provisions is planned as part of the future flood risk/stormwater management Plan Change<sup>65</sup>.

### Impact on the provision of development capacity (s77J(3)(b) and s77P(3)(b) of the RMA)

The provisions associated with the Coastal Qualifying Matter Precinct maintain the level of development that is currently provided for by the operative District Plan in the precinct. The following table identifies the impact of this on plan-enabled residential development capacity:

	Additional plan-enabled residential development capacity (additional dwellings)		Difference (forgone additional residential development capacity as a result of accommodating the qualifying matter)
	Incorporating the MDRS and giving effect to policy 3 of the NPS-UD (no Coastal Qualifying Matter Precinct) (note 1)	With the provisions of the Coastal Qualifying Matter Precinct	
Within the Coastal Qualifying Matter Precinct only	4,012 (infill scenario) – 12,833 (redevelopment scenario)	594 (note 2)	3,418 (infill scenario) – 12,272 (redevelopment scenario)
<b>Notes:</b> Note 1: Derived from the Intensification Scenario Model. Refer section 3.2 for explanation of this model, including explanation of the infill and redevelopment scenarios. Note 2: Derived from the Council's 2022 HBA model.			

On the basis of the above, if the total district-wide plan-enabled residential development capacity as a result of PC2 would be 51,625 to 177,383 dwellings, and the foregone plan-enabled residential development capacity is 3,418 to 12,833 dwellings, the impact across the district of the Coastal Qualifying Matter Precinct is 6.6% to 7.2% of total theoretical additional plan-enabled residential development capacity foregone.

As noted in section 3.2, only a fraction of plan-enabled development capacity is required to meet demand for residential development over the next 30 years. The following table compares the fraction of plan-enabled development capacity required to meet long-term demand, with and without the Coastal Qualifying Matter Precinct.

<sup>64</sup> Within urban zoned areas, 76% of the area identified as being potentially susceptible to coastal inundation hazard under the 1.65m RSLR scenario is already contained within flood hazard category areas identified in the District Plan.

<sup>65</sup> The Council is presently updating its district-wide flood hazard model in preparation for this Plan Change. This includes updating the model to reflect the best available information on coastal inundation hazard and the current and future effects of climate change.

	<b>Additional plan-enabled residential development capacity (additional dwellings)</b>	<b>Long-term residential development demand (dwellings)</b>	<b>% Plan-enabled development capacity required to be feasible and realisable to meet long-term demand</b>
With the Coastal Qualifying Matter Precinct	47,613 (infill scenario) 164,550 (redevelopment scenario)	16,185	9.8% - 34.0%
Without the Coastal Qualifying Matter Precinct	51,625 (infill scenario) 177,383 (redevelopment scenario)		9.1% - 31.4%

Based on the above, providing for the Coastal Qualifying Matter Precinct as a qualifying matter is likely to have a low to moderate impact on the provision of development capacity across the district.

#### **Assessment of the costs and broader impacts of the qualifying matter (s77J(3)(c) and s77P(3)(c) of the RMA)**

Because of the large geographical area covered by the Coastal Qualifying Matter Precinct, a more detailed evaluation of the costs, benefits, efficiency and effectiveness has been undertaken, under section 8.3.2 of this report. This evaluation identifies the costs and broader impacts of the qualifying matter, as required by s77J(3)(c) and s77P(3)(c) of the RMA.

#### **Alternative approaches considered**

Due to the scale and significance of this particular matter a range of alternative approaches were considered. These alternative approaches have been evaluated in section 8.3.2 of this report and are summarised in the table below:

<b>Alternative approach</b>	<b>Summary of considerations</b>
<p>Option 2 – retain existing 1999 District Plan coastal yards as an existing qualifying matter. This includes:</p> <ul style="list-style-type: none"> <li>Construction of buildings within a yard set back 20m from the coastal edge as identified on the District Plan maps is a discretionary activity. This applies at Paekākāriki, Raumati Beach, and a small sliver of the General Residential Zone to the north of Paraparaumu Beach;</li> </ul>	<ul style="list-style-type: none"> <li>Existing 1999 District Plan rules for coastal erosion hazard would apply (see CE – Coastal Environment chapter). This includes a 20m building line restriction and a 50m relocatable building line.</li> <li>These lines apply only at Paekākāriki, Raumati Beach and Paraparaumu Beach (they do not apply elsewhere in the district).</li> <li>Intensification would be enabled in urban environments on the landward side of these lines.</li> <li>Because the coastal yard provisions are already contained within the District Plan, this alternative could be implemented using the alternative process for existing qualifying matters (s77K and s77Q of the RMA).</li> <li>This is not considered the most appropriate option as it does not take into account the most up-to-date information on coastal erosion hazards in the district (including the potential impacts of climate change). The Jacobs'</li> </ul>

Alternative approach	Summary of considerations
<ul style="list-style-type: none"> <li>Buildings constructed between 20 and 50m must be relocatable. This applies at Paekākāriki and Raumati Beach.</li> </ul> <p>(Referred to as option 2 in the evaluation contained in section 8.3.2 of this report).</p>	<p>assessment identifies a range of different scenarios for coastal erosion susceptibility over the next 100 years, the majority of which are located further inland than the 1999 District Plan coastal erosion hazard lines. In addition to this, there are many parts of the district where the 1999 District Plan provisions do not apply. As a result, this alternative is likely to reduce the degree to which the District Plan gives effect to policy 25 of the NZCPS as it relates to coastal erosion hazard, and does not give effect to the precautionary approach required by policy 3 of the NZCPS.</p>
<p>Option 3 – use an alternative coastal erosion susceptibility extent outlined in the Jacobs’ assessment</p> <p>(Referred to as option 3 in the evaluation contained in section 8.3.2 of this report).</p>	<ul style="list-style-type: none"> <li>The Jacobs’ Assessment outlines a range of different projected future shoreline positions based on various sea level rise and vertical land movement scenarios (see discussion above).</li> <li>All of the projected future shoreline positions outlined in the Jacobs’ Assessment reflect, with increasing degrees of certainty, areas potentially susceptible to coastal erosion hazard over the next 100 years. On this basis, it would be possible to consider any of the scenarios (potential future shoreline positions) outlined in the Jacobs’ assessment, including one of the more seaward positions.</li> <li>One of the more seaward scenarios is not considered the most appropriate method of determining the spatial extent of the precinct, on the basis that the Takutai Kāpiti/coastal environment plan change process has yet to determine an appropriate method for coastal erosion hazard management within all areas (scenarios) identified as potentially susceptible to coastal erosion hazard in the Jacobs’ assessment. Using a more seaward scenario, and consequently enabling intensification within the more landward scenarios, may preclude or increase the difficulty for the Takutai Kāpiti/coastal environment plan change process to consider and provide for a coastal hazard management regime associated with the more landward scenarios, if this is determined by that process to be appropriate.</li> <li>Using one of the more seaward scenarios may also be perceived as predetermining a scenario to underpin a future coastal environment plan change.</li> <li>Adopting a more seaward potential future shoreline as the basis for the qualifying matter precinct would enable intensification within the more landward potential future shoreline positions outlined in the Jacobs’ assessment. In the absence of a regime for managing coastal erosion hazard that takes into account the most up-to-date information, it is not considered appropriate to predetermine which of the potential future shoreline positions outlined in the Jacobs’ assessment are</li> </ul>

Alternative approach	Summary of considerations
	appropriate to enable increased levels of development, in the context of the policy 3 (which requires the Council to adopt a precautionary approach) and policy 25 of the NZCPS.

In addition to the approaches considered above, a number of alternative sources of information were given consideration as a basis for informing the spatial extent of the Coastal Qualifying Matter Precinct. The alternative sources of information are summarised in Appendix U. The alternative sources of information were not considered to be as appropriate as the Jacobs' Assessment on the basis that they either did not represent the most up-to-date information on coastal erosion hazard, or are not considered appropriate to identify areas potentially susceptible to coastal erosion hazard for the purposes of land-use planning.

#### 6.1.4 New qualifying matter: Kārewarewa Urupā

The Kārewarewa Urupā is located to the east of the confluence of the Waikanae River and the Waimeha Stream, to the south-east of the Waimeha lagoon. The history of the urupā, its sale and subsequent development are traversed in a Waitangi Tribunal report on the matter<sup>66</sup>.

In 1839, the historically important battle of Kuititanga occurred in the Waikanae district, and many of those who died in this battle were buried at the urupā. Since this time, other prominent ancestors were also buried there. In 1919, the block of land containing the urupā was partitioned off from a larger block of Māori freehold land. It remained in Māori ownership until 1969, when it was sold to a developer. Subsequent to its sale, the new landowner successfully applied to the Horowhenua County Council to have the cemetery designation that covered the urupā removed from the District Scheme. Since this time approximately half of the land has been subject to residential urban development, around Te Ropata Place, Barrett Drive and Marewa Place. Thirty-nine properties have been subdivided and developed in this area, alongside the road network. The remainder of the land (off Tamati Drive to the east, with small portions located off Barrett Drive and Marewa Place) has remained undeveloped. There is also a history of kōiwi/human remains being discovered during prior development works at the site.

Kārewarewa Urupā is located within the General Residential Zone, a zone which is otherwise subject to the MDRS. PC2 proposes to add the Kārewarewa Urupā to Schedule 9 of the District Plan. Schedule 9 is a schedule of sites that are subject to the provisions contained within the Sites and Areas of Significance to Māori (SASM) chapter of the plan. Schedule 9 includes a range of different types of sites of significance (referred to as *wāhanga*). PC2 proposes that the undeveloped part of the urupā site is added to Schedule 9 under the *wāhanga tahi* category, while land that has already been developed is proposed to be added under the *wāhanga rua* category. The spatial extent of both areas are shown in Figure 8 and identified in the proposed District Plan maps.

*Wāhanga tahi* classification recognises the cultural significance of the site to Te Ātiawa ki Whakarongotai and is consistent with the classification of other known urupā in the district. *Wāhanga rua* classification recognises the significance of the site to Te Ātiawa ki Whakarongotai while also recognising that part of the wider urupā has been heavily modified and developed as a result of prior residential development.

The following proposed and existing provisions are relevant to this matter. Refer to the PC2 document (or the District Plan) for a description of these provisions:

<sup>66</sup> Waitangi Tribunal (2020). *The Kārewarewa Urupā Report (Pre-publication version)*.



Provisions proposed as part of PC2	
Schedule 9	<ul style="list-style-type: none"> <li>Add part of the urupā to the <i>wāhanga tahi</i> category under Schedule 9 (scheduled as WTSx1);</li> <li>Add part of the urupā to the <i>wāhanga rua</i> category under Schedule 9 (scheduled as WTSx2).</li> </ul>
District Plan Maps	<ul style="list-style-type: none"> <li>Add WTSx1 and WTSx2 to the District Plan Maps</li> </ul>
Operative District Plan provisions that will apply	
Operative District Plan provisions that apply to <i>wāhanga tahi</i> sites	SASM-R1, SASM-R2, SASM-R9, SASM-R10, SASM-R15, SASM-R16, SASM-R17, SASM-R18, SUB-DW-R10.
Operative District Plan provisions that apply to <i>wāhanga rua</i> sites	SASM-R1, SASM-R2, SASM-R9, SASM-R11, SASM-R15, SASM-R16, SASM-R17, SASM-R19, SUB-DW-R10.

Figure 8: proposed addition of sites to Schedule 9 of the District Plan at the Kārewarewa Urupā.



#### Justification for the qualifying matter (s77J(3)(a) of the RMA)

The Waitangi Tribunal report states that on the basis of traditional, historical and archaeological evidence, it is clear that the block of land was an urupā. On the basis of these findings, the existence of the urupā is a matter that the Council must recognise and provide for under s6(e) of the Act. On



this basis, Te Ātiawa ki Whakarongotai have reviewed and support the proposal as part of PC2 to add Kārewarewa Urupā to Schedule 9 of the District Plan.

In addition to this, wāhi tapu are historic heritage features under the provisions of the District Plan, as well as the definition of historic heritage outlined in s2 of the Act. On this basis, wāhi tapu are also a matter that Council must recognise and provide for under s6(f) of the Act.

On this basis, adding Kārewarewa Urupā to Schedule 9 of the District Plan is a qualifying matter under the following provisions of the Act:

- S771(a): *a matter of national importance that decision makers are required to recognise and provide for under section 6.*

The spatial extent of the proposed additions to Schedule 9 of the District Plan are the same as the area identified as the urupā block in the Waitangi Tribunal Report.

Kārewarewa Urupā is located within the General Residential Zone, a zone which is otherwise subject to the MDRS. As an urupā, the site is sensitive to any form of development that involves the disturbance of land. This is because there is a possibility that land disturbance would encounter or otherwise disturb kōiwi. The prospect that further development might occur at the urupā is a cause of deep concern for Te Ātiawa ki Whakarongotai, and this concern is described most clearly by Te Ātiawa themselves, in section 1.1.1 of the Waitangi Tribunal Report.

On this basis, the level of development permitted by the MDRS is considered to be inappropriate to occur at the urupā. It is therefore appropriate to provide restrictions on development in order to provide for the Kārewarewa Urupā as a qualifying matter. Schedule 9 of the District Plan describes appropriate levels of development in relation to various types of wāhi tapu site. The descriptions associated with *wāhanga tahi* and *wāhanga rua* categories are most relevant to the types of land located at Kārewarewa Urupā. These categories are described in the following table (from Schedule 9):

Wāhanga	Type	Key development threats	Sensitivity to development	Desired level of protection
<b>Wāhanga tahi</b>	Urupā (Māori burial grounds) and parekura (battlefield)	Land disturbance, earthworks	High – sites are largely unoccupied/ undeveloped.	High – rules intended to provide a high level of protection as there is a high risk land disturbance will encounter kōiwi.
<b>Wāhanga rua</b>	Urupā (Māori burial grounds), pā (village), papakāinga (place of settlement)	Land disturbance, earthworks, construction of new buildings and alterations, additions and relocations of existing building, and network utilities	Moderate – land is modified and currently occupied by residents and/or businesses	Moderate – rules intended to allow for a reasonable level of development to occur provided land disturbance volumes are reasonably low and discovery protocols are followed

The levels of development considered to be most appropriate in relation to the urupā are:

- For undeveloped land, the level of development provided for by the *wāhanga tahi* provisions;
- For land that has already been developed, the level of development provided for by the *wāhanga rua* provisions.

While a range of approaches have been considered, this approach was found to be the most appropriate, in part because it utilises the existing District Plan provisions framework for wāhi tapu sites, which are designed for this purpose.

The following table provides a summary of the status of various development activities in relation to both the *wāhanga tahi* and *wāhanga rua* provisions:

Activity	Wāhanga tahi	Wāhanga rua
Land disturbance/earthworks	Restricted discretionary activity (SASM-R10)	Permitted activity (subject to standards) (SASM-R3)  Restricted discretionary activity (where land disturbance/earthworks do not meet permitted activity standards) (SASM-R11)
Additions/alterations of existing lawfully established buildings	Restricted discretionary activity (SASM-R10)	Permitted activity (subject to standards) (SASM-R3)  Restricted discretionary activity (where additions/alterations do not meet permitted activity standards) (SASM-R11)
Construction of new buildings	Non-complying activity (SASM-R18)	Restricted discretionary activity (SASM-R11)
Subdivision	Restricted discretionary activity (SUB-DW-R10)	Restricted discretionary activity (SUB-DW-R10)

### Impact on the provision of development capacity (s77J(3)(b) of the RMA)

Under the provisions of the SASM – Sites and Areas of Significance to Māori chapter of the District Plan, the construction of new dwellings in a *wāhanga tahi* area is a non-complying activity, and the construction of new dwellings in a *wāhanga rua* area is a restricted discretionary activity. While additional dwellings could be developed in the *wāhanga rua* area as a restricted discretionary activity, for the purposes of identifying the impact of the qualifying matter on the provision of development capacity, it is assumed that both *wāhanga tahi* and *wāhanga rua* areas would not contribute to residential development capacity.

The total area proposed to be added to Schedule 9 measures approximately 7.9 hectares.

The following table identifies the impact of adding Kārewarewa Urupā to Schedule 9 of the District Plan on plan-enabled residential development capacity:

	Additional theoretical plan-enabled residential development capacity (additional dwellings)		Difference (forgone additional residential development capacity as a result of accommodating the qualifying matter)
	Level of development otherwise enabled by the MDRS	Level of development provided for by the wāhanga tahi and wāhanga rua provisions	
Within the <i>wāhanga tahi</i> area	250 (note 1)	0	388
Within the <i>wāhanga rua</i> area	138 (note 2)		

**Notes:**

Note 1: This site was not originally modelled as part of the HBA or Intensification Scenario Model, as it has a LINZ property use code of 44 (Community Services/Religious)<sup>67</sup>. To calculate a theoretical yield for the purposes of identifying the impact of the qualifying matter on the provision of development capacity, the number outlined above is derived by applying a notional development density of one dwelling per 140m<sup>2</sup> site area. This is based on the Ministry for the Environment’s fact sheet on the MDRS<sup>68</sup>. This is likely to be a high estimate, as it does not account for legal roads and public reserves that may be required to enable development of the area.

Note 2: Based on the “redevelopment” scenario of the Intensification Scenario Model. This indicates the maximum theoretical plan-enabled residential development capacity where existing buildings are demolished and the entire site is redeveloped. Refer section 3.2 for information.

On the basis of the above, if the total additional district-wide theoretical plan-enabled residential development capacity as a result of PC2 would be 51,625 to 177,383 dwellings, and the foregone plan-enabled residential development capacity is at most 388 dwellings, the impact across the district is 0.22% to 0.75% of total theoretical plan-enabled residential development capacity foregone.

For context, the area of the wāhi tapu (approximately 7.9 hectares) equates to approximately 0.30% of the total area of the General Residential Zone.

Based on the above, adding Kārewarewa Urupā to Schedule 9 of the District Plan is likely to have a minimal impact on the provision of development capacity.

### Assessment of the costs and broader impacts of the qualifying matter (s77J(3)(c) of the RMA)

Because the provision for Kārewarewa Urupā adds restrictions on development in the area that are not currently contained in the District Plan, a more detailed evaluation of the costs, benefits, efficiency and effectiveness has been undertaken under section 8.3.3 of this report. This evaluation identifies the costs and broader impacts of the qualifying matter, as required by s77J(3)(c) and s77P(3)(c) of the RMA.

<sup>67</sup> LINZ property use codes are assigned in accordance with [LINZ Rating Valuations Rules 2008](#). The HBA and Intensification Scenario Models apply a general exclusion to sites with a community services property use code on the assumption that they would be unlikely to contribute to residential development capacity.

<sup>68</sup> See Ministry for the Environment (2021). *Intensification Options – Factsheet*. See [link](#).

## Alternative approaches considered

Due to the significance of this particular matter a range of alternative approaches were considered. These alternative approaches have been evaluated in section 8.3.3 of this report and are summarised in the table below:

Alternative approach	Considerations
<p>Option 2 – apply the MDRS, and do not recognise or provide for Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan.</p> <p>(Referred to as option 2 in the evaluation contained in section 8.3.3 of this report).</p>	<ul style="list-style-type: none"> <li>• This approach would enable development to occur on the Kārewarewa Urupā in the area up to the level provided for by the MDRS.</li> <li>• This approach would promote the development of undeveloped parts of the urupā, and promote the redevelopment and intensification of parts of the urupā that have already been developed.</li> <li>• This approach is likely to result in increased levels of disturbance of the land, which could impact on the values of the wāhi tapu site.</li> <li>• This approach does not recognise or provide for the significance of the land to tangata whenua as a wāhi tapu site.</li> <li>• This approach is not considered to be consistent with the requirement that the Council recognise and provide for the matters outlined in s6(e) and s6(f) of the Act.</li> </ul>
<p>Option 3 – take Kārewarewa Urupā into account through providing for lower density development provisions at the site (for example, by maintaining the status quo level of development), rather than recognising and providing for it as a wāhi tapu site in Schedule 9.</p> <p>(Referred to as option 3 in the evaluation contained in section 8.3.3 of this report).</p>	<ul style="list-style-type: none"> <li>• This approach is similar to Option 2, except that it provides for a lower density of development in relation to the urupā.</li> <li>• This approach is likely to result in uncontrolled disturbance of the land, although to a lesser degree than Option 2.</li> <li>• While this approach would tangentially recognise the urupā as a qualifying matter, it would not provide for any mechanisms to control the disturbance of the land in relation to the urupā.</li> <li>• Similar to Option 2, this approach is not considered to be consistent with the requirement that the Council recognise and provide for the matters outlined in s6(e) and s6(f) of the Act, in relation to the urupā.</li> </ul>

### 6.1.5 New qualifying matter: Marae Takiwā Precinct

Raukāwa marae, located in the General Residential Zone at Ōtaki and Whakarongotai marae, located in the Town Centre Zone at Waikanae are two marae located within urban environments that are otherwise subject to the MDRS and policy 3 of the NPS-UD. As part of engagement with iwi on the development of PC2, iwi identified that marae function as a living site of significance integral to the cultural and traditional life of tangata whenua. The purpose of the Marae Takiwā precinct is to recognise that the cultural and traditional practices that occur at marae are sensitive to the adverse effects that may result from increased heights and densities of development on sites adjacent to marae.

In this context, the key matters associated with marae that would be particularly sensitive to surrounding intensification include:

1. Tikanga and kawa associated with events that occur on a marae (for example, powhiri, karanga, and tangihanga) would be sensitive to overlooking by surrounding development;
2. Visibility from the marae towards key features in the landscape (for example, the Tararua range) is likely to be disrupted by surrounding development;
3. Surrounding development may have reverse sensitivity effects that impact on the cultural and traditional practices of the marae (for example, additional surrounding development is likely to be sensitive to the noise generated by a karanga, or the traffic generated by a tangihanga).

Because intensification surrounding a marae may have adverse effects on the cultural and traditional practices associated with marae, it is appropriate to reduce the level of development otherwise required by the MDRS and NPS-UD in the area surrounding marae as a qualifying matter under s771(a) and s770(a) of the RMA.

The precinct covers the marae and the sites surrounding the marae. Within the precinct, the following are proposed to be provided for:

- The existing permitted maximum building heights in the District Plan would be retained. The existing permitted maximum building heights are:
  - Within the General Residential Zone: 8 metres (2-storeys);
  - Within the Town Centre Zone: 12 metres (3-storeys).
- Where there are existing “recession plane” controls at the boundary of the marae, these would be retained. Recession plane controls require taller development to be increasingly set-back from the boundary;
- The permitted number of dwellings per site in the General Residential Zone would be reduced to one per site. This would ensure that denser development triggers a resource consent process.
- Development that breaches any of these standards will require a resource consent. The rule will be worded to ensure that the owners and occupiers of the relevant marae are given consideration as an “affected person”. This means that tangata whenua who are responsible for the marae would be notified of the resource consent application, and would have an opportunity to submit on the consent. In practice, this provision would encourage developers to talk to those responsible for the marae, and resolve any issues prior to submitting the resource consent application.
- In addition to considering tangata whenua who are responsible for the marae as an “affected person”, the District Plan would include policies that require decision-makers to have regard to the matters outlined above when considering resource consent applications for development within the precinct.

This package of provisions would maintain the status quo permitted building heights provided for around marae, and provide for the recognition of tangata whenua who are responsible for the marae on resource consents for development proposing greater heights or densities on sites surrounding the marae.

The following provisions proposed by PC2 are relevant to the Marae Takiwā Precinct. Refer to the PC2 document for a description of these provisions:

Chapter	Provision
General Residential Zone	GRZ-Px8, GRZ-Rx3, GRZ-Rx8
Town Centre Zone	TCZ-Px2, TCZ-R6, TCZ-Rx4
District Plan Maps	PRECx6 – Marae Takiwā Precinct (General Residential Zone)

Chapter	Provision
	PRECx7 – Marae Takiwā Precinct (Town Centre Zone)

### **Justification for the qualifying matter (s77J(3)(a) and s77P(3)(a) of the RMA)**

Because marae function as a living site of significance integral to the cultural and traditional life of tangata whenua, and because they are sensitive to the effects of surrounding intensification, controlling the level of development that occurs around a marae is considered a matter of national importance that the Council must recognise and provide for under s6(e) of the Act.

On this basis, providing for the Marae Takiwā precinct is a qualifying matter under the following provisions of the Act:

- S77I(a) and s77O(a): *a matter of national importance that decision makers are required to recognise and provide for under section 6.*

The spatial extent of each precinct has been calculated based on the following principles:

1. Properties adjoining or over the road from the marae site are included in the precinct. This spatial extent addresses the issues related to overlooking and reverse sensitivity.
2. Between the marae and the Tararua Range, the precinct has been extended to account for the significance of the visibility of the range from the marae. The size of the extension has been calculated so that the potential view obstruction by new development would be no greater than that currently permitted by the District Plan<sup>69</sup>.

The studies contained in Appendix T provide supplementary information that show how the extent of the precinct has been determined around Raukawa Marae and Whakarongotai Marae. The study illustrates the potential for development surrounding marae to overlook marae and obstruct views towards the Tararua Range.

The District Plan provides for 3-storey development in the Town Centre Zone surrounding marae, and 2-storey development in the General Residential Zone surrounding marae. As indicated in the studies, development that is taller than this is likely to overlook marae, and obstruct views towards the Tararua Range. On this basis, it is considered that the most appropriate level of development adjacent to marae is the level of development provided for by the operative District Plan. While technically a reduced level of development would be required in order to guarantee protection of existing views towards the Tararua Range, it is not considered appropriate to reduce development to levels below that provided for by the operative District Plan, given that the purpose of PC2 is to incorporate the MDRS and give effect to policy 3 of the NPS-UD.

### **Impact on the provision of development capacity (s77J(3)(b) and s77P(3)(b) of the RMA)**

The provisions associated with the Marae Takiwā Precinct effectively maintain the level of development that is currently permitted by the operative District Plan in the precinct. The following table identifies the impact of this on plan-enabled residential development capacity:

<sup>69</sup> Note that even under the provisions of the operative District Plan, it is possible for development to obstruct views of the Tararua range. The provisions for the precinct reduce the likelihood that this would occur in relation to taller buildings, but it may still be possible for development to obstruct existing views.

	Additional theoretical plan-enabled residential development capacity (additional dwellings)		Difference (forgone additional residential development capacity as a result of accommodating the qualifying matter)
	Enabled by the MDRS/Policy 3 of the NPS-UD (note 1)	Provided for under the Marae Takiwā Precinct provisions (note 2)	
Around Raukawa Marae	195	0	412
Around Whakarongotai Marae	217		
<b>Notes:</b> Note 1: Based on the “redevelopment” scenario of the Intensification Scenario Model. This indicates the maximum theoretical plan-enabled residential development capacity where existing buildings are demolished and the entire site is redeveloped. Refer section 3.2 for information. The Town Centre Zone component of this figure assumes only 20% of the total area is developed for housing purposes. This assumption is consistent with the methodology used for the Intensification Scenario Model, and the 2021 HBA. Note 2: While some additional development will be able to occur under the provisions of the Marae Takiwā Precinct, to simplify the assessment of the impact of the precinct on the provision of development capacity, this assessment assumes no further development would occur under the precinct provisions. As a result, the overall impact identified in this assessment is exaggerated, however this is not considered material to the overall assessment.			

On the basis of the above, if the total additional district-wide theoretical plan-enabled residential development capacity as a result of PC2 would be 51,625 to 177,383 dwellings, and the foregone plan-enabled residential development capacity as a result of the provisions of the Marae Takiwā Precinct is at most 412 dwellings, the impact across the district is 0.23% to 0.80% of total theoretical plan-enabled residential development capacity foregone.

The Marae Takiwā Precinct is located in both the General Residential and Town Centre Zones. For context:

- The area of the precinct located in the Town Centre Zone (2.4 hectares) comprises approximately 2.3% of the total area of the district's centres zones;
- The area of the precinct located in the General Residential Zone (3.25 hectares) comprises approximately 0.12% of the total area of the General Residential Zone.

Based on the above analysis, providing for the Marae Takiwā Precinct is likely to have a minimal impact on the provision of development capacity.

#### **Assessment of the costs and broader impacts of the qualifying matter (s77J(3)(c) and s77P(3)(c) of the RMA)**

The following table provides a summary of the potential costs and broader impacts associated with the provisions of the Precinct:

	Costs	Broader impacts
<b>Environmental</b>	<ul style="list-style-type: none"> <li>• Lower density of urban built form in areas close to or within Town Centres (where</li> </ul>	<ul style="list-style-type: none"> <li>• Due to the localised nature/limited size of the precinct, there are unlikely to</li> </ul>

	Costs	Broader impacts
	a higher density of urban built form is planned for).	be broader environmental impacts.
<b>Social</b>	<ul style="list-style-type: none"> <li>Reduced potential to provide for housing in areas close to or within Town Centres as a permitted activity, where there is good access to a range of commercial activities or community services.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the localised nature/limited size of the precinct, there is unlikely to be any broader social impact.</li> </ul>
<b>Cultural</b>	<ul style="list-style-type: none"> <li>No notable cultural costs identified.</li> </ul>	<ul style="list-style-type: none"> <li>The provisions of the precinct are likely to have a positive impact on the ability for tangata whenua to continue to practice their cultural norms and traditions at their marae.</li> </ul>
<b>Economic</b>	<ul style="list-style-type: none"> <li>Opportunity costs associated with development potential that would otherwise be enabled without the precinct provisions in place.</li> <li>Costs associated with preparing, lodging and complying with resource consents for development within the Precinct.</li> <li>Certainty of resource consent outcome is not guaranteed, potentially increasing economic risks to applicants.</li> <li>Resources required (on behalf of developers and iwi) in order to undertake engagement on developments that might occur within the Precinct.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the localised nature/limited size of the precinct, there are unlikely to be broader economic impacts.</li> </ul>

On this basis, it is considered that the potential costs imposed by the precinct provisions are reasonable and justifiable, particularly given the positive impact that the precinct provisions are likely to have in enabling tangata whenua to continue to practice their cultural norms and traditions at their marae.

The provisions for the Marae Takiwā Precinct have been incorporated into the evaluation of Option 1 of the provisions to incorporate the MDRS and give effect to policy 3 of the NPS-UD, contained in section 8.3.1 of this report.

### Alternative considered



The primary alternative option considered for the Marae Takiwā Precinct was not providing for one, and instead providing for the level of development permitted by the MDRS or enabled by policy 3 of the NPS-UD. The following table provides a summary of the potential costs and broader impacts of not providing for the Marae Takiwā Precinct:

	Costs	Broader impacts
<b>Environmental</b>	<ul style="list-style-type: none"> <li>Reverse sensitivity effects caused by surrounding development on the functioning of the marae and the cultural and traditional practices that occur at a marae.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the localised nature/limited size of the precinct, there are unlikely to be broader environmental impacts.</li> </ul>
<b>Social</b>	<ul style="list-style-type: none"> <li>No notable social costs identified.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the localised nature/limited size of the precinct, there is unlikely to be any broader social impact.</li> </ul>
<b>Cultural</b>	<ul style="list-style-type: none"> <li>Events that occur at a marae, including powhiri, karanga, and tangihanga, are sensitive to being overlooked by intensification on surrounding sites. The overlooking caused by surrounding intensification may have an adverse impact on the tikanga or kawa associated with these events.</li> <li>Intensification on surrounding sites may increase the obstruction of views from the marae to significant landforms/maunga. This is likely to adversely impact on the relationship between the marae and the people of the marae, and those landforms/maunga.</li> </ul>	<ul style="list-style-type: none"> <li>Marae are a scarce resource for the tangata whenua of the district. Enabling intensification on sites surrounding marae is likely to have broad adverse impacts on the ability for marae to provide for the cultural and traditional practices of the district's tangata whenua.</li> </ul>
<b>Economic</b>	<ul style="list-style-type: none"> <li>No notable social costs identified.</li> </ul>	<ul style="list-style-type: none"> <li>Due to the localised nature/limited size of the precinct, there are unlikely to be broader economic impacts.</li> </ul>

#### 6.1.6 Potential other qualifying matters that have been considered but not included in PC2

Where the Council proposes to provide for 'any other qualifying matters' under s77L(j) and s77O(j) of the RMA, there are additional information requirements prescribed under s77L and s77R of the RMA. The Council is not proposing to provide for 'any other qualifying matters' as part of PC2. However, during the preparation of PC2, particular consideration was given to two potential 'other qualifying matters', being:

- Special character areas;
- Areas not connected to the reticulated wastewater network.

Both matters are not specifically prescribed as qualifying matters under s77I and s77O of the RMA. Rather, the Council has assessed whether they are qualifying matters in accordance with s77I(j) or s77O(j) of the RMA (“other” qualifying matters). “Other” qualifying matters are required to meet additional requirements outlined under s77L and s77R of the RMA:

*A matter is not a qualifying matter under section 77I(j) in relation to an area unless the evaluation report referred to in section 32 also—*

*(a) identifies the specific characteristic that makes the level of development provided by the MDRS (as specified in Schedule 3A or as provided for by policy 3) inappropriate in the area; and*

*(b) justifies why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD; and*

*(c) includes a site-specific analysis that—*

*(i) identifies the site to which the matter relates; and*

*(ii) evaluates the specific characteristic on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and*

*(iii) evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 while managing the specific characteristics.<sup>70</sup>*

After due consideration, both matters were determined not to meet the definition of a qualifying matter. While not required by the RMA, the following sections provide an outline of the consideration given to these matters.

### **Special character areas**

Some parts of the General Residential Zone are recognised as having “special character” in the District Plan. These areas include:

- The Beach Residential Precinct at Paekākāriki, Raumati, Waikanae Beach and Ōtaki Beach. These areas are identified in the District Plan as having a “low-key beach character and expressive topography enhanced by mature vegetation”.<sup>71</sup>
- The Waikanae Garden Precinct (located to the west of the Waikanae Town Centre Zone). This area is identified in the District Plan as having “low residential density and high amenity values associated with existing established trees and remnant indigenous vegetation”.<sup>72</sup>

The District Plan includes a range of existing policies for “special character areas” located within the General Residential Zone (policies GRZ-P3, GRZ-P4, GRZ-P5 and GRZ-P6). There are also a range of restrictions on development in these areas outlined under the General Residential Zone building rule (GRZ-R6). An accompanying design guide, contained in Appendix 3 of the District Plan, prescribes the matters that must be considered where development breaches standards in the Beach Residential Precinct specifically. The policies, rules and design guide generally seek to “protect” or “retain” the existing character of these areas by, amongst other things, restricting development density and seeking that existing character and amenity values are maintained or retained.

<sup>70</sup> This text is from s77L. Refer to s77R for equivalent text related to urban non-residential zones.

<sup>71</sup> Refer to the Zone Introduction of the General Residential Zone in the District Plan.

<sup>72</sup> Refer to the Zone Introduction of the General Residential Zone in the District Plan.

Consideration was given as to whether special character areas could be provided for as a qualifying matter. Special character areas are not a prescribed qualifying matter under s77I of the RMA<sup>73</sup>. In order to determine whether they can be considered as an “other” qualifying matter, an evidential basis is required in order to satisfy the requirements of s77L of the RMA. On this basis, the Council commissioned an update of the existing character assessments that informed the development of the Beach Residential Precinct and commissioned a character assessment of the Waikanae Garden Precinct (which had been previously established without any prior character assessment)<sup>74</sup>.

Based on these assessments, the primary character attributes that contributed to the special character of each precinct were found to be:

Area	Primary character attributes
Beach Residential Precinct – Paekākāriki	<ul style="list-style-type: none"> <li>• Distinctive steep relict, and largely intact foredune landforms;</li> <li>• Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>• Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul>
Beach Residential Precinct – Raumati	<ul style="list-style-type: none"> <li>• Distinctive steep and largely intact landform;</li> <li>• Extensive vegetation cover of tall trees that creates a largely continuous mature vegetation pattern;</li> <li>• Low-density/low-rise built form comprising 1-2 storey stand-alone dwellings on individual lots.</li> </ul>
Beach Residential Precinct – Waikanae Beach	<ul style="list-style-type: none"> <li>• Existing topography incorporates prominent elevated dune landforms;</li> <li>• Distinctive and largely intact subdivision pattern associated with the historic development of the settlement;</li> <li>• Low-density/low-rise built character of stand-alone primarily single-storey buildings set within a compact layout with a generally regular block structure, consistent lot pattern and a good open space network.</li> </ul>
Beach Residential Precinct – Ōtaki Beach	<ul style="list-style-type: none"> <li>• Relatively intact foredunes located within both the coastal and inland sub-precincts;</li> <li>• Relatively continuous tall vegetation pattern in the inland sub-precinct;</li> <li>• Direct relationship of the seafront sub-precinct to the beach;</li> <li>• Low-density built form.</li> </ul>
Waikanae Garden Precinct	<ul style="list-style-type: none"> <li>• Extensive and contiguous vegetation cover, especially that related to tall native and exotic trees;</li> <li>• Low-density built form.</li> </ul>

Based on the findings of these assessments, the Council gave consideration as to whether the special character areas would meet the requirements of s77L of the RMA. While each special character area seeks different character outcomes, a key common feature of all special character areas is that they seek to maintain existing character through policies that promote low density

<sup>73</sup> In this context, “special character” is a form of *amenity value* under the RMA (refer to s2 of the RMA for the definition of *amenity value*). The maintenance and enhancement of amenity values is not a matter of national importance under s6 of the RMA.

<sup>74</sup> Refer to the character assessments contained in Appendix G, Appendix H, Appendix I, Appendix J, and Appendix K.

development, and rules that restrict development density. This is evident in the existing policies and rules and confirmed by the assessments of each area.

The thrust of the objectives of the MDRS and the NPS-UD is that more people are enabled to live in, and more businesses and community services to be located in, New Zealand's urban environments. To achieve this, the objectives and policies of the NPS-UD seek that urban environments are able to develop and change over time. In areas where low-density development is a defining feature of the character of the area, this means that character and amenity values will change over time as the density of development increases. This change in character is provided for by the objectives and policies of the NPS-UD. In particular:

- **Objective 4** seeks that 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;
- **Policy 6(b)** requires that, in making planning decisions that affect urban environments, decision-makers have particular regard to the fact that the planned urban built form provided for by the District Plan may involve significant changes to an area, and those changes:
  - 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
  - are not, of themselves, an adverse effect.

Therefore, in light of the objectives of the NPS-UD and the national significance of urban development, it is not considered appropriate to provide for special character areas that seek to maintain existing character and amenity values through low-density development, as this is considered to be inconsistent with the objectives (and policies) of the NPS-UD.

On this basis, it is considered that the special character areas contained in the District Plan do not meet the definition of an 'other qualifying matter' under s771(j) of the RMA, as the justification required by s77L(b) of the RMA is not met.

PC2 therefore does not propose to provide for special character areas as a qualifying matter. Instead, PC2 proposes to apply the MDRS and policy 3 of the NPS-UD to these areas (as required by s77G(1) and (2) of the RMA), and to delete the rules that provide for low-density development in these areas<sup>75</sup>. However, the evidence does note that there are a range of other characteristics associated with these areas that are not, of themselves, low-density built form, but that are nevertheless of value to each area. In particular, these characteristics relate to landform and established vegetation. While the MDRS and policy 3 of the NPS-UD must be applied to the existing special character areas, based on the evidence it is still considered relevant that where development breaches the density standards required by the MDRS and policy 3 of the NPS-UD, development is required to give consideration to these characteristics. On this basis, the existing policies associated with these areas have been amended to require this, while ensuring that the policies are consistent with the objectives and policies of the NPS-UD (see policies GRZ-P4, GRZ-P5 and GRZ-P6).

### **Areas not connected to the reticulated wastewater network**

Some parts of the General Residential Zone in the Kāpiti Coast District are not connected to the Council's reticulated wastewater network. These areas are:

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<sup>75</sup> The exception to this is where existing special character areas are located within the Coastal Qualifying Matter Precinct. As discussed in section 6.1.3, the purpose of the Coastal Qualifying Matter Precinct is to maintain the status quo level of development enabled by the provisions of the operative District Plan in this area, in order to ensure that while coastal hazard provisions are being determined through the Takutai Kāpiti/coastal environment Plan Change process, PC2 does not reduce the degree to which the District Plan gives effect to policy 25 of the New Zealand Coastal Policy Statement 2010. On this basis, it is considered appropriate that the activity standards for development in the special character areas are retained, where they are located within the Coastal Qualifying Matter Precinct. It is anticipated that this will be reviewed as part of the Takutai Kāpiti/coastal environment Plan Change process.

- Paekākāriki;
- Peka Peka Beach; and
- Te Horo Beach.

In general, wastewater treatment and disposal in these areas is managed through septic tanks or similar systems on a site-by-site basis.

A lack of infrastructure, or a lack of infrastructure capacity, is not prescribed as a qualifying matter under s77I and s77O of the RMA. Infrastructure availability or capacity is not a prerequisite for the incorporation of the MDRS or the application of policy 3 of the NPS-UD to any area. In fact, the thrust of the NPS-UD is that infrastructure is planned for and provided to enable development capacity over at least the long term. There are a range of objectives and policies outlined in the NPS-UD to this effect, including:

- **Objective 1** requires that urban environments enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future;
- **Objective 6(a) and (b)** requires that decisions on urban development that affect urban environments are integrated with infrastructure planning and funding decisions and are strategic over the medium and long term;
- **Policy 2** requires that local authorities provide sufficient development capacity (which includes infrastructure capacity to support development) over at least the long term;
- **Policy 10** requires that local authorities engage with providers of development infrastructure to achieve integrated land use and infrastructure planning;
- **Clauses 3.2 and 3.4** identifies how land can be made infrastructure-ready over the short, medium and long term.

Given the strong focus of the NPS-UD on providing for infrastructure, it was considered that in order to treat a lack of infrastructure as a qualifying matter, a strong evidential foundation would be required to demonstrate that providing infrastructure to an area would lead to an absurd or illogical outcome. In other words, providing infrastructure to an area would need to be demonstrated to be a fanciful proposition.

On this basis, the Council commissioned a high-level feasibility study into the provision of reticulated wastewater infrastructure to the urban environments at Paekākāriki, Peka Peka Beach and Te Horo Beach<sup>76</sup>. This feasibility study found that while it may be costly to provide reticulated wastewater infrastructure to these areas, and while there may be practical challenges that would need to be overcome through the planning and implementation process, there are nevertheless a range of options that could be pursued to provide for reticulated wastewater infrastructure to these areas.

Based on the available evidence it would be difficult to justify why the present lack of infrastructure in an area would make it inappropriate to incorporate the MDRS or give effect to policy 3 of the NPS-UD in that area, in light of the national importance of urban development, and given that:

- The evidence does not suggest that planning for and providing infrastructure to these areas would be absurd, illogical or fanciful;
- The objectives and policies of the NPS-UD seek that that infrastructure is planned for and provided to enable development capacity in urban environments over at least the long term.

On this basis, it is considered that a present lack of infrastructure could not be treated as a qualifying matter as the justification required by s77L(b) and s77R(b) of the RMA would not be met.

Planning for the long-term provision of infrastructure to these areas is not the role of the District Plan. Rather, infrastructure planning and delivery occurs primarily through the Council's Infrastructure Strategy and Long-Term Plan, prepared under the Local Government Act 2002. Until such time as

<sup>76</sup> Aecom (2022). Paekākāriki, Peka Peka and Te Horo Wastewater Servicing Assessment. See Appendix Q.

these areas are connected to reticulated infrastructure, it is likely that other rules in both the District Plan, the Regional Plan and the New Zealand Building Code will place practical constraints on the level of development that would be realisable in these areas. In particular:

- Under clause G13 of the Building Code, any building with sanitary fixtures must be connected either to a network utility sewer system, or provide its own facilities for storage, treatment and disposal of wastewater on site. On site disposal design is regulated through G13/VM4 of the Building Code;
- The Council's *Land Development Minimum Requirements, April 2022* (formerly the *Subdivision and Development Principles and Requirements, 2012*), which are a permitted activity standard under rule INF-MENU-R27, includes a range of requirements for the on-site treatment and disposal of wastewater;
- Existing and proposed subdivision rules include a standard for the disposal of wastewater on non-sewered allotments (SUB-RES-Rx1 and SUB-RES-R27);
- Rules in the Greater Wellington Regional Council Proposed Natural Resources Plan regulate the treatment and discharge of wastewater on site (see rules R74, R75 and R26).

On this basis, there is considered to be a satisfactory regime of existing rules and standards in place to manage on-site treatment and disposal of wastewater that may occur as a result of further development, until such time as these areas may be connected to a reticulated wastewater network.

## 6.2 Incorporating the MDRS

Section 77J(4) of the RMA requires this evaluation report to include:

*(a) a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:*

*(b) a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*

*(i) any operative district plan spatial layers; and*

*(ii) any new spatial layers proposed for the district plan.*

For the description required by 77J(4)(a) of the RMA, refer to section 5.2.3 of this report.

For the description required by 77J(4)(b) of the RMA, refer to the relevant section on each qualifying matter contained in section 6.1 of this report.

## 7.0 Examination of Objectives

### 7.1 Introduction

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal (proposed District Plan Change) are the most appropriate way to promote the sustainable management of natural and physical resources.

An examination of the proposed objectives along with reasonable alternatives is included below. The following set of criteria is used as a framework for examining the appropriateness of the proposed objectives:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Council?)

While not specifically required under s32 of the RMA, in some instances alternative objectives are also considered to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

The following sections examine the objectives relevant to each package of provisions proposed as part of PC2.

### 7.2 Objectives for Package 1: housing supply and intensification

The following objectives are added or amended in response to the issue of housing supply and intensification:

Objectives	Summary
DO-Ox1 and DO-Ox2	These are the mandatory new objectives for “Well-functioning Urban Environments” (DO-Ox1) and “Housing in the General Residential Zone” (DO-Ox2) required by Schedule 3A of the RMA.
DO-Ox3	This objective gives effect to policies 3(c) and (d) of the NPS-UD in the General Residential Zone.
DO-O3, DO-O11 and DO-O16	Amendments to existing objectives to ensure they give effect to the Objectives of the NPS-UD, and give effect to policy 3 of the NPS-UD in the Centres zones.

These objectives are examined in the following sections.

#### 7.2.1 Objectives DO-Ox1 and DO-Ox2

Proposed objectives DO-Ox1 and DO-Ox2 are as follows:

DO-Ox1	Well-functioning Urban Environments
<u>A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.</u>	

<b>DO-Ox2</b>	<b><i>Housing in relevant residential zones</i></b>
<u>Relevant residential zones provide for a variety of housing types and sizes that respond to:</u> <ol style="list-style-type: none"> <li><u>1. Housing needs and demand; and</u></li> <li><u>2. The neighbourhood's planned urban built character, including 3-storey buildings.</u></li> </ol>	

Objectives DO-Ox1 and DO-Ox2 are mandatory objectives required to be incorporated into the District Plan by clause 6(1) of Schedule 3A of the RMA. The status quo (which does not include these objectives) is not a reasonable alternative because the RMA requires these objectives be included in the District Plan.

On this basis, adding objectives DO-Ox1 and DO-Ox2 to the District Plan is the most appropriate means of achieving the purpose of the RMA in relation to these objectives, because adding these objectives is a direct requirement of the Act.

### 7.2.2 Objective DO-Ox3

This objective gives effect to policies 3(c) and (d) of the NPS-UD in the General Residential Zone. For the purposes of this examination, two potential objectives have been considered:

1. The proposed objective
2. The status quo (no objective)



Proposed objective(s)		
<b>DO-Ox3</b>	<b>Residential Intensification Precincts</b>	
<u>Residential Intensification Precincts provide for higher density housing types and sizes that respond to:</u>  <u>1. Housing needs and demand;</u> <u>2. The proximity of the area to the <i>Metropolitan Centre Zone, Town Centre Zone or Local Centre Zone</i>;</u> <u>3. Accessibility to and from the area by active or public transport; and</u> <u>4. The neighbourhood's planned urban built character, including:</u> <u>a. buildings up to 6-storeys within Residential Intensification Precinct A; and</u> <u>b. buildings up to 4 storeys within Residential Intensification Precinct B.</u>		
General intent		
Residential Intensification Precincts are the parts of the General Residential Zone that are subject to policies 3(c) and 3(d) of the NPS-UD. The intent of the objective is to give effect to objective 3 and policy 3 of the NPS-UD by providing for increased development density within the Residential Intensification Precincts. The objective seeks that development within Residential Intensification Precincts respond to the need for housing, the proximity of development to centres, and the level of accessibility between development and active or public transport. The objective sets expectations for the planned urban built character within the precincts, by identifying that buildings up to 6 storeys are anticipated in Residential Intensification Precinct A, and buildings up to 4-storeys are anticipated in Residential Intensification Precinct B.		
Other potential objectives		
Status quo: there is no objective that seeks to enable increased development density around centres and areas with access to active or public modes of transport. The existing objectives for development in residential areas seek predominantly low-density development (see DO-O11(1)).		
	Proposed objective	Status quo
Relevance		
Addresses a relevant resource management issue	<b>Yes.</b> This objective addresses issue 1.  The objective would support meeting the needs and demand for housing of current and future generations by providing for increased density of development to occur in parts of the district that have good access to commercial activities and community services in the	<b>No.</b> The status quo does not address issue 1.  Providing for predominantly low-density development to occur in residential areas does not address the long-term shortfall in development capacity identified by the district's HBA. It also does not address the shortfall in housing variety,

	<p>District's centres, and good access to active or public transport.</p> <p>The objective also supports an increase in housing variety, by enabling higher density "joined" housing types (including apartment buildings) to be developed in these areas. The HBA for the district identifies that there is likely to be a shortfall in higher density joined housing types under current District Plan settings, so the objective assists with addressing this issue.</p>	<p>particularly of higher density housing types, identified in the HBA.</p> <p>Further, providing for predominantly low-density development does not recognise the benefits (including convenience, accessibility, land use efficiency and reduced reliance on private vehicle use) associated with providing for higher density development in parts of the District with good access to commercial activities, community facilities and public transport.</p>
Assists the Council to undertake its functions under s31 RMA	<p><b>Yes.</b> This objective assists Council to undertake its functions under s31 of the RMA. In particular:</p> <ul style="list-style-type: none"> <li>• The objective is consistent with the Council's function to achieve integrated management of the effects of the use, development and protection of land under s31(1)(a);</li> <li>• The objective is consistent with the Council's function to ensure that there is sufficient development capacity in respect of housing and business land to meet the demands of the district, under s31(1)(aa).</li> </ul>	<p><b>No.</b> The status quo does not assist the Council to undertake its functions under s31 of the RMA. In particular, the status quo does not provide for the Council to ensure that there is sufficient development capacity in respect of housing and business land to meet the demands of the district, under s31(1)(aa).</p>
Gives effect to higher level documents	<p><b>Yes.</b> The objective gives effect to the NPS-UD. In particular:</p> <ul style="list-style-type: none"> <li>• The objective provides for a well-functioning urban environment by enabling a variety of homes to be developed to meet the needs of different households (NPS-UD Objective 1 and Policy 1);</li> <li>• The objective supports competitive land and development markets, by assisting the Council to provide for sufficient long-term residential</li> </ul>	<p><b>No.</b> The status quo does not give effect to the NPS-UD. In particular:</p> <ul style="list-style-type: none"> <li>• The status quo does not enable a sufficient quantity or variety of housing to be developed to meet the long-term needs or demand of the District;</li> <li>• The status quo does not provide for more people to live in parts of the urban environment that are near a centre zone and well serviced by public transport;</li> </ul>

	<p>development capacity (NPS-UD Objective 2 and Policy 2);</p> <ul style="list-style-type: none"> <li>• The objective provides for more people to live in parts of the urban environment that are near a centre zone and are well serviced by public transport, by enabling increased building heights and densities of urban form in these areas (NPS-UD Objective 3 and Policy 3);</li> <li>• The objective sets clear expectations that the urban built character in the precincts is likely to develop and change over time (NPS-UD Objective 4).</li> </ul>	<ul style="list-style-type: none"> <li>• The status quo does not provide for the increased building heights and densities of urban built form required by policy 3 of the NPS-UD.</li> </ul>
<b>Usefulness</b>		
Guides decision-making	<p><b>Yes.</b> The proposed objective guides decision making by:</p> <ul style="list-style-type: none"> <li>• Identifying that higher-density development will be provided for in residential intensification precincts;</li> <li>• Identifying that there is a link between density, housing demand, access to centres and access to public or active modes of transport;</li> <li>• Setting clear expectations of the urban built character anticipated within the precincts, by specifying building heights to be enabled within the precincts.</li> <li>• Implementation of the objective, in particular the proposed design guides, provides further guidance for decision makers on how to achieve the outcomes sought by the objective.</li> </ul>	<p><b>No.</b> The status quo does not directly recognise or provide for the level of guidance for decision making as directed by the NPS-UD.</p>

Meets good practice for objectives	<p><b>Yes.</b> The proposed objective meets good practice for objectives. In particular:</p> <ul style="list-style-type: none"> <li>• The objective is worded in a manner that is consistent with the equivalent mandatory MDRS objective (proposed Objective DO-Ox2);</li> <li>• The objective uses terminology that is consistent with the equivalent terminology used in the objectives and policies of the NPS-UD;</li> <li>• The objective is worded with active language to articulate a desired end-state;</li> <li>• The objective provides a clear statement of the expected outcome of the objective, including a clear statement of the anticipated built character within the precinct.</li> </ul>	<p><b>No.</b> The status quo does not set clear expectations for anticipated outcomes, in particular because it does not clearly articulate the level of urban build form that would be appropriate within residential areas under the NPS-UD.</p>
<b>Reasonableness</b>		
Will not impose unjustifiably high costs on the community / parts of the community	<p><b>Yes.</b> The objective will not impose unjustifiably high costs on the community.</p> <p>The changes to the urban environment that may occur as a result of the objective will impose costs on some parts of the community. In particular, increased development density may impose localised costs on the existing community, including increased shading, increased overlooking, and changes in local character that may not be desirable to some parts of the existing community. However, for other parts of the existing community, as well as future generations, the objective will lead to a range of benefits, including an increased availability and variety of housing located near centres and public transport. Community feedback received on draft PC2 was relatively balanced on this matter. So while some costs will be imposed, in light of the benefits</p>	<p><b>No.</b> The status quo is likely to impose costs on the existing community and future generations, in particular because the community will not have access to a sufficient quantity or variety of housing over the long-term.</p> <p>While the status quo would maintain existing character and amenity values based on low-density development, this is not considered to be sufficiently beneficial to justify the costs to the community associated with an insufficient supply of housing.</p>

	<p>achieved these costs are not considered to be unjustifiably high.</p> <p>There will also be a reduction in direct costs of compliance (including preparing, submitting and processing of resource consent applications) as a result of the methods used to implement the objective.</p>	
Acceptable level of uncertainty and risk	<p><b>Yes.</b> The objective provides for an acceptable level of uncertainty and risk. In particular:</p> <ul style="list-style-type: none"> <li>• Uncertainty of outcomes is reduced by providing for clarity within the objective as to the anticipated built form outcomes to be enabled within the precincts;</li> <li>• The objective provides for a level of development that reduces the risk that the District will not achieve a sufficient supply and variety of housing over the long-term.</li> </ul>	<p><b>No.</b> The status quo does not provide for an acceptable level of uncertainty and risk. In particular:</p> <ul style="list-style-type: none"> <li>• There is a high degree of risk that the status quo will result in an insufficient supply and variety of housing in the District over the long-term;</li> <li>• There is a lack of certainty as to the built form outcomes that may result from resource consent decision making under the status quo.</li> </ul>
<b>Achievability</b>		
Consistent with identified tangata whenua and community outcomes	<p><b>Partially.</b> The objective is partially consistent with tangata whenua and community outcomes.</p> <p>The objective is consistent with the direction for growth outlined in <i>Te tupu pai</i>, the district growth strategy, which was developed through consultation with the community.</p> <p>However, notwithstanding that there is a desire from some parts of the community to see a greater level of housing development enabled in the parts of the district that are near to centres and public transport, other parts of the existing community prefer the status quo.</p>	<p><b>Partially.</b> The status quo is not consistent with tangata whenua and community outcomes sought in relation to increase housing supply and variety.</p> <p>The status quo is not consistent with the direction for growth outlined in <i>Te tupu pai</i>.</p> <p>While some parts of the existing community would prefer the status quo, there are other parts of the community that would like to see greater access to housing in the district, particularly near to centres and public transport.</p>

	Tangata whenua have identified a desire for more efficient urban form that takes into account natural hazards and the effects of climate change.	Ngā Hapū o Ōtaki have indicated that they would prefer to see the status quo level of development retained at Ōtaki.
Realistically able to be achieved within the Council's powers, skills and resources	<p><b>Yes.</b> The objective is realistically able to be achieved. In particular, additional measures associated with the implementation of the objective, such as design guides, will assist Council with its implementation.</p> <p>However, it is noted that the costs of planning and developing infrastructure associated with the proposed objective may require additional resources provided for through development and/or financial contributions. Sufficiency of long-term infrastructure capacity, and resourcing to plan/fund additional long-term development may need to be reviewed in future as part of the LTP process.</p>	<b>Yes.</b> The Council has achieved the status quo to date.
<b>Summary</b>		
<p>The proposed objective is the most appropriate means of achieving the purpose of the Act, because:</p> <ul style="list-style-type: none"> <li>• The objective responds to the issue of housing supply and intensification (issue 1);</li> <li>• The objective assists the Council in achieving its functions under s31 of the RMA, in particular its functions under s31(a)(ii);</li> <li>• The objective gives effect to the objectives and policies of the NPS-UD;</li> <li>• The objective guides decision making by identifying the outcomes for higher density development sought within the Residential Intensification Precincts;</li> <li>• The objective meets good practice by using terminology that is consistent with higher order planning documents, and clearly articulating expected built form outcomes;</li> <li>• While the objective imposes some costs on the existing community in terms of amenity and character outcomes, these costs are not unjustifiably high in the light of the benefits achieved by the objective (increased housing supply in parts of the district near to centres and public transport);</li> <li>• The objective provides for increased certainty in terms of the outcomes sought for the Residential Intensification Precincts, and reduces the risk that the District will not achieve a sufficient supply and variety of housing over the long term.</li> <li>• While some parts of the community would prefer the status quo, the objective is generally consistent with identified community outcomes;</li> </ul>		

- The objective can be achieved within the Council's powers, with the support of implementation tools such as rules and the proposed design guides, and resourcing for the development of infrastructure as required.

The status quo is not an appropriate means of achieving the purpose of the RMA, because it does not achieve the range of outcomes identified above. In particular, it does not give effect to the objectives and policies of the NPS-UD.

### 7.2.3 Objectives DO-O3, DO-O11 and DO-O16

Amendments to existing objectives are proposed to ensure they give effect to the Objectives of the NPS-UD, and give effect to policy 3 of the NPS-UD in the Centres zones. For the purposes of this examination, two potential objectives have been considered:

1. The proposed amendments to existing objectives
2. The status quo (existing objectives without amendment)

Proposed amendments to existing objectives are identified as follows:

- Text proposed to be added to the objective is shown underlined;
- Text proposed to be deleted from the objective is shown ~~struckthrough~~.



Proposed amendments to existing objective(s)	
DO-O3	Development Management
<p>To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, <u>which-and to provide for the development of new urban areas where these</u> can be efficiently serviced and integrated with existing townships, delivering:</p> <ol style="list-style-type: none"> <li>1. urban areas which maximise the efficient end use of energy and integration with infrastructure;</li> <li>2. a variety of living and working areas in a manner which reinforces the function and vitality of centres;</li> <li>3. <u>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:</u> <ol style="list-style-type: none"> <li>a. <u>that are in or near a <i>Centre Zone</i> or other area with many employment opportunities; or</u></li> <li>b. <u>that are well serviced by existing or planned public transport; or</u></li> <li>c. <u>where there is high demand for housing or for business land relative to other areas within the urban environment;</u></li> </ol> </li> <li>4. <del>3-</del>resilient communities where development does not result in an increase in risk to life or severity of damage to property from natural hazard events;</li> <li>5. <del>4-</del>higher residential densities in locations that are close to centres and public open spaces, with good access to public transport;</li> <li>6. <del>5-</del>management of development in areas of special character or amenity <del>so as to maintain, and where practicable, enhance</del> <u>in a manner that has regard to those special values;</u></li> <li>7. <del>6-</del>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;</li> <li>8. <del>7-</del>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;<del>and</del></li> <li>9. <del>8-</del>management of the location and effects of potentially incompatible land uses including any interface between such uses;<del>and</del></li> <li>10. <u>urban environments that support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change.</u></li> </ol>	
DO-O11	Character and Amenity Values
<p>To <del>maintain and enhance</del> <u>recognise</u> the unique character and <i>amenity values</i> of the District's distinct communities, <u>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,</u> so that residents and visitors enjoy:</p> <ol style="list-style-type: none"> <li>1. <del>relaxed, unique and distinct village identities and predominantly low-density</del> residential areas characterised by the presence of mature vegetation, a variety of built forms and <u>building densities</u>, the retention of landforms, <u>and the recognition of</u> unique community identities;</li> <li>2. vibrant, lively <u>metropolitan and town centres</u> supported by higher density residential and mixed use areas;</li> <li>3. <del>neighbourhood</del> <u>local centres</u>, village communities and employment areas characterised by high levels of amenity, accessibility and convenience;</li> <li>4. productive rural areas, characterised by openness, natural landforms, areas and corridors of <i>indigenous vegetation</i>, and <i>primary production activities</i>; and</li> </ol>	

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*.

#### DO-O16

#### Centres

To have vibrant, safe and economically sustainable *centres* that function as key employment and economic nodes and as a focus for social and community life, as public transport and local service hubs, and as places for living, entertainment and recreation that:

1. provide the primary focus for *commercial* (excluding *industrial*), *retail* and community activities within the District;
2. support community cohesion and a sense of place;
3. reinforce a compact, well designed and sustainable District and regional form, through promoting and reinforcing a close proximity and good accessibility between living, business and employment areas;
4. encourage economic opportunities and *business activities* in a manner which promotes:
  - a. the *Paraparaumu Sub-Regional Centre* as the principal commercial, retail, cultural, civic and tourist centre for the District, to be developed in a manner that:
    - i. achieves an integrated and compact *Metropolitan Centre Zone*, linking all Precincts through a well-connected pedestrian and *transport networks* offering a choice of efficient routes and a quality built environment;
    - ii. provides for a broad range of mutually compatible activities that are integrated with pedestrian and public transport;
    - iii. is supported by opportunities for ~~medium~~ higher density residential living;
    - iv. consolidates community activities within Precinct B; and
    - v. provides for *commercial* (excluding *industrial*) and *retail activities* in Precincts A1, A2 and C, with some restrictions on the scale and nature of *retail activities* in Precinct C
  - b. the District's *town centres* at a scale and form that provides the urban focus for the commercial (excluding *industrial*), tourism, education, entertainment, community and civic activities as well as opportunities for ~~medium~~ higher density residential living, where these meet the needs of the surrounding township community; and
  - c. District's *local centres* to provide for *commercial activities* (excluding *industrial activities*), within a residential context, to primarily serve the local convenience, community and commercial needs of the surrounding residential community.
5. provide for higher density urban built character and high-quality development, including:
  - a. buildings up to 12-storeys within the *Metropolitan Centre Zone*;
  - b. buildings up to 6-storeys within:
    - i. the *Town Centre Zone*;
    - ii. the Ihakara Street West, Ihakara Street East and Kapiti Road precincts of the *Mixed Use Zone*;
    - iii. the *Local Centre Zone* at Paekākāriki; and
  - c. buildings up to 4-storeys within the *Local Centre Zone*

<b>General intent</b>		
<p>The general intent of the amendments to objectives DO-O3 (Development Management), DO-O11 (Character and Amenity Values) and DO-O16 (Centres) is to:</p> <ul style="list-style-type: none"> <li>• Ensure that the objectives are consistent with the objectives and policies for the MDRS (contained in Schedule 3A of the Act);</li> <li>• Provide for the objectives to give effect to, or are consistent with, the relevant objectives and policies of the NPS-UD;</li> <li>• Provide clarity on the urban built form anticipated for urban environments across the district.</li> </ul>		
<b>Other potential objectives</b>		
Status quo: existing objectives DO-O3 (Development Management), DO-O11 (Character and Amenity Values) and DO-O16 (Centres), without amendments.		
	<b>Proposed objective</b>	<b>Status quo</b>
<b>Relevance</b>		
Addresses a relevant resource management issue	<p><b>Yes.</b> The amendments to existing objectives address issue 1 (housing supply and intensification).</p> <p>The amendments support meeting the needs and demand for housing and business land of current and future generations by:</p> <ul style="list-style-type: none"> <li>• Seeking that more people to live in, and more businesses and community services are located in, parts of the urban environment that are near centres, serviced by public transport, or where there is high demand for housing or business land (amendment to DO-O3(3));</li> <li>• Providing for character and amenity values in urban environments to develop and change in response to the diverse and changing needs of</li> </ul>	<p><b>No.</b> The status quo does not address issue 1 (housing supply and intensification), because:</p> <ul style="list-style-type: none"> <li>• The status quo seeks predominantly low-density development in residential areas. As demonstrated by the HBA, this outcome has contributed to an insufficient supply and variety of housing to meet the needs of the District over the long-term.</li> <li>• The status quo generally requires character and amenity values in urban environments to be maintained and enhanced. This outcome may not be compatible in all instances with increased built form and development density.</li> <li>• The status quo does not provide for higher-density development within the District's centres,</li> </ul>

	<p>people, communities and future generations (amendments to DO-O11);</p> <ul style="list-style-type: none"> <li>• Providing for the development of new urban areas where these can be efficiently serviced and integrated with existing townships (amendment to DO-O3);</li> <li>• Setting clear outcomes for enabling increased levels of development within the district's centres zones and part of the Mixed Use Zone (amendments to objective DO-O16).</li> </ul>	<p>and does not clearly articulate the urban built form anticipated for the District's centres.</p>
Assists the Council to undertake its functions under s31 RMA	<p><b>Yes.</b> The amendments to existing objectives assist Council to undertake its functions under s31 of the RMA. In particular:</p> <ul style="list-style-type: none"> <li>• The objective is consistent with the Council's function to achieve integrated management of the effects of the use, development and protection of land under s31(1)(a);</li> <li>• The objective is consistent with the Council's function to ensure that there is sufficient development capacity in respect of housing and business land to meet the demands of the district, under s31(1)(aa).</li> </ul>	<p><b>No.</b> The status quo does not assist the Council to undertake its functions under s31 of the RMA. In particular, the status quo does not provide for the Council to ensure that there is sufficient development capacity in respect of housing and business land to meet the demands of the district, under s31(1)(aa).</p>
Gives effect to higher level documents	<p><b>Yes.</b> The amendments to existing objectives give effect to the NPS-UD and ensures consistency with the MDRS. In particular:</p> <ul style="list-style-type: none"> <li>• Amending Objective DO-O11(1) to provide for a variety of built forms and building densities within residential areas ensures consistency with objective 2 of the MDRS (DO-Ox2).</li> <li>• Adding sub-objective DO-O3(3) assists with giving effect to Objective 3 of the NPS-UD;</li> </ul>	<p><b>No.</b> The status quo does not give effect to the NPS-UD. In particular:</p> <ul style="list-style-type: none"> <li>• The low-density development outcome sought for residential areas is inconsistent with objective 2 of the MDRS, which seeks a variety of housing types and sizes, including 3-storey buildings;</li> <li>• The status quo does not give effect to Objective 3 or policy 3 of the NPS-UD because the objectives do not provide for more people to live</li> </ul>

	<ul style="list-style-type: none"> <li>• Amendments to Objectives DO-O3(6) and DO-O11 ensure that the District Plan is consistent with Objective 4 of the NPS-UD;</li> <li>• Amendments to Objective DO-O16 provides for the District Plan to give effect to Objective 3 and Policy 3 of the NPS-UD in the district's centres zones and the Mixed Use Zone;</li> <li>• Adding sub-objective DO-O3(10) assists with giving effect to Objective 8 of the NPS-UD.</li> </ul>	<p>in, or more businesses and community services to be located in, parts of the urban environment that are in or near centres, serviced by public transport, or where there is high demand for housing or business land.</p> <ul style="list-style-type: none"> <li>• Because the status quo generally requires character and amenity values in urban environments to be maintained or enhanced, it is not consistent with Objective 4 of the NPS-UD, which provides urban environments, including their amenity values, develop and change over time.</li> <li>• The status quo does not seek reductions in greenhouse gas emissions and resilience to the current and future effects of climate change as an objective for urban environments, as provided for by Objective 8 of the NPS-UD.</li> </ul>
<b>Usefulness</b>		
Guides decision-making	<p><b>Yes.</b> The proposed amendments to existing objectives improves the degree to which they guide decision making by:</p> <ul style="list-style-type: none"> <li>• Setting a clear expectation that character and amenity values in the urban environment are anticipated to develop and change over time.</li> <li>• Setting clear expectations of the urban built form anticipated within the district's centres zones and Mixed Use Zone, by specifying building heights to be enabled within these zones.</li> <li>• Methods to implement the proposed amendments to the objectives, including policies, rules and the proposed design guides,</li> </ul>	<p><b>No.</b> The status quo does not guide decision making, because:</p> <ul style="list-style-type: none"> <li>• It does not specify the level of urban built form anticipated in the district's centres zones;</li> <li>• It does not identify how to reconcile the objectives that require maintenance and enhancement of character and amenity values, with the requirement that urban environments, including their amenity values, develop and change over time.</li> </ul>

	provides further guidance for decision makers on how to achieve the outcomes sought by the amended objectives.	
Meets good practice for objectives	<p><b>Yes.</b> The proposed amendments to existing objectives improves the degree to which they meet good practice for objectives. In particular:</p> <ul style="list-style-type: none"> <li>• The amendments ensure that objectives are worded and use terminology that is consistent with the objectives and policies of the MDRS and NPS-UD;</li> <li>• The objective provides a clear statement of the anticipated urban built form within the district's centres zones.</li> </ul>	<p><b>No.</b> The status quo does not meet good practice for objectives, because it is not worded consistently with higher order planning documentation (NPS-UD), and does not provide a clear statement of anticipated urban built form within the district's centres zones.</p>
<b>Reasonableness</b>		
Will not impose unjustifiably high costs on the community / parts of the community	<p><b>Yes.</b> The proposed amendments will not impose unjustifiably high costs on the community or parts of the community.</p> <p>The changes to the urban environment that are provided for as a result of the proposed amendments to existing objective will impose costs on some parts of the community. In particular, the proposed amendments would enable character and amenity values to develop and change over time, and this may be undesirable to some parts of the community who may prefer the character and amenity values associated with the low-density urban environments currently provided for by the District Plan. However, as noted in policy 6(b) of the NPS-UD, achieving changes in urban built form may detract from amenity values appreciated by some people but improve amenity values appreciated by</p>	<p><b>No.</b> The status quo is likely to impose unjustifiably high costs on the existing community and future generations, in particular because:</p> <ul style="list-style-type: none"> <li>• Seeking to maintain and enhance existing character and amenity values may prevent or reduce the degree to which increased supply and variety of housing can be provided through increasing the height and density of buildings in existing urban environments;</li> <li>• While the status quo would maintain existing character and amenity values based on low-density development, this is not considered to be sufficiently beneficial to justify the costs to the community associated with an insufficient supply of housing;</li> </ul>

	<p>other people, communities and future generations, including by providing increased and varied housing densities and types.</p> <p>Methods for implementing the amendments to the objectives, including through the provision of design guides to guide high-quality development, seek to avoid or mitigate some of the localised costs in terms of amenity values as a result of higher density development.</p> <p>So while some costs will be imposed on parts of the existing community, in light of the benefits achieved and the methods to avoid or mitigate these costs, they are not considered to be unjustifiably high.</p>	<ul style="list-style-type: none"> <li>• The status quo does not recognise the need for urban environments to support reduction in greenhouse gas emissions and to be resilient to the current and future effects of climate change.</li> </ul>
Acceptable level of uncertainty and risk	<p><b>Yes.</b> The proposed amendments to existing objectives provide for an acceptable level of uncertainty and risk, in particular because:</p> <ul style="list-style-type: none"> <li>• The proposed amendments increase the certainty of the urban built form anticipated within the District's centres zones;</li> <li>• In conjunction with proposed new objectives DO-Ox1, DO-Ox2 and DO-Ox3, there is a reduced risk of an insufficient supply or variety of housing to meet the needs of the District over the long-term;</li> <li>• By recognising the urban environments must be resilient to the current and future effects of climate change, there is a reduced risk that new urban development will be subject to the adverse effects of climate change.</li> </ul>	<p><b>No.</b> There is an unacceptable level of uncertainty and risk associated with the status quo, in particular because:</p> <ul style="list-style-type: none"> <li>• There is a high degree of risk that the requirement to provide for low-density urban areas, in conjunction with the requirement to typically maintain or enhance character and amenity values in urban environments, will lead to an insufficient supply and variety of housing over the long-term.</li> <li>• There is a low degree of certainty as to the urban built form anticipated in the District's centres zones, particularly as it relates to building heights.</li> </ul>

Achievability		
Consistent with identified tangata whenua and community outcomes	<p><b>Partially.</b> The proposed amendments to existing objectives are partially consistent with tangata whenua and community outcomes.</p> <p>The amendments are consistent with the direction for growth for the district's centres outlined in <i>Te tupu pai</i>, the District growth strategy, which was developed through consultation with the community.</p> <p>However, feedback from the community on draft PC2 has indicated that some parts of the community would prefer to see the status quo retained, particularly in relation to retaining the low density of residential areas, and maintaining existing character and amenity values in low-density areas.</p> <p>Tangata whenua have identified a desire for more efficient urban form that takes into account natural hazards and the effects of climate change.</p>	<p><b>Partially.</b> The status quo is not consistent with tangata whenua and community outcomes.</p> <p>The status quo is not consistent with the direction for growth outlined in <i>Te tupu pai</i>.</p> <p>While some parts of the existing community would prefer the status quo, there are other parts of the community that would like to see greater access to housing in the district. Achieving this outcome would require character and amenity values to develop and change over time.</p> <p>Ngā Hapū o Ōtaki have indicated that they would prefer to see the status quo level of development retained at Ōtaki.</p>
Realistically able to be achieved within the Council's powers, skills and resources	<p><b>Yes.</b> The proposed amendments to existing objectives are realistically able to be achieved. In particular, methods to support the implementation of the amended objectives, such as design guides, will assist Council with achieving the amended objectives within its powers, skills and resources.</p>	<p><b>Yes.</b> The Council has achieved the status quo to date.</p>
Summary		
<p>The proposed amendments to existing objectives are the most appropriate means of achieving the purpose of the Act, because:</p> <ul style="list-style-type: none"> <li>• The amendments respond to the issue of housing supply and intensification (issue 1);</li> <li>• The amendments assist the Council in achieving its functions under s31 of the RMA, in particular its functions under s31(a)(ii);</li> <li>• The amendments ensure that existing objectives give effect to the objectives and policies of the NPS-UD, and are consistent with the objectives and policies of the MDRS;</li> </ul>		



- The amendments guide decision-making by identifying the outcomes for higher-density development sought within the District's centres zones;
- The amendments meet good practice by using terminology that is consistent with higher order planning documents, and clearly articulating expected built form outcomes;
- While the amendments impose some costs on the existing community in terms of providing for development and change in character and amenity values, these costs are justifiable in light of the outcomes sought by the objectives and policies of the NPS-UD;
- The amendments provide for increased certainty by enabling the district's urban environments to develop and change over time to provide for sufficient development capacity.
- By seeking that urban environments are resilient to the current and future effects of climate change, the development in the Districts urban environments is less likely to be at risk of adverse effects associated with climate change;
- While some parts of the community would prefer the status quo, the amendments are generally consistent with identified community outcomes;
- The amendments can be achieved within the Council's powers, with the support of implementation tools such as policies, rules and the proposed design guides.

The status quo is not an appropriate means of achieving the purpose of the RMA, because it does not achieve the range of outcomes identified above. In particular, the status quo is not consistent with the objectives and policies of the MDRS, or the NPS-UD.

### 7.3 Objectives for Package 2: papakāinga

The proposed package of objectives for papakāinga are intended to enable tangata whenua to develop papakāinga on ancestral land within the District. For the purposes of this examination, three potential sets of objectives have been considered:

1. The proposed set of objectives;
2. The status quo (no objectives);
3. A reasonable alternative.

The reasonable alternative involves the consideration of two objectives for papakāinga in lieu of the proposed set of objectives. These objectives were considered early in the process of developing the package of papakāinga provisions, and include:

- **DO-Ox4 – Papakāinga with Supporting Economic Development.** Tangata whenua can use and develop ancestral land for papakāinga that enables thriving and self-sustaining Māori communities, while ensuring a quality, healthy and safe environment is provided.
- **DO-Ox5 – Form and Scale of Papakāinga.** Papakāinga are of a form and scale that is compatible with the Zone the site is located in, while recognising that they may contain activities of a character, scale or range that is not provided for in the surrounding area.

Proposed objectives	
<b>DO-Ox4</b>	<i>Papakāinga – Papakāinga are a Taonga</i>
<p>To provide for traditional <i>papakāinga</i>, which are a <i>taonga</i> that:</p> <ol style="list-style-type: none"> <li>1. <u>empower and enable <i>tangata whenua</i> to live on their <i>ancestral land</i>;</u></li> <li>2. <u>provide for <i>tangata whenua</i> to maintain and enhance their traditional and cultural relationship with their <i>ancestral land</i>; and</u></li> <li>3. <u>are developed and used in accordance with <i>tikanga Māori</i>, while recognising that <i>papakāinga</i> may develop their own <i>tikanga</i>.</u></li> </ol>	
<b>DO-Ox5</b>	<i>Papakāinga – Kia ora te mauri o te Whānau (Māori living as Māori)</i>
<p><u>Oranga is central to a thriving whānau/hapū/iwi. <i>Tangata whenua</i> are supported to ensure they can thrive as a Māori community living on and around their <i>papakāinga</i>.</u></p> <p><u>To provide for <i>papakāinga development</i> that achieves:</u></p> <ol style="list-style-type: none"> <li>1. <u>a place where Kaupapa and <i>Tikanga Māori</i> are in the ascendant;</u></li> <li>2. <u>affordable, warm, dry and safe housing for <i>tangata whenua</i>;</u></li> <li>3. <u>security of tenure, connection and participation for <i>tangata whenua</i> in their community; and</u></li> <li>4. <u>access to the services needed by <i>tangata whenua</i> to sustain their housing.</u></li> </ol>	
<b>DO-Ox6</b>	<i>Papakāinga – Provide for the sustained occupation of Ancestral Land</i>
<p><u>To provide for the sustained occupation of <i>ancestral land</i> by <i>tangata whenua</i>, through <i>papakāinga development</i> that provides for the <i>land</i> to be held and managed for the benefit of current and future generations.</u></p>	
<b>DO-Ox7</b>	<i>Papakāinga – Provide for the development of land owned by Tangata Whenua</i>
<p><u>To provide for the connection between <i>tangata whenua</i> and their <i>ancestral land</i> through providing for the <i>development of papakāinga on land owned by tangata whenua</i>.</u></p>	
<b>DO-Ox8</b>	<i>Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga</i>
<p><u>To work in partnership with <i>tangata whenua</i> to exercise their <i>rangatiratanga</i> through the <i>development of papakāinga</i>, by providing maximum flexibility for <i>tangata whenua</i> to develop and live on their <i>ancestral land</i>, within the limitations of the <i>site</i>.</u></p>	
<b>DO-Ox9</b>	<i>Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga</i>

To increase the visibility of <i>tangata whenua</i> through <i>papakāinga</i> design that is led by <i>tangata whenua</i> and guided by <i>tikanga Māori</i> .			
DO-Ox10	<i>Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development</i>		
To protect and enhance ecological, cultural and environmental and indigenous values through the design, <i>development</i> and use of <i>papakāinga</i> .			
General intent			
The general intent of the objectives for papakāinga is to seek improved housing outcomes for tangata whenua, and to provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, through the development of papakāinga.			
Other potential objectives			
Status quo: there are no objectives for the development of papakāinga (although there are some policies and rules that provided for papakāinga development on Māori freehold land in certain parts of the district).			
Alternative: Two objectives that provide for the development of papakāinga:			
<ul style="list-style-type: none"><li><b>DO-Ox4 – Papakāinga with Supporting Economic Development.</b> <u>Tangata whenua can use and develop ancestral land for papakāinga that enables thriving and self-sustaining Māori communities, while ensuring a quality, healthy and safe environment is provided.</u></li><li><b>DO-Ox5 – Form and Scale of Papakāinga.</b> <u>Papakāinga are of a form and scale that is compatible with the Zone the site is located in, while recognising that they may contain activities of a character, scale or range that is not provided for in the surrounding area.</u></li></ul>			
	Proposed objectives	Status quo	Alternative
Relevance			
Addresses a relevant resource management issue	<p><b>Yes.</b> The proposed objectives address resource management issue 2 (providing for papakāinga).</p> <p>The proposed objectives enable the development of papakāinga in a broader range of urban and rural zones across the district, and on all land owned by tangata whenua, will:</p>	<p><b>No.</b> The status quo does not adequately address resource management issue 2 (providing for papakāinga).</p> <p>While the status quo does provide for some development of papakāinga development to occur, the existing provisions have not been effective in providing for the development of papakāinga (only one resource</p>	<p><b>Partially.</b> The alternative objectives partially address resource management issue 2 (providing for papakāinga).</p> <p>The alternative objectives would provide for:</p> <ul style="list-style-type: none"><li>Development of papakāinga by tangata whenua on ancestral land.</li></ul>

	<ul style="list-style-type: none"> <li>• Provide for the relationship of tangata whenua with their culture and traditions and their ancestral lands, by enabling tangata whenua to develop papakāinga on their ancestral land;</li> <li>• Enable improved housing outcomes for tangata whenua;</li> <li>• Provide for the development of papakāinga that enables sustained occupation of ancestral land for the benefit of current and future generations;</li> <li>• Support the sustainable and economic use of ancestral land by tangata whenua, and support the wellbeing of tangata whenua, by enabling a range of social, cultural, recreational and commercial activities to occur as part of a papakāinga;</li> <li>• Recognise the role of tikanga Māori in the design, development and use of papakāinga;</li> <li>• Provide for the Council to work in partnership with tangata whenua to exercise their rangatiratanga through the development of papakāinga on their ancestral land, in particular by providing tangata whenua with the flexibility to determine the appropriate</li> </ul>	<p>consent application for a papakāinga development application has been lodged in the previous 10 years).</p>	<ul style="list-style-type: none"> <li>• Improved housing outcomes for tangata whenua;</li> <li>• The development of papakāinga that enables sustained occupation of ancestral land for the benefit of current and future generations;</li> <li>• Provide for sustainable and economic use of ancestral land by tangata whenua, and support the wellbeing of tangata whenua, by enabling range of activities to occur as part of a papakāinga.</li> </ul> <p>However, the alternative objectives do not:</p> <ul style="list-style-type: none"> <li>• Recognise the role of tikanga Māori in the design, development and use of papakāinga,</li> <li>• Seek increased visibility and presence of tangata whenua throughout the District, through papakāinga development;</li> <li>• Provide for the Council to work in partnership with tangata whenua to exercise their rangatiratanga through the development of papakāinga on their ancestral land</li> <li>• Recognise the ability for papakāinga development to support tangata whenua to exercise kaitiakitanga over their ancestral land.</li> </ul>
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	<p>design, location, density, form and appearance of papakāinga;</p> <ul style="list-style-type: none"> <li>• Increase the visibility and physical presence of tangata whenua in the district through papakāinga development;</li> <li>• Provide for tangata whenua to exercise kaitiakitanga through the development of papakāinga on their ancestral land.</li> </ul>		
Assists the Council to undertake its functions under s31 RMA	<p><b>Yes.</b> The objectives assist the Council to undertake its functions under s31 of the RMA. In particular:</p> <ul style="list-style-type: none"> <li>• The objectives are consistent with the Council's function to achieve integrated management of the effects of the use, development and protection of land under s31(1)(a);</li> <li>• In achieving this function, the Council is required to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga under s6(e).</li> </ul>	<p><b>Partially.</b> While the status quo is consistent with the Council's functions under s31, the existing provisions for papakāinga have not been effective and do not adequately recognise and provide for the matters outlined in s6(e) of the Act.</p>	<p><b>Yes.</b> The objectives assist the Council to undertake its functions under s31 of the RMA. In particular:</p> <ul style="list-style-type: none"> <li>• The objectives are consistent with the Council's function to achieve integrated management of the effects of the use, development and protection of land under s31(1)(a);</li> <li>• In achieving this function, the Council is required to recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga under s6(e).</li> </ul>
Gives effect to higher level documents	<p><b>Yes.</b> The proposed objectives give effect to a range of higher-order planning documents, including:</p> <ul style="list-style-type: none"> <li>• S6(e), s7(a) and s8 of the RMA;</li> </ul>	<p><b>No.</b> The status quo does not give effect to higher-order planning documents. In particular:</p> <ul style="list-style-type: none"> <li>• Because the status quo does not provide for papakāinga in urban</li> </ul>	<p><b>Partially.</b> The proposed objectives give effect to a range of higher-order planning documents, including:</p> <ul style="list-style-type: none"> <li>• S6(e), s7(a) and s8 of the RMA;</li> </ul>

	<ul style="list-style-type: none"> <li>Objective 5, policy 1(a)(ii), and policy 9(b) of the NPS-UD;</li> <li>Objectives 23, 24, 25, and 28, and policies 48 and 49 of the Regional Policy Statement.</li> </ul>	<p>environments, it does not give effect to the NPS-UD, particularly policy 1(a)(ii).;</p> <ul style="list-style-type: none"> <li>Because the status quo does not provide for the values, rights and interests of tangata whenua of the District in relation to the development of papakāinga, it does not give effect to a range of higher order requirements, including policy 9(b) of the NPS-UD and the objectives and policies of the Regional Policy Statement.</li> </ul>	<ul style="list-style-type: none"> <li>Objective 5, policy 1(a)(ii) of the NPS-UD;</li> <li>Objectives 23, 24, 25, and 28, and policy 48 of the Regional Policy Statement.</li> </ul> <p>However, because the alternative objectives do not completely provide for the values and interests of tangata whenua, they do not necessarily provide for policy 9(b) of the NPS-UD or policy 49 of the Regional Policy Statement.</p>
<b>Usefulness</b>			
Guides decision-making	<p><b>Yes.</b> The proposed objectives will guide decision making on resource consents for papakāinga.</p> <p>However, it is acknowledged that the objectives include kupu Māori (Māori words), and whakaaro Māori (Māori concepts), that will require knowledge on behalf of Council decision makers, and/or advice from iwi authorities, in order to ensure that the objectives appropriately guide decision making in the circumstances of the case under consideration. This is discussed further below.</p>	<p><b>No.</b> The status quo does not guide decision making as there are no objectives for the development of papakāinga.</p>	<p><b>Yes.</b> The alternative objectives would guide decision making on resource consents for papakāinga, although they do not guide decision making on a range of matters identified by tangata whenua as being important to the development of papakāinga in the District.</p>
Meets good practice for objectives	<p><b>Yes.</b> Providing objectives that enable the development of papakāinga more broadly by tangata whenua on their</p>	<p><b>No.</b> The status quo does not meet the good practice for objectives as</p>	<p><b>Yes.</b> Providing objectives that enable the development of papakāinga more broadly by tangata whenua on their</p>

	<p>ancestral land is consistent with good practice as identified through a review of other recent District Plans.</p> <p>The objectives are worded with active language to articulate desired end-states.</p> <p>It is acknowledged that the objectives are not entirely drafted using “plain English”, however given the purpose of the objectives it is appropriate that they include the use of kupu Māori (Māori words) and whakaaro Māori (Māori concepts). Interpreting the outcomes sought by the objectives in the circumstances of a particular case may require knowledge of these concepts on behalf of council decision makers, and/or advice from iwi authorities, and this is discussed further below.</p>	<p>there are no objectives for the development of papakāinga.</p>	<p>ancestral land is consistent with good practice as identified through a review of other recent District Plans.</p> <p>The objectives are worded with active language to articulate desired end-states.</p>
<b>Reasonableness</b>			
<p>Will not impose unjustifiably high costs on the community / parts of the community</p>	<p><b>Yes.</b> The objectives will not impose unjustifiably high costs on the community. In particular, the objectives seek to increase opportunities for the use and development of ancestral land by tangata whenua, and reduce regulatory costs for the use and development of ancestral land.</p> <p>Because papakāinga development may be of a different intensity or scale</p>	<p><b>No.</b> The status quo establishes a range of barriers for the development of papakāinga that impose unjustifiably high costs on tangata whenua.</p>	<p><b>Yes.</b> Similar to the proposed objectives, the alternative objectives will not impose unjustifiably high costs on the community.</p>



	to development provided for in the underlying zone, or involve a different range of activities, there may be character and amenity effects on sites in the surrounding environment, however the potential for these effects are acknowledged through reference to the limitations of the site outlined in objective DO-Ox8. These effects are appropriately managed through the proposed policies and rules for the development of papakāinga.		
Acceptable level of uncertainty and risk	<p><b>Yes.</b> The proposed objectives provide for an acceptable level of uncertainty and risk in relation to the development of papakāinga on ancestral land. In particular:</p> <ul style="list-style-type: none"> <li>• The objectives provide a greater degree of certainty to tangata whenua that the development of ancestral land for papakāinga is supported by the District Plan;</li> <li>• The objectives have been developed in partnership with tangata whenua, so there is a level of certainty that they are consistent with the values and interests of tangata whenua;</li> <li>• The provisions for papakāinga were generally supported by the community in feedback on draft PC2;</li> </ul>	<p><b>No.</b> While the status quo provides for a degree of certainty about where papakāinga may develop, and the scale of their development, it only does so by restricting papakāinga development to Māori freehold land in predominantly rural areas. This does not recognise and provide for broader connections between tangata whenua and their ancestral land, which may also be located in urban areas and on land held in general title.</p>	<p><b>Partial.</b> The alternative objectives provide for a similar degree of uncertainty and risk as the proposed objectives, however because the alternative objectives were not developed in partnership with tangata whenua, it is not certain that they reflect the values and interests of tangata whenua.</p>

	<ul style="list-style-type: none"> <li>• While papakāinga are more broadly enabled on ancestral land across the district, the risk that papakāinga will be developed in areas subject to natural hazards, areas protected for indigenous biodiversity values, or developed without appropriate infrastructure, is not increased as papakāinga development will continue to be subject to district-wide objectives, policies and rules associated with these matters.</li> <li>• The development of commercial activities as part of a papakāinga is unlikely to have any notable adverse effects of the viability of commercial activities in the district's centres<sup>77</sup>.</li> </ul> <p>Because the proposed objectives more broadly enable the development of papakāinga on ancestral land throughout the District, there is less certainty (compared to the status quo) as to where papakāinga development will be realised. However, this reduced level of certainty is considered to be appropriate given that the purpose of the provisions is to provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, and ancestral lands</p>		
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<sup>77</sup> See Property Economics (2022). *Kāpiti Coast Papakāinga Commercial Land Use Economic Memorandum*.

	are likely to be located in urban as well as rural areas.		
<b>Achievability</b>			
Consistent with identified tangata whenua and community outcomes	<p><b>Yes.</b> The proposed objectives are consistent with identified tangata whenua and community outcomes. In particular:</p> <ul style="list-style-type: none"> <li>• The objectives have been drafted in partnership with, and are supported by, iwi;</li> <li>• Papakāinga are identified as a desired outcome in <i>Te tupu pai</i>, the District Growth Strategy;</li> <li>• Community feedback on draft PC2 was generally supportive of the proposed papakāinga provisions.</li> </ul>	<p><b>No.</b> The status quo does not support identified tangata whenua and community outcomes. In particular, a lack of objectives for papakāinga development is not consistent with the outcomes sought by tangata whenua.</p>	<p><b>Partial.</b> The alternative objectives are partially consistent with identified tangata whenua and community outcomes. While the alternative objectives do provide for papakāinga, they do not provide for the range of outcomes sought by tangata whenua.</p>
Realistically able to be achieved within the Council's powers, skills and resources	<p><b>Yes.</b> The proposed objectives are realistically able to be achieved within the Council's power, skills and resources.</p> <p>It is acknowledged that the objectives contain kupu Māori (Māori words) and whakaaro Māori (Māori concepts) that describe the outcomes sought by tangata whenua. Achieving the outcomes sought by the objectives is within Council's powers, skill and resources, however this may require ongoing support, including:</p> <ul style="list-style-type: none"> <li>• On-going engagement with iwi authorities to ensure the</li> </ul>	<p><b>Yes.</b> The status quo has been achieved within the Council's powers, skills and resources. However, it is noted that because of the lack of uptake of papakāinga development under the status quo, there has been little opportunity for the Council to exercise its powers.</p>	<p><b>Yes.</b> The alterative objectives can realistically be achieved within the Council's powers, skills and resources.</p>

	<p>outcomes sought by objectives are achieved;</p> <ul style="list-style-type: none"> <li>• Support to build and maintain an understanding of te reo Māori and Māori planning concepts within Council.</li> <li>• Providing for the outcomes sought by the objectives at a consenting level may require advice to be sought from iwi authorities, particularly in relation to concepts of whakapapa and tikanga Māori. This is provided for in the advice notes to the policies and rules associated with the objectives.</li> </ul>		
<b>Summary</b>			
<p>The proposed objectives are the most appropriate means of achieving the purpose of the Act, because:</p> <ul style="list-style-type: none"> <li>• The objectives respond to the issue of providing for papakāinga on ancestral land owned by tangata whenua (issue 2);</li> <li>• The objectives assist the Council in achieving its functions under s31 of the RMA, in particular by enabling Council to recognise and provide for matters outlined under Part 2 of the Act;</li> <li>• The objectives give effect to higher-order planning documents, including s6, s7 and s8 of the Act, the NPS-UD and the Regional Policy Statement;</li> <li>• The objectives guide decision making by identifying the outcomes sought for papakāinga development across the District;</li> <li>• The objectives meet good practice through being consistent with best-practice objectives in recent District Plans seeking similar outcomes for papakāinga. In addition to this, the objectives use kupu Māori (Māori words) to describe whakaaro Māori (Māori concepts) where this is relevant to describe the outcomes sought by tangata whenua;</li> <li>• The objectives will not impose unjustifiably high costs on the community. The objectives will lower costs for tangata whenua, and costs to the community are managed through the provisions that implement the objectives;</li> <li>• The objectives present an acceptable level of uncertainty and risk, because they increase certainty for tangata whenua seeking to develop papakāinga, and are supported by iwi;</li> <li>• The objectives are consistent with identified tangata whenua and community outcomes;</li> </ul>			

- The objectives are realistically able to be achieved within the Council's powers, skills and resources, supported by ongoing engagement with iwi.

While the alternative objectives would provide for the development of papakāinga by tangata whenua on their ancestral land, they are not as appropriate as the proposed objectives because they do not recognise the range of outcomes sought by tangata whenua.

The status quo is not an appropriate means of achieving the purpose of the Act, because a lack of objectives for papakāinga is not consistent with the outcomes sought by tangata whenua. This is demonstrated by the lack of papakāinga development that has occurred under the status quo.

## 7.4 Objectives for Package 3: financial contributions

The District Plan identifies the following objectives as being relevant to the issue of financial contributions:

- DO-O1: Tangata Whenua
- DO-O3: Development Management (subject to the amendments outlined in section 7.2.2 of this report)
- DO-O8: Strong Communities
- DO-O13: Infrastructure
- DO-O17: Open Spaces/Active Communities

In addition to this, the following proposed objective is also relevant to the issue of financial contributions:

- DO-Ox1: Well-functioning Urban Environments

Due to the low degree of significance associated with the proposed amendments to the financial contributions provisions, it was not considered necessary to amend any of the objectives contained within the District Plan in order to address the issues identified with the financial contributions provisions (identified in section 3.0 of this report). The objectives relevant to financial contributions outlined above are considered appropriate to achieve the purpose of the RMA in relation to financial contributions.

## 8.0 Evaluation of Provisions

### 8.1 Introduction

Under s32(1)(b) of the RMA, reasonably practicable options to achieve the objectives associated with PC2 need to be identified and examined. This section of the report evaluates the proposed policies and rules, as they relate to the associated objectives.

Along with the proposed provisions, the Council has also identified through the research, consultation, information gathering and analysis undertaken in relation to this topic a range of reasonably practicable alternatives to achieve the objectives. The technical and consultation input used to inform this process is outlined in section 3.0 of this report.

Because this Plan Change addresses a range of resource management issues through multiple packages of provisions, each package of provisions is evaluated separately.

### 8.2 Evaluation method

For each potential approach an evaluation has been undertaken relating to the costs, benefits, and the certainty and sufficiency of information (as informed by section 3.0 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

This evaluation is contained in the following sections.

### 8.3 Provisions for Package 1: housing supply and intensification

Three separate evaluations have been undertaken for the package of provisions related to the issue of housing supply and intensification. The evaluations include:

- Evaluation of the provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD in the District Plan;
- Evaluation of the provisions associated with the Coastal Qualifying Matter Precinct;
- Evaluation of the proposal to add Kārewarewa Urupā to Schedule 9 of the District Plan.

#### 8.3.1 Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD

For the purpose of this evaluation, the Council has considered the following potential options:

- **Option 1: The proposed approach.** The proposed provisions to incorporate the MDRS and give effect to policies 3 and 4 of the NPS-UD are outlined in section 5.2 of this report. In summary they involve:
  - Policies and rules to incorporate the MDRS into the District Plan, and give effect to policies 3 and 4 of the NPS-UD;
  - Provisions to manage urban development in relation to a range of new qualifying matters, including the Coastal Qualifying Matter Precinct (separately evaluated under section 8.3.2 of this report), recognising and providing for Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan (separately evaluated under section 8.3.3 of this report), and providing for a Marae Takiwā Precinct to manage development around marae in urban areas (evaluated under this section);
  - Rezoning a number of areas located adjacent to existing urban areas as General Residential Zone (which incorporate the MDRS and in some cases policy 3 of the NPS-UD);

- Adding new design guides to the District Plan to encourage high-quality urban development in the district's General Residential and Centres zones;
- Incorporating references to the Council's *Land Development Minimum Requirements, April 2022* document (which replaces the *Subdivision and Development Principles and Requirements, 2012* document).
- **Option 2: Enable intensification, but do not rezone any areas as General Residential Zone.** This is the same as Option 1 above, but excludes rezoning any of the areas identified in Appendix V as General Residential Zone. This means that all areas outlined in Appendix V would retain their existing zoning (which outlined in the appendix).
- **Option 3: Enable a greater level of intensification in existing urban environments.** This is the same as Option 1 above, except for the following differences:
  - Increasing the proposed height limits within the Centres zones, including an unlimited height limit within the Metropolitan Centre Zone;
  - Increasing the proposed height limits within the walkable catchment of rapid transit stops and the Metropolitan Centre Zone;
  - Increasing the size of the walkable catchments around the Town and Local Centre Zones, and increasing the height limit within these walkable catchments.

Note that an option that maintains the status quo has not been evaluated, as this is not considered to be a reasonable option on the basis that the Council is required by s77G and s77N of the RMA to incorporate the MDRS and give effect to policies 3 and 4 of the NPS-UD in the District Plan.



Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD			
This analysis relates to the following proposed, amended or existing objectives:			
Objective	Status of objective		
DO-Ox1: Well-functioning urban environments	Proposed objective. Refer section 7.2.1 for examination of this proposed objective.		
DO-Ox2: Housing in Relevant Residential Zones	Proposed objective. Refer section 7.2.1 for examination of this proposed objective.		
DO-Ox3: Residential Intensification Precincts	Proposed objective. Refer section 7.2.2 for examination of this proposed objective.		
DO-O1: Tangata Whenua	Existing objective.		
DO-O3: Development Management	Existing objective with proposed amendments. Refer section 7.2.3 for examination of the proposed amendments to this objective.		
DO-O8: Strong Communities	Existing objective.		
DO-O11: Character and Amenity Values	Existing objective with proposed amendments. Refer section 7.2.3 for examination of the proposed amendments to this objective.		
DO-O12: Housing Choice and Affordability	Existing objective.		
DO-O13: Infrastructure	Existing objective.		
DO-O15: Economic Vitality	Existing objective.		
DO-O16: Centres	Existing objective with proposed amendments. Refer section 7.2.3 for examination of the proposed amendments to this objective.		
DO-O19: Housing Bottom Lines	Existing objective.		
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Refer to section 5.2 of this report for a description of the provisions associated with this approach.</p> <p>In summary, this involves:</p> <ul style="list-style-type: none"> <li>Policies and rules to incorporate the MDRS into the District Plan, and give effect to policies 3 and 4 of the NPS-UD;</li> <li>Provisions to manage urban development in relation to a range of new qualifying matters, including the Coastal Qualifying Matter Precinct (separately evaluated under section 8.3.2 of</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Changing character and amenity values.</b> Enabling intensification in existing urban environments and a limited number of new residential areas is likely to lead to a change in character and amenity values in these areas over time. Potential changes include: <ul style="list-style-type: none"> <li>Increased bulk, height and density of built form;</li> <li>Increased shading effects;</li> <li>Reduced privacy and increased overlooking;</li> <li>Reduced levels of amenity landscaping;</li> <li>Reduced levels of private outdoor living space;</li> <li>Reduced levels of private outlook and obstruction of views.</li> </ul> </li> </ul> <p>Some of the potential adverse effects associated with these changes are mitigated through the proposed rules and standards for development. In addition to this, where development breaches</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Efficient urban land use.</b> Enabling more housing, commercial activities and community services to be located within the existing urban environment (and a number of areas proposed to be rezoned as General Residential Zone) provides for improved efficiency in the overall use of land for urban development.</li> <li><b>Benefits of intensification around centres and rapid transit stops.</b> Enabling more people to live near the district's centres and rapid transit stops, will improve accessibility for the District's future population to commercial activities, community services and public transport, enabling increased use of active and public modes of transport, and reducing reliance on private vehicle trips. This has benefits associated with personal convenience, reduced reliance on the road network, and enabling lower-emissions lifestyles.</li> <li><b>Minimum landscape area requirements.</b> Minimum landscaping requirements, which are not provided for under the status quo, ensure a minimum provision of vegetation as part of residential development,</li> </ul>	<p>It is considered that there is certain and sufficient information on which to evaluate the proposed provisions, because:</p> <ul style="list-style-type: none"> <li>The proposed provisions are consistent with <i>Te tupu pai</i>, the district growth strategy, which was developed in consultation with the community;</li> <li>Feedback was sought from iwi and the community on the draft provisions, and this feedback has been taken into account in the development of the proposed provisions;</li> <li>Evidence has been used to support the development of the provisions, as outlined in section 3.0 of this report;</li> <li>The provisions are consistent with the requirement to incorporate the MDRS and give effect to policy 3 and 4 of the NPS-UD in the District Plan, which is a statutory requirement of the RMA.</li> </ul>

## Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD

<p>this report), recognising and providing for Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan (separately evaluated under section 8.3.3 of this report), and providing for a Marae Takiwā Precinct to manage development around marae in urban environments (included in this evaluation);</p> <ul style="list-style-type: none"> <li>• Rezoning a number of areas located adjacent to existing urban areas as General Residential Zone (which incorporate the MDRS and in some cases policy 3 of the NPS-UD);</li> <li>• Adding new design guides to the District Plan to encourage high-quality urban development in the district's General Residential and Centres zones;</li> <li>• Incorporating references to the Council's <i>Land Development Minimum Requirements, April 2022</i> document (which replaces the <i>Subdivision and Development Principles and Requirements, 2012</i> document).</li> </ul>	<p>permitted activity standards, design guides provide guidance on how to achieve good quality design that will contribute positively to the change in character and amenity values associated with higher density development.</p> <ul style="list-style-type: none"> <li>• <b>Transport/traffic effects.</b> Increased levels of development are likely to increase the overall demand for all forms of transport, and this may contribute to network congestion. The impacts of development on the road network are managed through the rules of the Transport chapter, and the provisions of the <i>Land Development Minimum Requirements</i>, both of which will apply to new development that occurs under the proposed provisions.</li> <li>• <b>Costs in un-serviced areas.</b> Increased levels of development that may occur in parts of the urban environment that are currently unserved by reticulated wastewater infrastructure (Paekākāriki, Peka Peka and Te Horo Beach) may result in environmental costs associated with on-site wastewater treatment and disposal. These costs are managed through a range of provisions in the District Plan (including the provisions of the Infrastructure chapter, subdivision rules, and the provisions of the <i>Land Development Minimum Requirements</i>), as well as the provisions of the Proposed Natural Resources Plan.</li> <li>• <b>Natural hazards.</b> Increased levels of development in existing urban environments and a limited number of new residential areas have the potential to expose new development to natural hazards. New development enabled by these provisions will be subject to the provisions of the natural hazards chapter (which includes rules that manage development in relation to flood and earthquake hazard). This will contribute to managing the risk to new development from these hazards.</li> <li>• <b>Natural environment.</b> Increased levels of development in existing urban environments and a limited number of new residential areas may impact on the natural environment in areas where the two overlap. New development will continue to be subject to the provisions of the Ecosystems and Indigenous Biodiversity chapter, the Natural Features and Landscapes chapter, and the provisions that require setbacks from waterbodies. In addition to this, new development will also be subject to the provisions of the Proposed Natural Resources Plan and the provisions of the NES-F.</li> </ul>	<p>providing potential benefits for residential amenity and biodiversity.</p> <ul style="list-style-type: none"> <li>• <b>Outlook requirements.</b> Outlook standards, which are not provided for under the status quo, ensure that all habitable rooms within residential units provide a minimum amount of outlook to the exterior of the dwelling. This will ensure a minimum degree of residential amenity, including exterior outlook and interior access to daylight, will be provided for as part of the development of new residential units.</li> <li>• <b>Development in relation to streets.</b> The requirement for a minimum amount of glazing to be provided on building elevations that face the street (which is not provided for under the status quo) provides for increased overlooking of street spaces, which has benefits for the safety of streets through passive surveillance.</li> <li>• <b>Improved development infrastructure outcomes.</b> The Council's <i>Land Development Minimum Requirements, April 2022</i>, improve the requirements for the provision of infrastructure in relation to multi-unit developments, including through improved standards for connecting to Council services, updated street width requirements to provide for increased demands on street space and considerations for rubbish collection. This is likely to provide for a range of infrastructure provision and efficiency benefits that will benefit current and future land owners, households and the Council.</li> <li>• <b>Encouraging high-quality urban development.</b> The proposed design guides, which apply to development that breaches permitted activity standards in the Centres and General Residential Zones, provides for cohesive, high quality urban development which has a range of environmental and broader benefits including: <ul style="list-style-type: none"> <li>○ Providing opportunities for residential activities that are well integrated with commercial activities;</li> <li>○ Providing a clear definition between public and private spaces;</li> <li>○ Integrating development design with transport consideration, including facilitating active modes of transport and mitigating the impact of vehicle parking on amenity and safety;</li> <li>○ Encouraging development to provide through-site active mode accessibility;</li> <li>○ Providing for development to positively front public spaces;</li> <li>○ Requiring new development to consider its surroundings, particularly in relation to</li> </ul> </li> </ul>	
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Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD

	<p>These provisions will contribute to managing the potential impacts of new development on the natural environment.</p> <ul style="list-style-type: none"> <li>• <b>Reverse sensitivity effects on infrastructure.</b> Increased levels of development in urban environments may lead to increased reverse sensitivity effects on infrastructure (for example the state highway network, the railway network and the airport), where this is located within the urban environment. Existing provisions within the Noise chapter of the District Plan will continue to apply to new development and these will contribute to managing reverse sensitivity effects on infrastructure.</li> <li>• <b>Demolition waste.</b> This option supports the redevelopment of existing sites to enable intensification. This may result in increased levels of demolition waste being transported and deposited within the region's landfills. This is partially offset by existing provisions within the District Plan that promote the relocation of existing buildings as a permitted activity.</li> <li>• <b>Temporary effects.</b> There may be a range of temporary effects associated with increased construction and development activity, including dust, noise, and sediment runoff. There are a range of existing provisions within the District Plan that manage these effects, including permitted activity standards in the General Residential, Centres zones, Earthworks and Noise chapters.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• <b>Development infrastructure capacity.</b> Increased levels of development are likely to put pressure on the capacity of existing infrastructure networks, which may require local or more systemic upgrade works. In addition to this, because the MDRS enable increased levels of development broadly across the urban environment, it may be more challenging for Council to plan for necessary upgrades to infrastructure in advance of development. This is likely to impose financial and time costs on both developers and Council.</li> <li>• <b>Council compliance and monitoring costs.</b> Increased levels of permitted activity development are likely to impose increased costs on Council, particularly in relation to ongoing monitoring of compliance with permitted activity standards. This includes increased costs associated with</li> </ul>	<p>heritage buildings and sites of significance to tangata whenua;</p> <ul style="list-style-type: none"> <li>○ Mitigating the impacts of development on neighbours;</li> <li>○ Providing for passive surveillance of public spaces around development, and communal spaces within development;</li> <li>○ Providing tools to identify how the planned urban built form of neighbourhoods can be achieved in a manner that contributes positively to the neighbourhood;</li> <li>○ Encouraging development to be accessible to and serve the needs of people of all ages and abilities, and parts of the community;</li> <li>○ Encouraging energy efficient development design.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• <b>Economic outcomes for land-owners and developers.</b> Enabling greater levels of development within the existing urban environment (and a small number of areas proposed to be rezoned as General Residential Zone) provides potential economic benefits to existing land owners and developers, who will be enabled by the District Plan to increase the yield of development on their sites (subject to the feasibility and realisability of increased levels of plan-enabled development).</li> <li>• <b>Supporting the viability, vibrancy and development of the District's Centres.</b> Enabling more people to live within and near the District's centres is likely to support increased demand for commercial activities and community facilities within these centres, supporting the viability of existing activities, and supporting the development of new commercial activities and community services.</li> <li>• <b>Reduced consenting costs.</b> The proposed rules and standards are likely to reduce the number of consents required for residential development, reducing the costs to applicants. In addition to this, the design guides provide clarity as to the Council's expectations of what constitutes high-quality development, which improves efficiency for applicants and Council officers processing resource consents.</li> <li>• <b>Increased certainty of anticipated development outcomes in areas proposed to be rezoned as General Residential Zone.</b> A number of the areas proposed to be zoned General Residential Zone are either located in the existing Future Urban Zone, or surrounded by existing urban areas, and involve</li> </ul>	
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	<p>confirming that proposed developments comply with permitted activity standards at the building consent stage.</p> <ul style="list-style-type: none"> <li>• <b>Consent application costs.</b> While the operative District Plan includes design guides, their application is expanded under this option to include all development in the General Residential and Centres Zones that requires consent as a restricted discretionary activity. This may have some initial costs to efficiency as applicants and consent officers become familiar with referring to the new design guides.</li> <li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> No additional economic growth/employment related costs have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Intensification in areas with low accessibility.</b> The MDRS enable a degree of intensification to occur in areas that have a low degree of access to public transport, commercial activities and community services. Where development occurs in these areas, this may have impacts on the social wellbeing of those who occupy new development, and impose other costs, such as transport costs to access commercial activities and community services. This may also promote higher-emissions lifestyles in such areas.</li> <li>• <b>Social infrastructure capacity.</b> Increased levels of development are likely to increase the demand for social infrastructure (such as schools, Council facilities, public open spaces and medical centres) and key commercial services (such as supermarkets), which in turn may impact on the capacity of existing social infrastructure to meet the demands of growth.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• <b>Impacts on historic heritage.</b> Increased levels of development may impact on historic heritage, including scheduled historic buildings, sites and areas, and scheduled notable trees. Existing provisions that provide protection to historic heritage will continue to apply, and other provisions, such as matters of discretion and the proposed design guides, seek to manage the relationship between new development that breaches permitted activity standards and historic</li> </ul>	<p>minimum levels of productive rural land use. Rezoning these areas would provide for increased certainty as to the future environmental and development outcomes intended for these areas.</p> <ul style="list-style-type: none"> <li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> In addition to the economic development benefits outlined above, there is likely to be a range of other economic growth/employment related benefits associated with this option, including: <ul style="list-style-type: none"> <li>○ Construction activity (and support for local employment) associated with the development and redevelopment of sites enabled by this option;</li> <li>○ Providing for a greater number of people to live in the District, support businesses in the District, and be employed in the District.</li> </ul> </li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Increased housing supply and variety.</b> Enabling greater levels of development within the existing urban environment (and a small number of areas proposed to be rezoned as General Residential Zone) supports social wellbeing by improving the supply of housing, and improving the variety of housing available in the district, including improved access to housing in a variety of locations, and improved ability for communities to “age in place” by enabling a greater variety of house types appropriate for different ages and stages in life.</li> <li>• <b>Increased opportunities for multi-generational or multi-family housing.</b> By enabling up to three dwellings to be developed on a site, the MDRS supports social wellbeing by enabling increased opportunities to develop multi-generational housing or multi-family housing.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• <b>Increased opportunities for multi-generational or extended whānau housing.</b> By enabling up to three dwellings to be developed on a site, the MDRS supports cultural wellbeing by enabling increased opportunities to develop multi-generational housing or extended whānau housing appropriate to individual cultural circumstances. Note that for tangata whenua, papakāinga development is also enabled by PC2 (see section 8.3.4 of this report for the evaluation of papakāinga provisions).</li> </ul>	
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Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD			
	<p>heritage that is adjacent to new development. These provisions collectively contribute to managing impacts of new development on historic heritage.</p> <ul style="list-style-type: none"><li>• <b>Impacts on tangata whenua.</b> Increased levels of development may have a range of impacts on tangata whenua, including impacts on sites of significance, impacts on views towards key features in the natural environment (such as maunga), and displacement of whānau from existing homes as a result of development. A range of existing and proposed provisions seek to mitigate some of these impacts, including:<ul style="list-style-type: none"><li>○ Existing provisions that restrict development in relation to sites and areas of significance to Māori, in addition to the proposed addition of Kārewarewa Urupā to Schedule 9 of the District Plan (see sections 6.1.4 and 8.3.3).</li><li>○ A proposed new Marae Takiwā precinct seeks to manage the impacts of surrounding intensification on marae in urban environments (see section 6.1.5);</li><li>○ New papakāinga provisions that provide for the development of papakāinga on urban and rural ancestral land held by tangata whenua (see sections 5.3 and 8.3.4).</li></ul></li></ul>		
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><i>Effectiveness</i></b></p> <p>This option is the most effective method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• It provides for a well-functioning urban environment by enabling an increase in the supply and variety of homes suitable to the needs of current and future households;</li><li>• By encouraging higher density development in and around the District’s centres and rapid transit stops, it supports good accessibility between housing, employment, commercial activities and community services, and supports reductions in greenhouse gas emissions by reducing reliance on private vehicle trips;</li><li>• It supports a consolidated urban form by enabling increased levels of development within existing urban areas and proposed areas of new General Residential Zone adjacent to existing urban areas;</li><li>• It supports vibrant, safe and economically sustainable centres by enabling more people to live within and adjacent to the District’s centres zones, and enabling increased levels of development for business activities to occur within the centres zones;</li><li>• It recognises the potential impacts of increased levels of development on amenity values through a range of methods, including design guides that apply to development that breaches density standards;</li><li>• It contributes to achieving sufficient development capacity and achieving the District’s housing bottom lines;</li></ul>	<p><b><i>Efficiency</i></b></p> <p>This option is the most efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• While there are a range of potential costs associated with this option, many of these costs are managed through existing District Plan provisions, provisions proposed as part of PC2, or provisions contained within other planning documents (such as the PNRP and National Environmental Standards);</li><li>• There are a range of significant benefits associated with this option, including providing for the efficient use of land in urban environments, enabling an increase in the supply and variety of housing, and supporting the competitive operation of land and development markets.</li></ul>	

Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD			
	<ul style="list-style-type: none"> <li>It provides for the Council to meet its statutory obligations to incorporate the MDRS into the District Plan, and give effect to policies 3 and 4 of the NPS-UD, in accordance with s77G and s77N of the RMA.</li> </ul>		
<b>Overall evaluation</b>	<p>This option is the most appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It is the most effective option for providing an increased supply and variety of housing (and commercial activities and community services in the District's centres zones);</li> <li>It enables a broad range of benefits associated with enabling increased levels of urban development to be realised, while providing for the management of many of the costs associated with urban development (where it is appropriate to manage these costs within the District Plan);</li> <li>The development of this option has taken into account the feedback of iwi and the community;</li> <li>It is consistent with, and supports the implementation of <i>Te tupu pai</i>, the District growth strategy;</li> <li>It provides for the Council to meet its statutory obligations to incorporate the MDRS into the District Plan and give effect to policies 3 and 4 of the NPS-UD, in accordance with s77G and s77N of the RMA.</li> </ul>		
<b>Option 2: Enable intensification, but do not rezone any areas as General Residential Zone</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
<p>This option is the same as Option 1 above, but excludes rezoning any of the areas identified in Appendix V as General Residential Zone.</p> <p>This means that all areas outlined Appendix V in would retain their existing zoning, which outlined in the appendix.</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Opportunity costs – efficient use of land for urban development.</b> Each of the areas identified is located next to existing urban areas that have access to reticulated services, and many of the areas identified have good access to commercial activities and community services located in adjacent urban areas. In addition to this, providing for residential development on land that has not yet been subdivided more readily enables the development of efficient higher-density urban environments (as they are not constrained to the same degree by existing housing and subdivision patterns). By not rezoning these areas as General Residential Zone, this option does not provide for what would otherwise be relatively efficient land use for urban development.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Opportunity costs – providing sufficient development capacity and supporting competitive land and development markets.</b> By enabling the development of a large number of additional dwellings, providing for urban development in these areas supports the provision of sufficient housing development capacity for the district, and supporting the competitive operation of land and development markets. By not rezoning these areas as General Residential Zone, this option does not provide for these benefits.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Character and amenity values.</b> Rezoning these areas as General Residential Zone is likely to lead to a change in character and amenity values over time to those associated with urban development densities. By not enabling urban development in these areas, this option retains existing character and amenity values enjoyed by some people, associated with the low-density peri-urban setting of many of these areas.</li> <li><b>Potential impacts on infrastructure and other environmental values.</b> By not enabling urban development in these areas, this option avoids the potential impacts of new urban development on a range of environmental factors (including potential exposure of urban development to natural hazards, potential impacts on infrastructure capacity, and potential impacts on the natural environment). However, as noted in the evaluation of Option 1, the majority of these impacts are managed through existing or proposed District Plan provisions, or the provisions of other planning documents.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Avoiding expenditure on infrastructure.</b> By not enabling urban development in these areas, this option avoids the need to expend resources on the upgrading of existing infrastructure or the development of new infrastructure to service these areas.</li> <li><b>Retaining land for primary production.</b> There may be an economic benefit to retaining land for primary</li> </ul>	<p>It is considered that there is certain and sufficient information on which to evaluate the proposed provisions, because:</p> <ul style="list-style-type: none"> <li>Feedback was sought from land-owners within each area on the proposal to rezone the areas as General Residential Zone;</li> <li>Evidence has been used to inform the consideration of areas proposed to be rezoned as General Residential Zone, as outlined in section 3.0 of this report.</li> </ul>

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	<ul style="list-style-type: none"><li>• <b>Uncertainty.</b> A number of the areas proposed to be zoned General Residential Zone are either located in the existing Future Urban Zone, or surrounded by existing urban areas, and involve minimum levels of productive rural land use. In other instances, the existing zoning of these areas does not align with the zoning of the surrounding environment. By not rezoning these areas as General Residential Zone, there is likely to be continued uncertainty as to the intended development outcomes for these areas.</li><li>• <b>Other economic growth/employment related opportunity costs (RMA s32(2)(a)(i)-(ii)).</b> There would be opportunity costs associated with lost opportunities for economic activity and employment associated with the construction of urban development that would otherwise be enabled these areas.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li>• <b>Opportunity costs – housing supply and variety.</b> The areas proposed to be rezoned as General Residential Zone are estimated to provide for a theoretical development capacity of approximately 1,450 dwellings. By not rezoning these areas as General Residential Zone, this option provides for a reduced level of housing supply and variety of housing, and associated social wellbeing benefits, when compared with Option 1.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• No direct or indirect cultural costs have been identified.</li></ul>	<p>production, although only 2.5ha of the total area proposed to be rezoned is identified as LUC I or II soil.</p> <ul style="list-style-type: none"><li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> No additional direct or indirect economic growth or employment related benefits have been identified in relation to this option.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li>• No direct or indirect social benefits have been identified.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• No direct or indirect cultural benefits have been identified.</li></ul>	
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><u>Effectiveness</u></b></p> <p>This option is not the most effective method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• It does not provide for increased levels of housing supply or variety to the extent provided for under Option 1;</li><li>• It does not provide for the efficient use and development of land adjacent to existing urban areas to the same degree as Option 1.</li></ul>	<p><b><u>Efficiency</u></b></p> <p>This option is not the most efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• While there are some benefits associated with avoiding urban development in these areas, these benefits are not considerable in relation to the opportunity costs associated with not enabling urban development;</li><li>• In addition to this, the potential environmental impacts of urban development in these areas are managed through the existing and proposed District Plan provisions, and the provisions of other planning documents, as outlined under Option 1;</li><li>• This option maintains existing levels of uncertainty over anticipated environmental and development outcomes in the areas proposed to be rezoned as General Residential Zone under Option 1.</li></ul>	

Options evaluation – Provisions to incorporate the MDRS and give effect to Policy 3 and 4 of the NPS-UD			
<b>Overall evaluation</b>	<p>This option is not the most appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It does not provide for increased supply and variety of housing to the extent provided for under Option 1;</li> <li>It does not provide for the efficient use and development of land adjacent to existing urban areas to the same degree as Option 1;</li> <li>While there are some benefits associated with avoiding urban development in these areas, these benefits are not considerable in relation to the opportunity costs associated with not enabling urban development. In any case, the potential environmental impacts of urban development in these areas are managed through the existing and proposed District Plan provisions, and the provisions of other planning documents, as outlined under Option 1.</li> </ul>		
<b>Option 3: Enable a greater level of intensification in existing urban environments</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
<p>This is the same as for Option 1 above, except for the following differences:</p> <ul style="list-style-type: none"> <li>Increasing the proposed height limits within the Centres zones, including an unlimited height limit within the Metropolitan Centre Zone;</li> <li>Increasing the proposed height limits within the walkable catchment of rapid transit stops and the Metropolitan Centre Zone;</li> <li>Increasing the size of the walkable catchments around the Town and Local Centre Zones, and increasing the height limit within these walkable catchments.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental costs associated with this option are anticipated to be similar in nature to Option 1, however they are likely to be increased in scale where taller or denser development occurs, compared to Option 1. In particular, there is likely to be increased local adverse impacts on amenity values (including shading and overlooking) on surrounding sites as a result of the effects of taller or denser development.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic costs associated with this option are anticipated to be similar in nature to Option 1, except that the local impacts on development infrastructure capacity (water supply, wastewater disposal and road networks) are anticipated to be greater where taller or denser development occurs, compared to Option 1.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social costs associated with this option are anticipated to be similar in nature to Option 1.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>The cultural impacts on heritage values and tangata whenua values associated with this option are anticipated to be similar in nature to Option 1, however the impacts are likely to be increased in scale where taller or denser development occurs, compared to Option 1. Taller or denser development, where it occurs under this option, may increasingly lead to adverse effects on the setting of nearby historic heritage. It may also have increased adverse impacts on the use of and values attached to sites of significance to tangata whenua, by increasing the degree to which</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental benefits associated with this option are anticipated to be similar in nature to Option 1, however where taller or denser development occurs, this will increase the efficiency of urban land use in these areas and increase the degree to which people are enabled to live near to the district's centres and rapid transit stops, when compared to Option 1.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic benefits associated with this option are anticipated to be similar in nature to Option 1. However, it is not certain that any increased scale of economic benefits would be realised under this option, as it is not certain whether there is any market demand for increased levels of development beyond the levels provided for under Option 1. As a result, it is not clear whether increased levels of development provided for by this option would be feasible or realisable.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social benefits associated with this option are anticipated to be similar in nature to Option 1.</li> <li>Similar to the point noted above, because it is not certain whether there is any market demand for increased levels of development beyond the level of development provided for by Option 1, it is not clear that this option would provide for increased levels of housing supply or variety (and associated social benefits) when compared to Option 1.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>The cultural benefits associated with this option are anticipated to be similar in nature to Option 1.</li> </ul>	<p>It is considered that there is uncertain and insufficient information in relation to this option because:</p> <ul style="list-style-type: none"> <li>This approach is not consistent with the approach to intensification outlined in <i>Te tupu pai</i>, the District growth strategy, which was developed in consultation with the community;</li> <li>There is no evidence to suggest that there is market demand to support the feasibility and realisability of increased heights and densities beyond those provided for by Option 1.</li> </ul> <p>As a result, the risk of acting to provide for increased heights and densities beyond those provided for by Option 1 is considered to be high, as provides for greater levels of adverse impacts of development at a local level, without evidence that this will provide a benefit to the wider community.</p>



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	development overlooks these sites, and the degree to which developments obstructs views of important features in the landscape, such as significant maunga.		
<b><u>Effectiveness and efficiency</u></b>  Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.	<b><i>Effectiveness</i></b>  This option is not the most effective method of achieving the objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• It is not consistent with the direction for intensification outlined in <i>Te tupu pai</i>, the District growth strategy;</li> <li>• In the absence of evidence about the market demand for increased levels of height and density (beyond those provided for by Option 1), it is not clear that this option would be effective at increasing feasible and realisable development capacity.</li> </ul>		<b><i>Efficiency</i></b>  This option is not the most efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• This option enables increased adverse impacts at a local level (compared with Option 1), without evidence that it would provide a wider benefit to the community.</li> </ul>
<b><u>Overall evaluation</u></b>	This option is not the most appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• It is not consistent with the direction for intensification outlined in <i>Te tupu pai</i>, the District growth strategy;</li> <li>• It is not clear that it would be efficient or effective to provide for greater heights and densities than provided for by Option 1, in the absence of information on the market demand for these increased levels of development.</li> </ul>		

### 8.3.2 Provisions for the Coastal Qualifying Matter Precinct

As noted in section 6.1.3 of this report, the Council has considered a number of options to provide for this matter. The Council has evaluated the following options:

- **Option 1: The proposed approach.** The policies and rules associated with the Coastal Qualifying Matter Precinct retain the status quo level of development in an area of the urban environment identified as being potentially susceptible to coastal erosion hazard. Refer to section 6.1.3 of this report for a description of the policies and rules associated with the Coastal Qualifying Matter Precinct.
- **Option 2: No Coastal Qualifying Matter Precinct.** The level of development required by the MDRS or policy 3 of the NPS-UD is applied without a Coastal Qualifying Matter Precinct. Existing 1999 District Plan coastal yards contained in the Coastal Environment Chapter would be retained as an existing qualifying matter. This includes:
  - Construction of buildings within a yard set back 20m from the coastal edge as identified on the District Plan maps is a discretionary activity. This requirement applies at Paekākāriki, Raumati Beach, and a small sliver of the General Residential Zone to the north of Paraparaumu Beach;
  - Buildings constructed between 20m and 50m from the coastal edge as identified on the District Plan maps must be relocatable. This requirement applies at Paekākāriki and Raumati Beach.
- **Option 3: Reduced extent Coastal Qualifying Matter Precinct.** Similar to Option 1, but the spatial extent of the Coastal Qualifying Matter Precinct is reduced to a more seaward projected future shoreline position identified in the Jacobs' Assessment. The level of development required by the MDRS and policy 3 of the NPS-UD is provided for in areas not covered by the Coastal Qualifying Matter Precinct.

Note that this evaluation also functions as the assessment (required by sections 77J(3)(c) and 77P(3)(c) of the RMA) of the costs and broader impacts of imposing limits on the level of development that would otherwise be required by the MDRS or policy 3 of the NPS-UD in the Coastal Qualifying Matter Precinct. Refer to section 6.1.3 of this report for further explanation of the Coastal Qualifying Matter Precinct as a qualifying matter.

Options evaluation – Provisions for the Coastal Qualifying Matter Precinct			
This analysis relates to the following proposed, amended or existing objectives:			
Objective		Status of objective	
DO-Ox1: Well-functioning urban environments		Proposed objective. Refer section 7.2.1 for examination of this proposed objective.	
DO-Ox2: Housing in Relevant Residential Zones		Proposed objective. Refer section 7.2.1 for examination of this proposed objective.	
DO-O5: Natural Hazards		Existing objective.	
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>The policies and rules associated with the Coastal Qualifying Matter Precinct retain the status quo level of development in an area of the urban environment identified as being potentially susceptible to coastal erosion hazard.</p> <p>Refer to section 6.1.3 of this report for a description of the policies and rules associated with the Coastal Qualifying Matter Precinct.</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"><li>No direct or indirect environmental costs have been identified.</li></ul> <p><b>Economic</b></p> <ul style="list-style-type: none"><li><b>Opportunity cost – foregone development activity.</b> By not enabling increased levels of development, this option does not provide potential economic benefits to landowners and developers that would otherwise be derived from increased development activity.</li><li><b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> By not enabling increased levels of development, this option does not contribute to potential economic growth and employment opportunities that would otherwise result from increased construction activity.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li><b>Opportunity cost – foregone development capacity.</b> By not enabling increased levels of development, this option does not support an increase in residential development capacity and subsequent housing supply. Refer to section 6.1.3 for an assessment of the amount of foregone development capacity associated with this option.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>No direct or indirect cultural costs have been identified.</li></ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"><li><b>Avoiding increased exposure of urban development to coastal erosion hazard.</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option avoids increasing the potential exposure of an otherwise more intensely developed urban environment to the adverse effects of coastal hazards (refer to Option 2 for a discussion of the potential costs).</li></ul> <p><b>Economic</b></p> <ul style="list-style-type: none"><li><b>Avoiding increased exposure of private assets to coastal erosion hazard.</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option avoids increasing the potential exposure of private assets to the risk of adverse effects from coastal hazards (refer to Option 2 for a discussion of the potential costs).</li><li><b>Avoiding increased exposure of public assets and infrastructure to coastal erosion hazard.</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option avoids increasing the potential exposure of future public assets and infrastructure to the risk of adverse effects from coastal hazards (refer to Option 2 for a discussion of the potential costs).</li><li><b>Efficient coastal hazard planning.</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option provides for the development of an appropriate regime to manage more intensive urban development in relation to coastal erosion hazard through the ongoing Takutai Kāpiti and subsequent coastal environment plan change process. This avoids unnecessarily restricting the options for coastal hazard management that this</li></ul>	<p>It is considered that there is certain and sufficient information on which to base the evaluation of this option because:</p> <ul style="list-style-type: none"><li>This option retains the status quo level of development provided for by the operative District Plan in areas potentially susceptible to coastal erosion hazard, and the development provisions associated with the status quo are well understood as they have been in place for some time;</li><li>Feedback was sought from the community as part of the development of this option;</li><li>There is sufficient evidence to support the evaluation of this option (refer to section 6.1.3 of this report for further discussion). In particular, the Jacobs' Assessment, on which the spatial extent of the precinct is based, represents the most up-to-date source of information on coastal erosion hazard for the Kāpiti Coast District.</li></ul>

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		<p>process may consider or increasing the costs associated with implementing some options.</p> <ul style="list-style-type: none"> <li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option avoids increased exposure to a range of economic growth and employment related costs (refer to the economic costs identified under Option 2 for a discussion of the potential costs).</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Avoiding increased exposure of population to coastal erosion hazard.</b> By not enabling intensification in areas potentially susceptible to coastal erosion hazard, this option avoids increasing the potential exposure of the community to harm from coastal hazards (refer to Option 2 for a discussion of the potential costs).</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect cultural benefits have been identified.</li> </ul>	
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><u>Effectiveness</u></b></p> <p>This option is the most effective method of achieving the objectives of the Plan Change and the purpose of the RMA because, in the absence of an appropriate planning regime for managing coastal erosion hazard (i.e. provisions that fully give effect to coastal hazard policy direction in the NZCPS):</p> <ul style="list-style-type: none"> <li>• It avoids increasing the exposure of the community to social and economic harm from damage or the threat of damage associated with coastal erosion hazard.</li> <li>• It avoids increasing the exposure of an otherwise more intensely developed urban environment to harm as a result of damage from coastal hazards;</li> <li>• It avoids encouraging increased levels of infrastructure in parts of the urban environment potentially susceptible to coastal erosion hazard.</li> <li>• The potential effects of increased levels of development in parts of the urban environment that are potentially susceptible to coastal erosion hazard are uncertain but potentially significantly adverse (see discussion of Option 2), so it is appropriate to adopt a precautionary approach.</li> </ul>	<p><b><u>Efficiency</u></b></p> <p>This option is the most efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>• While there are opportunity costs associated with this option, there are a range of benefits that relate to avoiding an increase in the exposure of urban development to coastal erosion hazard;</li> <li>• This option provides for an efficient coastal hazard planning process by avoiding unnecessarily restricting future options for coastal hazard management, or increasing the costs associated with implementing, some options.</li> </ul>	
<p><b><u>Overall evaluation</u></b></p>	<p>This option is the most appropriate method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>• It avoids increasing the exposure of people, the community, private assets, public assets and infrastructure to adverse effects or harm associated with coastal erosion hazard.</li> <li>• It avoids unnecessarily restricting future options for coastal hazard management, or increasing the costs associated with implementing some options .</li> <li>• It is consistent with policy 3 of the NZCPS, and avoids reducing the degree to which the District Plan gives effect to policy 25 of the NZCPS;</li> <li>• It is consistent with policy 4 of the NPS-UD and s77G(6) and s77N(3)(b) of the RMA.</li> </ul>		

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Option 2: No Coastal Qualifying Matter Precinct	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>The level of development required by the MDRS or policy 3 of the NPS-UD is applied without a Coastal Qualifying Matter Precinct.</p> <p>Existing 1999 District Plan coastal yards contained in the Coastal Environment Chapter would be retained as an existing qualifying matter. This includes:</p> <ul style="list-style-type: none"> <li>Construction of buildings within a yard set back 20m from the coastal edge as identified on the District Plan maps is a discretionary activity. This requirement applies at Paekākāriki, Raumati Beach, and a small sliver of the General Residential Zone to the north of Paraparaumu Beach;</li> <li>Buildings constructed between 20m and 50m of the coastal edge as identified on the District Plan maps must be relocatable. This requirement applies at Paekākāriki and Raumati Beach.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Increased exposure of urban redevelopment to coastal erosion hazard.</b> Enabling increased development in areas potentially susceptible to coastal erosion hazard risks would increasing the exposure of urban development, including redevelopment that increases the density of existing urban areas, to adverse effects of coastal hazards. While this could impose direct costs on the quality of future urban environments (through increased exposure to damaging events and the loss of shoreline), it could also impose potential costs on the wider environment through the disposal of material as a result of such events (which may occur in a controlled or uncontrolled manner).</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Increased exposure of private assets to coastal erosion hazard.</b> Enabling increased development in areas potentially susceptible to coastal erosion hazard risks increasing the exposure of private assets to the risk of adverse effects from coastal hazards. This could lead to a range of costs, including costs associated with gradual private property loss, costs associated with recovering and repairing damage as a result of natural hazard events, and potential increases in the costs of insuring private assets.</li> <li><b>Increased exposure of public assets and infrastructure to coastal erosion hazard.</b> Enabling increased development in areas potentially susceptible to coastal erosion hazard would require increased investment in infrastructure to service such development. This would increase the exposure of public infrastructure assets to the risk of adverse effects from coastal hazards. This could lead to a range of costs, including increased ongoing maintenance and repair costs, gradual loss of public infrastructure assets, costs of replacement and potential increases in the costs of insuring public infrastructure.</li> <li><b>Increased costs of future coastal hazard management methods.</b> Enabling increased development in areas potentially susceptible to</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Increased access to amenity values associated with coastal living.</b> Enabling increased development in areas near to the coast would afford a greater number of people access to the amenity values often associated with coastal living.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Enabling increased levels of development activity.</b> Enabling increased development in areas near to the coast would enable increased development activity, providing economic benefits for existing landowners and developers.</li> <li><b>Reduced consenting costs.</b> Increasing levels of permitted development in areas near to the coast would result in reduced consenting costs for those who wish to redevelop their land.</li> <li><b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> Enabling increased development in areas near to the coast would contribute to economic growth and employment as a result of increased housing supply, land development and associated construction activity.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li><b>Enabling residential development capacity.</b> Development of the land to the level of development provided for by the MDRS and policy 3 of the NPS-UD would support the District to provide a sufficient supply of housing to meet the needs of current and future generations. Refer to section 6.1.3 for an assessment of the amount of development capacity enabled by this option.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural benefits have been identified.</li> </ul>	<p>It is considered that there is insufficient information in relation to this option because:</p> <ul style="list-style-type: none"> <li>While there is evidence to support the identification of areas potentially susceptible to coastal erosion hazard, an appropriate planning regime has not been developed to manage the risks associated with more intensive urban development in relation to coastal hazards.</li> <li>While the District Plan includes some provisions that manage coastal erosion hazard, these provisions are more than 20 years old, and do not align with the evidence about the potential nature and scale of coastal erosion hazards in the District.</li> <li>This option does not use the most up-to-date information on coastal erosion hazard for the Kāpiti Coast District.</li> <li>The Takutai Kāpiti community planning process has yet to make recommendations on planning options for the management of coastal hazards, and options that may be recommended have yet to be evaluated through the future coastal environment plan change process.</li> </ul> <p>The risk of acting by implementing this option is therefore considered to be high because, in the absence of an appropriate planning regime to manage the risks associated with more intensive urban development in relation to coastal erosion hazard, there is an increased likelihood that the costs associated with this option will be realised.</p>

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	<p>coastal erosion hazard could increase the costs of implementing future coastal hazard management methods.</p> <ul style="list-style-type: none"><li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> Enabling increased development in areas potentially susceptible to coastal erosion hazard could lead to a range of economic growth and employment related costs, including disruption to business activities and reduced productivity as a result of damage and recovery from natural hazard events.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li>• <b>Increased exposure of population to coastal erosion hazard.</b> Enabling increased development in areas potentially susceptible to coastal erosion hazard would increase the population potentially at risk of harm from coastal hazards. This could lead to a range of costs, including costs to physical and emotional wellbeing, disruption to daily life and livelihoods, and costs associated with the time taken to recover from natural hazard events.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• No direct or indirect cultural costs have been identified.</li></ul>		
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><u>Effectiveness</u></b></p> <p>This option is not an effective method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• By enabling more people to live in areas potentially susceptible to coastal erosion hazard, a greater number of people would be potentially exposed to social and economic harm from damage or the threat of damage associated with coastal erosion hazard.</li><li>• Enabling increased levels of development in areas potentially susceptible to coastal erosion hazard is likely to lead to increased exposure of the urban and wider environment to harm as a result of damage from coastal hazards;</li><li>• Enabling increased levels of development in areas potentially susceptible to coastal erosion hazard would result in increased development of public infrastructure in those same areas.</li><li>• In the absence of an appropriate planning regime for managing the risks associated with more intensive urban development in relation to coastal erosion hazard, the potential effects (identified as costs above) of increased development are uncertain but potentially significantly adverse.</li></ul>	<p><b><u>Efficiency</u></b></p> <p>This option is not an efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• While there are benefits to enabling intensification in areas potential susceptible to coastal erosion hazard, there are also a range of potentially significant costs that could be imposed on individuals, the community and future generations.</li><li>• Enabling intensification in the absence of an appropriate planning regime for managing the risks associated more intensive urban development in relation to coastal hazards is likely to result in costs that would be otherwise avoidable.</li><li>• Enabling intensification in the absence of an appropriate planning regime for managing the risks associated with more intensive urban development in relation to coastal hazards places reliance on other legislation (such as the Building Act) to manage hazards at a site-specific level. This approach risks being less efficient than providing for hazards to be managed through land-use planning.</li></ul>	
<p><b><u>Overall evaluation</u></b></p>	<p>This option is not an appropriate method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• It exposes more people, private assets, and public infrastructure to the potential social, environmental and economic harm from coastal hazards;</li><li>• It potentially increases the costs associated with and implementing future coastal hazard management methods;</li></ul>		

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	<ul style="list-style-type: none"> <li>In the absence of an appropriate planning regime for managing the risks associated with more intensive urban development in relation to coastal erosion hazard, the risk of acting to enable intensification is high.</li> <li>In the absence of an appropriate planning regime for managing the risks associated with more intensive urban development in relation to coastal erosion hazard, enabling intensification in areas that are potentially susceptible to coastal erosion hazard would be inconsistent with policy 3 of the NZCPS, and would reduce the degree to which the District Plan meets policy 25 of the NZCPS.</li> </ul>		
Option 3: Reduced Coastal Qualifying Matter Precinct	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
Similar to Option 1, but the spatial extent of the Coastal Qualifying Matter Precinct is reduced to a more seaward projected future shoreline position identified in the Jacobs' Assessment <sup>78</sup> . The level of development required by the MDRS and policy 3 of the NPS-UD is provided for in areas not covered by the Coastal Qualifying Matter Precinct.	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental costs associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic costs associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social costs associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural benefits have been identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental benefits associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic benefits associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social benefits associated with this option are similar to Option 2, except they would be reduced in scale depending on the size of the Coastal Qualifying Matter Precinct.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural benefits have been identified.</li> </ul>	<p>It is considered that there is insufficient information in relation to this option because:</p> <ul style="list-style-type: none"> <li>While there is evidence to support the identification of areas potentially susceptible to coastal erosion hazard, an appropriate planning regime has not been developed to manage the risks associated with more intensive urban development in relation to this hazard.</li> <li>In particular, the Takutai Kāpiti community planning process, and subsequent coastal environment plan change process, have not made recommendations on, or evaluated, how coastal erosion hazard would be managed in each of the areas identified as potentially susceptible to coastal erosion hazard identified in the Jacobs' Assessment.</li> </ul> <p>The risk of acting by implementing this option is therefore considered to be high (although not as high as Option 2) because, in the absence of any information on appropriate methods for managing the risks of coastal erosion hazard within each of the areas identified in the Jacobs' Assessment, it is not certain which of the more seaward projected future shorelines would form an appropriate boundary for enabling intensification.</p>
<p><b>Effectiveness and efficiency</b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b>Effectiveness</b></p> <p>This option is not an effective method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>While it reduces the extent to which there will be increased numbers of people and development and infrastructure located in areas potentially susceptible to coastal erosion hazard, in the absence of a planning regime that identifies how coastal erosion hazard would be managed in each of the areas identified as potentially susceptible to coastal erosion hazard in the Jacobs' Assessment, there may still be a greater potential exposure to damage or threat of damage associated with coastal hazards.</li> </ul>		<p><b>Efficiency</b></p> <p>This option is not an efficient method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>While the benefits are similar to Option 2, there are still a range of potentially significant costs that could be imposed on individuals, the community and future generations.</li> <li>By predetermining which of the more seaward projected future shoreline positions represents an appropriate boundary for enabling intensification, this option risks reducing the scope of options that can be considered or making some of those options more costly to implement.</li> </ul>
<b>Overall evaluation</b>	<p>This option is not an appropriate method of achieving the objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It exposes more people, private assets, and public infrastructure to the potential social, environmental and economic harm from coastal hazards (although to a lesser degree than Option 2);</li> </ul>		

<sup>78</sup> Jacobs (2022), *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results*.

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	<ul style="list-style-type: none"> <li>• It potentially increases the costs associated with developing implementing future coastal hazard management methods, including those that may be developed through the Takutai Kāpiti and future coastal environment plan change processes;</li> <li>• In the absence of any information on appropriate methods for managing coastal erosion hazard within each of the areas identified in the Jacobs' Assessment, it is not certain which of the more seaward projected future shorelines would form an appropriate boundary for enabling intensification.</li> <li>• In the absence of an appropriate planning regime for managing the risks associated with more intensive urban development in relation to coastal erosion hazard, enabling intensification in areas that are potentially susceptible to coastal erosion hazard would be inconsistent with policy 3 of the NZCPS, and would reduce the degree to which the District Plan meets policy 25 of the NZCPS.</li> </ul>



### 8.3.3 Provisions for Kārewarewa Urupā

For the purpose of this evaluation, the Council has considered the following potential options:

- **Option 1: Proposed approach.** Apply the MDRS to the underlying zone while also recognising and providing for Kārewarewa Urupā as a wāhi tapu site by adding the site to Schedule 9 of the District Plan, as outlined in section 6.1.4 of this report.
- **Option 2: Apply the MDRS to the area without adding Kārewarewa Urupā to Schedule 9.** Apply the MDRS to the area, but do not recognise or provide for Kārewarewa Urupā in Schedule 9 of the District Plan as a wāhi tapu site.
- **Option 3: Provide for lower density development provisions in the area.** Take Kārewarewa Urupā into account through providing for lower density development provisions at the site, rather than recognising it as a wāhi tapu site in Schedule 9.

Note that this evaluation also functions as the assessment (required by section 77J(3)(c) of the RMA) of the costs and broader impacts of imposing limits on the level of development that would otherwise be required by the MDRS at Kārewarewa Urupā. Refer to section 6.1.4 of this report for further explanation of Kārewarewa Urupā as a qualifying matter.

Options evaluation – Provisions for			
This analysis relates to the following proposed, amended or existing objectives:			
Objective		Status of objective	
DO-Ox1: Well-functioning urban environments		Proposed objective. Refer section 7.2.1 for examination of this proposed objective.	
DO-O1: Tangata Whenua		Existing objective.	
DO-O7: Historic Heritage		Existing objective.	
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
Apply the MDRS to the underlying zone while also recognising and providing for Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan, as outlined in section 6.1.4 of this report.	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Impacts on character and amenity values associated with undeveloped land proposed to be scheduled as <i>wāhanga tahi</i>. The restrictions on development associated with the <i>wāhanga tahi</i> provisions creates a risk that the land may be left unmaintained, which may have adverse impacts on the character and amenity values of the area and surrounding sites.</li> <li>Opportunity costs – ability to undertake environmental improvements on land proposed to be scheduled as <i>wāhanga tahi</i>. The restrictions on land disturbance associated with the <i>wāhanga tahi</i> provisions may restrict or prevent natural environment improvements, such as the planting of trees or other vegetation, from occurring on the site.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Opportunity costs – lost development potential on <i>wāhanga tahi</i> land. The <i>wāhanga tahi</i> provisions are sufficiently restrictive that they would be likely to prevent the development of land for housing. This would result in economic opportunity costs in the form of forgone potential development returns to the landowner(s). It is noted that opportunity costs would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014).</li> <li>Opportunity costs – reduced development potential on <i>wāhanga rua</i> land. The <i>wāhanga rua</i> provisions will restrict the ability to construct additional residential units as a permitted activity</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Avoiding risk of inappropriate physical disturbance of kōiwi/human remains. The proposed provisions avoid the risk of further inappropriate disturbance of physical kōiwi/human remains that may be present in the area, that may otherwise occur as a result of the level of development provided for by the MDRS. Any physical disturbance that may occur is appropriately managed through permitted activity standards, or through a resource consent process.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Increase certainty and reduced risk of unexpected costs. The proposed provisions provide certainty and transparency that the area is likely to be considered an archaeological site that may require an archaeological authority from Heritage New Zealand Pouhere Taonga. This reduces the risk of unexpected costs (including time and compliance costs) associated with obtaining an archaeological authority in an unplanned manner, or costs associated with enforcement action for undertaking land disturbance without an archaeological authority.</li> <li>Reduced costs to iwi. Recognising and providing for Kārewarewa Urupā in the District Plan is likely to reduce time and resourcing costs imposed on Te Ātiawa ki Whakarongotai, who have had to provide advice in an ad-hoc manner over a number of years on the location, extent and values associated with Kārewarewa Urupā.</li> <li>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)). No direct or indirect economic growth or employment related benefits have been identified in relation to the proposed provisions.</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the evaluation of proposed provisions because:</p> <ul style="list-style-type: none"> <li>Engagement with iwi has identified that the proposed provisions are supported by iwi;</li> <li>Feedback was sought from and provided by landowners on the proposed provisions;</li> <li>There is evidence to support the evaluation as outlined in section 6.1.4 of this report, including the report of the Waitangi Tribunal on Kārewarewa Urupā.</li> </ul>

Options evaluation – Provisions for			
	<p>within the <i>wāhanga rua</i> area. This would result in economic opportunity costs to landowners in the form of forgone development potential. However, landowners would still benefit from the increased density standards provided for by the MDRS, within the permitted activity standards for alterations to existing buildings in <i>wāhanga rua</i> areas. For example, existing buildings within <i>wāhanga rua</i> areas would be able to add additional storeys, or undertake horizontal extensions, so long as they comply with the permitted activity standards for development in <i>wāhanga rua</i> areas. It is noted that opportunity costs would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014).</p> <ul style="list-style-type: none"> <li>• <b>Consenting and compliance costs.</b> The proposed provisions impose a range of consenting compliance costs on landowners or developers for land disturbance or development in the scheduled area. Costs may also be imposed on Council and iwi in terms of advising on and processing applications. These costs include costs for obtaining resource consents, and additional costs associated with complying with accidental discovery protocols (although costs associated with accidental discovery protocols are likely to be imposed under the Heritage New Zealand Pouhere Taonga Act regardless of whether the land is scheduled as a wāhi tapu in the District Plan).</li> <li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> There is likely to be economic growth and employment related opportunity costs as a result of housing development that does not occur as a result of the proposed provisions.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Reduced housing development capacity.</b> The proposed provisions are likely to reduce the overall housing development capacity for the District, although any reduction is not considered to be significant (see section 6.1.4 for analysis). However, impacts on housing development capacity would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological</li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Certainty as to the status of the land for current and future landowners.</b> Scheduling Kārewarewa Urupā in the District Plan provides certainty for current and future landowners as to the status of the land, and its history as an urupā. This is particularly beneficial for future landowners, who may not otherwise be aware that the area is an urupā.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• <b>Protection of cultural values.</b> Recognising and providing for Kārewarewa Urupā in the District Plan provides a significant benefit to current and future generations of tangata whenua, including Te Ātiawa ki Whakarongotai, by protecting the cultural values associated with the site (including its significance as an urupā, significance as a resting place for tupuna, and its significance in relation to historic battles that occurred within the area) from further adverse effects associated with land disturbance and development.</li> <li>• <b>Recognition of the relationship of Te Ātiawa ki Whakarongotai with ancestral land and wāhi tapu.</b> Recognising and providing for Kārewarewa Urupā in the District Plan provides a significant benefit to past, present and future generations of Te Ātiawa ki Whakarongotai, as it recognises the relationship between Te Ātiawa ki Whakarongotai and their ancestral land and wāhi tapu sites, and recognises their role as kaitiaki.</li> <li>• <b>Protection of heritage values.</b> Recognising and providing for Kārewarewa Urupā in the District Plan benefits current and future generations by protecting the heritage and archaeological values of the site from further adverse effects associated with land disturbance and development.</li> <li>• <b>Supporting stewardship of cultural and historic resources.</b> By raising awareness of the history of the site and its status as an urupā, the provisions support current and future owners of the land to exercise care and stewardship over a valuable cultural and historic resource. In particular, the provisions provide for landowners to engage with Te Ātiawa ki Whakarongotai, as kaitiaki, in the event of the accidental discovery of kōiwi/human remains.</li> </ul>	

Options evaluation – Provisions for			
	<p>authority under the Heritage New Zealand Pouhere Taonga Act 2014).</p> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• <b>Land disturbance on <i>wāhanga rua</i> sites.</b> The proposed provisions still enable a small amount of land disturbance, subject to standards, on sites proposed to be scheduled as <i>wāhanga rua</i>. Land disturbance risks disturbing kōiwi and may have further impacts on the cultural and heritage values associated with the site, and on Te Ātiawa ki Whakarongotai.</li></ul>		
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><i>Effectiveness</i></b></p> <p>The proposed provisions are the most effective method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• They protect Kārewarewa Urupā, including its cultural and heritage values, and physical kōiwi/human remain that may be present in the area, from further inappropriate land disturbance and development;</li><li>• They provide current and future landowners with an awareness of the historical use and values associated with the site;</li><li>• The provisions recognise the relationship between Te Ātiawa ki Whakarongotai and their ancestral land and wāhi tapu sites, and their role as kaitiaki;</li><li>• Appropriate levels of land disturbance or development can be managed through permitted activity standards or resource consent processes.</li></ul>	<p><b><i>Efficiency</i></b></p> <p>The proposed provisions are the most efficient method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• While the provisions impose costs on landowners, they will provide for significant benefits to current and future generations by protecting the cultural and heritage value associated with the site from inappropriate land disturbance and development, and by recognising the relationship between Te Ātiawa ki Whakarongotai and their ancestral land and wāhi tapu;</li><li>• The provisions provide certainty for current and future landowners as to the status of the land as a wāhi tapu site;</li><li>• The provisions provide for an appropriate level of development to occur on sites that have already been developed;</li><li>• The provisions support efficient regulation by improving the alignment between the District Plan and regulation of the area as an archaeological site that is already occurring under the Heritage New Zealand Pouhere Taonga Act.</li></ul>	
<p><b><u>Overall evaluation</u></b></p>	<p>The proposed provisions are the most appropriate method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• The provisions are the most effective and efficient method of protecting the cultural and heritage values associated with Kārewarewa urupā from further inappropriate land disturbance and urban development that would otherwise be enabled by providing for the MDRS as a permitted activity;</li><li>• The provisions recognise and provide for the relationship between Te Ātiawa ki Whakarongotai and their ancestral land and wāhi tapu, and recognise their role as kaitiaki;</li><li>• The provisions provide certainty for current and future landowners as to the status of the area as a wāhi tapu site, and enable current and future landowners to be aware of the historical use of the site, the cultural and heritage values of the site, and the significance of the site to tangata whenua;</li><li>• The provisions provide for appropriate levels of land disturbance and development to be managed through permitted activity standards or resource consent processes;</li><li>• Recognising and providing for Kārewarewa Urupā gives effect to policy 49 of the Regional Policy Statement and Objective 5 and policy 9(b) of the NPS-UD;</li><li>• The provisions enable Council to fulfil its obligations under s6(e), s6(f), s7(a), s7(aa) and s8 of the RMA.</li></ul>		
<p><b>Option 2: Apply the MDRS to the area without adding Kārewarewa Urupā to Schedule 9</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>
<p>Apply the MDRS to the area, but do not recognise or provide for Kārewarewa Urupā</p>	<p><b><i>Environmental</i></b></p> <ul style="list-style-type: none"><li>• <b>Further disturbance of physical kōiwi/human remains.</b> Under the increased level of</li></ul>	<p><b><i>Environmental</i></b></p> <ul style="list-style-type: none"><li>• <b>Environmental improvements on undeveloped land.</b> Development of the undeveloped part of the area</li></ul>	<p>It is considered that there is certain and sufficient information on which to base the evaluation of this option because:</p>

Options evaluation – Provisions for				
as a wāhi tapu site in Schedule 9 of the District Plan.	<p>development provided for by the MDRS, there would be an increased risk of disturbing or uncovering physical kōiwi/human remains that may be present in the area.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"><li>• <b>Compliance costs.</b> Regardless of whether the area is recognised as a wāhi tapu site under the District Plan, the area is already recognised as an archaeological site under the Heritage New Zealand Pouhere Taonga Act. Because of this, any land disturbance or development in the area is likely to require an archaeological authority from Heritage New Zealand.</li><li>• <b>Costs associated with accidental discovery.</b> Under the increased level of development provided for by the MDRS, there is a risk of increased levels of land disturbance or development occurring without an archaeological authority, and increased risk of accidental discovery during construction. Costs associated with this include delays to construction, costs associated with obtaining an archaeological authority, and potential enforcement action costs.</li><li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth or employment related costs have been identified in addition to those noted above.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li>• <b>Uncertainty for current and future landowners.</b> Enabling the level of subdivision and development provided for by the MDRS, while continuing to not recognise or provide for Kārewarewa Urupā is likely to increase the number of people who may come to live within and own land within the urupā. Without recognition in the District Plan, people may be unaware of the historical use of the site, and the cultural and heritage values associated with it. This would also increase the number of people and landowners affected by any future restrictions placed on the use and development of the land, where it is recognised as wāhi tapu site in the future.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• <b>Adverse impacts on cultural values.</b> Enabling the level of subdivision and development provided</li></ul>	<p>may enable environment improvements, and may avoid adverse impacts on character and amenity values that could occur if the land is kept in an undeveloped and unmaintained state.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"><li>• <b>Land development.</b> Development of the land could provide economic benefits to current landowners, by enabling landowners to develop their land in an economically efficient manner. However, economic benefits would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014).</li><li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> Development of the land, where it is authorised to occur, could provide for local economic growth and employment as a result of the construction associated with development.</li></ul> <p><b>Social</b></p> <ul style="list-style-type: none"><li>• <b>Enabling housing development capacity.</b> Development of the land to the level of development provided for by the MDRS would support the district to provide a sufficient supply of housing to meet the needs of current and future generations. However, due to the size of the site, its contribution to housing development capacity is likely to be small (estimated to be 388 additional dwellings). Refer to section 6.1.4 for an assessment of the amount of development capacity enabled by this option. It is noted that housing development capacity would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014).</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• No direct or indirect cultural benefits have been identified for this option.</li></ul>	<ul style="list-style-type: none"><li>• Engagement with iwi has identified the values and significance of Kārewarewa Urupā to iwi;</li><li>• Feedback was sought from and provided by landowners on the proposal to add Kārewarewa Urupā to Schedule 9 of the District Plan;</li><li>• There is evidence to support the evaluation as outlined in section 6.1.4 of this report, including the report of the Waitangi Tribunal on Kārewarewa Urupā.</li></ul>	

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	<p>for by the MDRS is likely to result in costs to current and future generations of tangata whenua (including Te Ātiawa ki Whakarongotai) as a result of the irreversible damage, loss or destruction of cultural values associated with the site (including its significance as an urupā, its significance as a resting place for tupuna, and its significance as a site in relation to historic battles that occurred in the area).</p> <ul style="list-style-type: none"><li>• <b>Adverse impacts on the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu.</b> Te Ātiawa ki Whakarongotai have indicated that the threat that further development might occur on Kārewarewa Urupā is an ongoing matter of concern for the iwi. Enabling the level of subdivision and development provided for by the MDRS is likely to result in significant adverse impacts on the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu. It also does not recognise the role of Te Ātiawa ki Whakarongotai as kaitiaki.</li><li>• <b>Adverse impacts on heritage values.</b> Enabling the level of subdivision and development provided for by the MDRS may result in costs to current and future generations through the irreversible damage, loss or destruction of heritage and archaeological values associated with the site.</li></ul>		
<b><u>Effectiveness and efficiency</u></b>	<b><i>Effectiveness</i></b>		<b><i>Efficiency</i></b>
<p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p>This option is not an effective method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• It does not recognise the significance of Kārewarewa Urupā to tangata whenua or provide for the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu. It also does not recognise the role of Te Ātiawa ki Whakarongotai as kaitiaki.</li><li>• It does not recognise the information about the location and significance of the urupā, as outlined in the Waitangi Tribunal Report.</li><li>• It enables the level of development required by the MDRS without providing measures to protect the cultural or heritage values associated with Kārewarewa Urupā from inappropriate subdivision, use and development.</li></ul>		<p>This option is not an efficient method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• While benefits to current landowners by enabling development, it is likely to impose significant costs on current and future generations of tangata whenua;</li><li>• While it enables residential development capacity, the quantum of capacity enabled is not significant in the context of the District;</li><li>• It is also likely to impose costs and uncertainty on future landowners and residents who may not be aware that the area is an urupā, who may not wish to live on an urupā and who may have to bear the increased costs associated with future restrictions (should the area be recognised as an urupā in Schedule 9 of the District Plan in the future).</li></ul>
<b><u>Overall evaluation</u></b>	<p>This option is not an appropriate method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"><li>• It does not protect the cultural and heritage values associated with Kārewarewa Urupā from inappropriate subdivision, use and development;</li><li>• It does not take into account the views of tangata whenua, does not recognise or provide for the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu, and does not recognise the role of Te Ātiawa ki Whakarongotai as kaitiaki;</li><li>• It does not recognise the information about the location and significance of the urupā, as outlined in the Waitangi Tribunal Report.</li><li>• It maintains uncertainty about the status of the site, and this uncertainty is likely to adversely impact current and future landowners and residents;</li><li>• It does not give effect to policy 49 of the Regional Policy Statement and is not consistent with objective 5 and policy 9(b) of the NPS-UD;</li></ul>		

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	<ul style="list-style-type: none"> <li>It does not enable Council to fulfil its obligations under s6(e), s6(f), s7(a) and s8 of the RMA.</li> </ul>		
Option 3: Provide for lower density development provisions in the area	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
Take Kārewarewa Urupā into account through providing for lower density development provisions at the site (for example, by maintaining the status quo level of development), rather than recognising and providing for it as a wāhi tapu site in Schedule 9.	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental costs associated with this option are similar to Option 2, except the scale or likelihood of the costs are reduced as a result of the reduced level of development provided for by this option.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic costs associated with this option are similar to Option 2, except the scale or likelihood of the costs are reduced as a result of the reduced level of development provided for by this option.</li> <li><b>Opportunity costs – foregone development potential.</b> By not enabling the MDRS within the area, this option would result in economic opportunity costs to landowners in the form of forgone development potential, although the impact of this would be less than the impact associated with Option 1. However, opportunity costs would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014).</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social costs associated with this option are similar to Option 2, except the scale or likelihood of the costs are reduced as a result of the reduced level of development provided for by this option.</li> <li><b>Impacts on housing development capacity.</b> By not enabling the MDRS within the area, this option would result in foregone housing development capacity for the district, although the impact on housing development capacity would be less than the impact associated with Option 1. However, impacts on housing development capacity would only be realised to the extent that development is able to obtain necessary approvals under other Acts (particularly an archaeological authority under</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental benefits associated with this option are similar to Option 2.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic benefits associated with this option are similar to Option 2, except the scale or likelihood of the benefits are reduced as a result of the reduced level of development provided for by this option.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social benefits associated with this option are similar to Option 2, except the scale or likelihood of the benefits are reduced as a result of the reduced level of development provided for by this option.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural benefits have been identified for this option.</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the evaluation of this option because:</p> <ul style="list-style-type: none"> <li>Engagement with iwi has identified the values and significance of Kārewarewa Urupā to iwi;</li> <li>Feedback was sought from and provided by landowners on the proposal to add Kārewarewa Urupā to Schedule 9 of the District Plan;</li> <li>There is evidence to support the evaluation as outlined in section 6.1.4 of this report, including the report of the Waitangi Tribunal on Kārewarewa Urupā.</li> </ul>

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	<p>the Heritage New Zealand Pouhere Taonga Act 2014).</p> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>The economic costs associated with this option are similar to Option 2. The cultural costs are unlikely to be notably reduced as a result of providing for lower density development, as Te Ātiawa ki Whakarongotai have indicated that any further development at the site is a matter of concern for iwi.</li> </ul>		
<p><b>Effectiveness and efficiency</b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b>Effectiveness</b></p> <p>This option is not an effective method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>While this option takes into account the existence of Kārewarewa Urupā, it does not recognise the significance of Kārewarewa Urupā to tangata whenua or provide for the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu. It also does not recognise the role of Te Ātiawa ki Whakarongotai as kaitiaki.</li> <li>This option does not effectively protect the cultural or heritage values associated with the site, because it enables land disturbance and development to occur without regard to the irreversible impacts on those values, or the impacts on tangata whenua.</li> </ul>	<p><b>Efficiency</b></p> <p>This option is not an efficient method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>While there are benefits to current landowners by enabling development (albeit reduced compared to Option 2), it is likely to impose significant costs on current and future generations of tangata whenua;</li> <li>While it enables residential development capacity, the quantum of capacity enabled is not significant in the context of the district (and in any case less than compared to Option 2);</li> <li>It also imposes costs and uncertainty on future landowners and residents who may not be aware that the area is an urupā, who may not wish to live on an urupā, and who may have to bear the increased costs associated with future restrictions (should the area be recognised as an urupā in Schedule 9 of the District Plan in the future).</li> </ul>	
<p><b>Overall evaluation</b></p>	<p>This option is not an appropriate method of achieving the objectives of the plan and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It does not protect the cultural and heritage values associated with Kārewarewa Urupā from inappropriate subdivision, use and development;</li> <li>While it does take into account the existence of Kārewarewa Urupā, it does not recognise or provide for the relationship of Te Ātiawa ki Whakarongotai with their ancestral land and wāhi tapu, and does not recognise the role of Te Ātiawa ki Whakarongotai as kaitiaki;</li> <li>It maintains uncertainty about the status of the site, and this uncertainty is likely to adversely impact current and future landowners and residents;</li> <li>It does not give effect to policy 49 of the Regional Policy Statement and is not consistent with objective 5 and policy 9(b) of the NPS-UD;</li> <li>It does not enable Council to fulfil its obligations under s6(e), s6(f), s7(a) and s8 of the RMA.</li> </ul>		



### 8.3.4 Zone framework options

The following zone framework options were considered as a means of incorporating the MDRS and giving effect to policy 3 of the NPS-UD:

Matter	Zone/Spatial Layer	National Planning Standards description of Zone
Option 1 (adapt the existing zone framework)		
Incorporating the MDRS	General Residential Zone	Areas used predominantly for residential activities with a mix of building types, and other compatible activities.
Giving effect to policy 3(c) and (d) of the NPS-UD	General Residential Zone Precinct	
Providing for new qualifying matters	General Residential Zone Precinct	
Option 2 (remove the General Residential Zone and replace with a Medium Density Residential Zone and High Density Residential Zone)		
Incorporating the MDRS	Medium Density Residential Zone	Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.
Giving effect to policy 3(d) of the NPS-UD	Medium Density Residential Zone Precinct	
Providing for new qualifying matters	Medium Density Residential Zone Precinct	
Giving effect to policy 3(c) of the NPS-UD	High Density Residential Zone	Areas used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.

Both options are consistent with the National Planning Standards. Option 1 was identified as the most appropriate zone framework on the basis of the following considerations:

- It uses the operative District Plan's existing zone framework, which manages residential areas through a single zone, while providing for targeted place-based policies and density standards through precincts.
- It is an efficient method of incorporating the MDRS and giving effect to policy 3 of the NPS-UD requiring a minimum degree of change to the structure of the District Plan.
- While option 2 can also be used to incorporate the MDRS and give effect to policy 3 of the NPS-UD, it increases the complexity of the District Plan through the introduction of two new zones. The application of policy 3 of the NPS-UD may need to be split across the two new zones. Consequential amendments across the plan would be required to incorporate the new zone framework. Because this is a less efficient means of achieving the same outcome as Option 1, this option was not considered to be the most appropriate means of incorporating the MDRS or giving effect to policy 3 of the NPS-UD.

### 8.3.5 Alternatives considered to including the *Land Development Minimum Requirements, April 2022* as a document incorporated by reference

The overall appropriateness of updating references to the *Land Development Minimum Requirements, April 2022* (LDMR) has been evaluated as part of the package of provisions that incorporate the MDRS and give effect to policies 3 and 4 of the NPS-UD, outlined under section 8.3.1 of this report.

Prior to this, the Council also considered the advantages, disadvantages, costs and benefits of a range of reasonable alternatives to including the LDMR as a document incorporated by reference in the District Plan. The options considered included the proposed approach, and the status quo (retaining existing references to the *Subdivision and Development Principles and Requirements, 2012* (SDPR)).

As outlined in section 3.3.1, the objective of the LDMR is the same as the SDPR, which is to provide standards and guidance for the design, construction and maintenance of infrastructure assets that impact on the Council's network and/or neighbouring properties in the district. Out of a range of reasonable alternatives, the proposed approach was identified as being the most efficient and effective means of achieving this objective.

Refer to Appendix Z for a summary of the alternatives considered.

#### 8.4 Provisions for Package 2: papakāinga

For the purpose of this evaluation, the Council has considered the following potential options:

- **Option 1: The proposed approach.** The proposed provisions for papakāinga outlined in section 5.3 of this report;
- **Option 2: The status quo.** Refer to section 3.3.2 of this report for a description of the policies and rules associated with the status quo;
- **Option 3: Enable papakāinga but limit development to land held under Te Ture Whenua Māori Act 1993.** This option would involve similar policies and rules for papakāinga as outlined under Option 1 above, except that papakāinga development is limited to land held under Te Ture Whenua Māori Act 1993.

Options evaluation - Provisions for Package 2: papakāinga			
This analysis relates to the following proposed, amended or existing objectives:			
Objective		Status of objective	
DO-Ox4: Papakāinga – Papakāinga are a taonga		Proposed objectives. Refer section 7.3 for examination of proposed objectives.	
DO-Ox5: Papakāinga – Kia ora te mauri o te Whānau (Māori living as Māori)			
DO-Ox6: Papakāinga – Provide for the sustained occupation of Ancestral Land			
DO-Ox7: Papakāinga – Provide for the development of land owned by Tangata Whenua			
DO-Ox8: Papakāinga – Working in partnership with Tangata Whenua to exercise their Tino Rangatiratanga			
DO-Ox9: Papakāinga – Increasing the visibility of Tangata Whenua through the design of papakāinga			
DO-Ox10: Papakāinga – Implementing Te Ao Māori and demonstrating Kaitiakitanga in papakāinga development			
DO-O1: Tangata Whenua			
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
Refer to section 5.3 of this report for the proposed provisions associated with this option.	<p><b>Environmental</b></p> <ul style="list-style-type: none"><li>• <b>Character and amenity values.</b> A more enabling approach to papakāinga development is being proposed, including by:<ul style="list-style-type: none"><li>○ enabling papakāinga to be developed in urban and rural zones;</li><li>○ enabling papakāinga to be developed on general title land owned by tangata whenua;</li><li>○ enabling a range of activities to occur as part of a papakāinga; and</li><li>○ not limiting the number of dwellings associated with a papakāinga.</li></ul>As a result, it is more likely that papakāinga development will change the character and amenity values in the environment surrounding where they are developed. Impacts on character and amenity values are mitigated by providing that key bulk and location standards (height, height in relation to boundary, setbacks and site coverage) matching the same requirements in the underlying zone to apply to papakāinga.</li><li>• <b>Transport/traffic effects.</b> Where papakāinga are developed, they may cause local effects on the road network associated with increased demand. Papakāinga development is subject to the provisions of the District Plan’s Transport chapter,</li></ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"><li>• <b>Exercising kaitiakitanga.</b> The provisions support tangata whenua to exercise kaitiakitanga on their ancestral land, through the development of papakāinga. Enabling tangata whenua to live on their ancestral land improves their ability to function as kaitiaki on that land, and this is likely to benefit both the natural and physical environment.</li><li>• <b>Improved physical environment for tangata whenua.</b> By enabling tangata whenua to determine the most appropriate design, location, form and appearance (subject to some bulk and location standards), the provisions are likely to lead to an improved physical environment for those tangata whenua who develop and occupy papakāinga.</li></ul> <p><b>Economic</b></p> <ul style="list-style-type: none"><li>• <b>Reduced consenting costs.</b> The provisions are likely to result in reduced consenting costs for tangata whenua looking to undertake papakāinga development. In addition to this, limited matters of discretion for papakāinga that do require consent, and preclusion from public notification, provide for increased certainty for tangata whenua looking to develop papakāinga.</li><li>• <b>Tangata whenua economic development and wellbeing.</b> Providing for commercial activity to occur</li></ul>	<p>It is considered that there is certain and sufficient information on which to base the proposed provisions because:</p> <ul style="list-style-type: none"><li>• The provisions have been developed in partnership with iwi authorities. There is therefore a high degree of confidence that the outcomes sought by the provisions are supported.</li><li>• Engagement with iwi on the development of the provisions has informed the identification of the range of benefits and costs associated with the development of papakāinga.</li><li>• There is a body of supporting evidence that has been used to support the development of the provisions, as outlined in section 3.0 of this report.</li></ul>

## Options evaluation - Provisions for Package 2: papakāinga

	<p>as well as the provisions for site access outlined in the Council's LDMR. These provisions will manage and mitigate the effects of traffic that may result from the development of papakāinga.</p> <ul style="list-style-type: none"> <li>• <b>Infrastructure and servicing effects.</b> The development of papakāinga is likely to impose costs on Council infrastructure (water supply, wastewater and stormwater) networks, where these are in place. Papakāinga development is subject to the provisions of the District Plan's Infrastructure chapter, as well as the provisions for infrastructure outlined in the Council's LDMR. These provisions will manage the impacts of papakāinga development on the Council's infrastructure networks.</li> <li>• <b>Costs in un-serviced areas.</b> The development of papakāinga may result in environmental costs in un-serviced areas. This includes costs associated with on-site wastewater treatment and disposal, on-site management of stormwater runoff, and water supply provisions. These costs are managed through a range of provisions in the District Plan (including the provisions of the Infrastructure chapter, and the provisions of the LDMR), as well as the provisions of the Proposed Natural Resources Plan, and the provisions of the Building Act 2004 and the Building Code.</li> <li>• <b>Natural hazards.</b> Broader enablement of papakāinga development has the potential to expose development to natural hazards. However, because papakāinga development is subject to the natural hazards provisions of the District Plan, which manage development in relation to flood and earthquake hazards, it is unlikely that papakāinga would be subject to increased risk from natural hazards.</li> <li>• <b>Natural environment.</b> Broader enablement of papakāinga has the potential to impose costs on the natural environment. Papakāinga development is subject to the provisions of the District Plan that provide for indigenous biodiversity, including the provisions for ecological sites and indigenous vegetation. Development would also be subject to the rules in the Proposed Natural Resources Plan and the NES-F that provide for a range of natural environment values. On this basis, it is considered that the potential costs imposed on the natural environment are appropriately managed. In addition to this, the risk that papakāinga development may result in costs to the natural</li> </ul>	<p>as part of a papakāinga (subject to standards) is likely to provide economic development benefits for iwi more broadly, and contribute to the sustenance and economic wellbeing of those who occupy the papakāinga. Commercial activity can also benefit the papakāinga community by providing goods and services that support the community.</p> <ul style="list-style-type: none"> <li>• <b>Grow and develop tangata whenua land holdings.</b> An improved ability to develop papakāinga on all ancestral land owned by tangata whenua (rather than only Māori freehold land) is likely to improve the ability for tangata whenua to develop ancestral land, and provides greater certainty that land acquired by tangata whenua will be able to be developed for papakāinga.</li> <li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> In addition to the economic development benefits for tangata whenua identified above, increased development enabled under the provisions is likely to lead to employment related benefits in terms of construction activity.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Improved housing outcomes for tangata whenua.</b> Enabling papakāinga development is likely to improve housing outcomes for tangata whenua, both in terms of enabling a greater supply of housing for tangata whenua, and enabling types of housing that better provide for tangata whenua to live in accordance with their culture and traditions.</li> <li>• <b>Social sustainability.</b> The provisions would likely result in enhanced wellbeing through supporting the self-reliance of papakāinga and the community who live in them. Enabling a range of social activities, including community facilities, to be developed as a part of a papakāinga provides for the social sustainability of the papakāinga community and supports the whanaungatanga and social wellbeing of those who live there.</li> <li>• <b>Security of tenure and participation in the community.</b> Enabling the development of papakāinga on ancestral land held in long-term Māori ownership is likely to increase the security of tenure for tangata whenua within their communities. Not only does this support strengthened connections between tangata whenua and their ancestral land, but it also enables greater participation by those who live in a papakāinga in the wider community.</li> </ul>	
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Options evaluation - Provisions for Package 2: papakāinga			
	<p>environment is considered to be low, due to the role that tangata whenua fulfil as kaitiaki of their ancestral land.</p> <ul style="list-style-type: none"> <li>• <b>Noise effects.</b> Activities associated with a papakāinga may generate noise effects, however papakāinga will be subject to the provisions of the noise chapter of the District Plan, which will manage these effects.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• <b>Consenting costs for new development.</b> While the provisions will result in reduced land-use resource consent costs at a district level, papakāinga development will continue to be subject to other regulatory costs, such as regional consents from the Regional Council, and building consents (under the Building Act).</li> <li>• <b>Development Contributions.</b> Papakāinga development is subject to Development Contributions under the Local Government Act. This will impose costs on tangata whenua while offsetting costs to Council of providing infrastructure to support papakāinga development.</li> <li>• <b>Potential impacts on the vitality of the District's Centres.</b> The ability to include commercial activities within a papakāinga has the potential to impose costs on the viability of commercial activities within the district's centres. However, these potential costs are mitigated by providing for a standard that limits the amount of commercial activity that occurs on a papakāinga as a permitted activity. Based on this standard, there are unlikely to be any notable effects on the viability of commercial activities within the district's centres (see section 3.2 for supporting evidence).</li> <li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth/employment related costs have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect social costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• <b>Costs of engagement, monitoring and support.</b> This includes time and resources on behalf of both Council and iwi to undertake ongoing engagement, costs monitoring the effectiveness of the</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• <b>Strengthening connections to ancestral land.</b> Better enabling tangata whenua to develop and live on their ancestral land in a sustained manner is likely to strengthen the connection between tangata whenua and their ancestral land, contributing to the overall wellbeing of tangata whenua.</li> <li>• <b>Supporting cultural wellbeing.</b> Enabling tangata whenua to lead the design and development of papapākāinga, to determine the most appropriate design, density, form and appearance (within minimal bulk and location controls) of papakāinga, and recognising that papakāinga development should be guided by kaupapa Māori in accordance with tikanga Māori is likely to lead to papakāinga development that reflects the needs, cultures and traditions of tangata whenua. This is further supported by enabling a range of activities (for example, kōhanga reo) that would support the cultural wellbeing of the papakāinga and the wider community.</li> <li>• <b>Increasing the visibility and presence of tangata whenua in the district.</b> The more enabling approach to the development of papakāinga, in conjunction with providing for tangata whenua to determine the most appropriate design, density, form and appearance (within minimal bulk and location controls) of papakāinga, is likely to increase the visibility and physical presence of tangata whenua within the wider Kāpiti Coast community.</li> <li>• <b>Sites and areas of significance.</b> A number of sites and areas of significance to tangata whenua are located on or near ancestral land held by tangata whenua. Enabling the development of papakāinga on ancestral land improves the ability for tangata whenua to care for and exercise kaitiakitanga over their sites of significance.</li> <li>• <b>Strengthened partnership between tangata whenua and Council.</b> The provisions seek to strengthen the partnership between iwi and Council by recognising the role of tangata whenua in the use and development of their ancestral land, and by seeking that Council engage with and support tangata whenua on matters related to the development of their ancestral land. In particular, the provisions seek that Council seek and rely on advice from iwi authorities when considering matters related to the development of ancestral land through the resource consent process, and work with tangata whenua to develop</li> </ul>	

Options evaluation - Provisions for Package 2: papakāinga			
	papakāinga provisions, and seeking advice from iwi on specific consent applications, working with tangata whenua to develop papakāinga design guides, and working to further develop internal cultural capacity and capability. However, such costs also provide a significant benefit as they provide an opportunity for the Council to strengthen its engagement with iwi.	design guides to support the ongoing development of papakāinga.	
<b>Effectiveness and efficiency</b>  Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.	<b>Effectiveness</b>  The proposed provisions are the most effective method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• They better provide for the relationship of tangata whenua with their ancestral land, by enabling the development of papakāinga on ancestral land in urban as well as rural areas, and land held in general title as well as land held under Te Ture Whenua Māori Act 1993.</li> <li>• They support cultural wellbeing by enabling tangata whenua to determine the most appropriate design, density, location, form and appearance of papakāinga, by providing for a minimum degree of bulk and location standards and restricting Council discretion;</li> <li>• They better provide for the social, economic and cultural wellbeing of tangata whenua by enabling a range of activities to support and sustain the papakāinga;</li> <li>• They better enable tangata whenua to fulfil their role as kaitiaki of their ancestral land;</li> <li>• They provide for ongoing engagement between tangata whenua and Council on the development of papakāinga.</li> </ul>		<b>Efficiency</b>  The proposed provisions are the most efficient method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• They provide for a significant range of benefits for tangata whenua, as outlined above;</li> <li>• They reduce the costs to tangata whenua associated with the development of their ancestral land;</li> <li>• While there are some costs that may be associated with papakāinga development (as identified above), these costs are managed through existing District Plan provisions, or the standards proposed as part of the papakāinga provisions.</li> </ul>
<b>Overall evaluation</b>	This option is the most appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• The provisions are effective in terms of providing for the relationship of tangata whenua with their ancestral land;</li> <li>• The provisions are efficient in terms of providing for a range of benefits for tangata whenua and reducing costs to tangata whenua associated with the development of ancestral land, while appropriately managing other potential impacts that may arise from the development of papakāinga;</li> <li>• The provisions provide the greatest degree of flexibility for tangata whenua to determine the most appropriate way to develop papakāinga;</li> <li>• The provisions recognise that ancestral land is not confined to land held under Te Ture Whenua Māori Act 1993;</li> <li>• The provisions support the social, cultural and economic wellbeing of tangata whenua;</li> <li>• The provisions give effect to policy 49 of the Regional Policy Statement, and give effect to Objectives 1 and 5, and policies 1(a)(ii) and 9(b) of the NPS-UD (in relation to urban environments);</li> <li>• The provisions enable Council to fulfil its obligations under s6(e), s7(a) and s8 of the RMA.</li> </ul>		
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
Refer to section 3.3.2 of this report for a description of the policies and rules associated with the status quo.	<b>Environmental</b> <ul style="list-style-type: none"> <li>• No direct or indirect environmental costs have been identified, however this is generally because no papakāinga development has actually occurred under the status quo.</li> </ul>	<b>Environmental</b> <ul style="list-style-type: none"> <li>• <b>Character and amenity values.</b> Maintaining the status quo is likely to result in limited papakāinga development, which in turn is likely to result in limited impacts on existing character and amenity values.</li> </ul>	It is considered that there is certain and sufficient information on which to assess the provisions of the status quo because: <ul style="list-style-type: none"> <li>• Extensive engagement with iwi has identified that the provisions do not sufficiently provide for the values and aspirations of iwi in relation to the development of papakāinga;</li> </ul>

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	<p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• <b>Consenting costs.</b> While a degree of papakāinga development is permitted in rural zones under the operative District Plan, the standards are sufficiently limiting to increase the likelihood that a resource consent would be required for the development of papakāinga. In these instances, there would be consenting costs associated with papakāinga development.</li> <li>• <b>Sustainable use of ancestral land.</b> By restricting papakāinga development, the status quo does not provide for the sustainable economic use of ancestral land, in particular by excluding the majority of urban ancestral land and all land held by tangata whenua in general title.</li> <li>• <b>Opportunity costs – tangata whenua economic development and wellbeing.</b> The status quo is sufficiently limiting so that it does not provide for the economic wellbeing of tangata whenua seeking to develop papakāinga. In particular, while the existing provisions relating to papakāinga are spatially limiting, they also do not provide for commercial activities to occur as part of a papakāinga.</li> <li>• <b>Other economic growth/employment related opportunity costs (RMA s32(2)(a)(i)-(ii)).</b> A lack of papakāinga development under the status quo has resulted in broader economic growth and employment related opportunity costs, as a result of reduced development activity, and a reduced ability for tangata whenua to undertake commercial activities on their ancestral land.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• <b>Opportunity costs – housing for tangata whenua.</b> The status quo has not resulted in the development of papakāinga housing, and as such has not improved housing outcomes for tangata whenua.</li> <li>• <b>Opportunity costs – social wellbeing.</b> The limitations on the development of papakāinga, particularly in urban areas and on land held by tangata whenua, limit the degree to which tangata whenua can provide for their social wellbeing, and reduce the ability for tangata whenua to participate in the community more broadly.</li> </ul> <p><b>Cultural</b></p>	<p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect economic benefits have been identified with maintaining the status quo.</li> <li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect employment growth/employment related benefits have been identified with maintaining the status quo.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect social benefits have been identified with maintaining the status quo.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect cultural benefits have been identified with maintaining the status quo.</li> </ul>	<ul style="list-style-type: none"> <li>• The provisions have been in place for approximately 10 years and there is evidence they have not been utilised for papakāinga development;</li> <li>• There is a body of supporting evidence that has been used to inform the assessment of the status quo, as outlined in section 3.0 of this report.</li> </ul>



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	<ul style="list-style-type: none"><li>• <b>Opportunity costs – relationship with ancestral land.</b> The status quo does not provide for the relationship of tangata whenua with their ancestral land, because it does not provide for tangata whenua to develop papakāinga on the majority of urban ancestral land, or on land held by tangata whenua in general title.</li><li>• <b>Opportunity costs – cultural wellbeing.</b> The restrictions on papakāinga development reduce the ability for tangata whenua to develop papakāinga that provide for their cultural wellbeing. In particular, only housing activities are enabled under the current provisions, to the exclusion of other activities that may support cultural wellbeing. Additionally, by not enabling urban papakāinga, the current provisions restrict the ability for tangata whenua to develop papakāinga near their marae.</li><li>• <b>Council engagement with tangata whenua.</b> Tangata whenua have identified that the status quo does not sufficiently provide for their aspirations to develop papakāinga, so maintaining the status quo may adversely impact the relationship between Council and iwi.</li></ul>		
<b><u>Effectiveness and efficiency</u></b>  Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.	<b><i>Effectiveness</i></b>  The status quo is not the most effective method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"><li>• By not enabling the development of papakāinga on the majority of urban ancestral land, or on ancestral land held in general title, it does not sufficiently provide for the relationship of tangata whenua with their ancestral land;</li><li>• The provisions of the status quo overly restrict the degree to which tangata whenua can determine the design, density, location, form and appearance of papakāinga;</li><li>• The provisions of the status quo provide for housing and a very limited amount of communal activity space, but does not recognise the need to enable a range of other activities to support and sustain tangata whenua as part of a papakāinga;</li><li>• There is evidence that the status quo has not effectively enabled papakāinga development in the District.</li></ul>	<b><i>Efficiency</i></b>  The status quo is not the most efficient method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"><li>• The status quo imposes a range of opportunity costs on tangata whenua;</li><li>• The status quo does not support the sustainable and economic development of ancestral land held by tangata whenua;</li><li>• The status quo does not provide for a sufficient range of benefits to justify the costs to tangata whenua.</li></ul>	
<b><u>Overall evaluation</u></b>	This option is the least appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"><li>• The provisions do not effectively provide for the relationship between tangata whenua and their ancestral land;</li><li>• The provisions do not efficiently enable tangata whenua to use and develop their ancestral land;</li><li>• The status quo does not mitigate or manage the range of opportunity costs imposed on tangata whenua by restricting their ability to develop papakāinga on their ancestral land;</li><li>• The status quo does not provide for the social, cultural and economic wellbeing of tangata whenua.</li><li>• The status quo only partially gives effect to policy 49 of the Regional Policy Statement, and does not give effect to Objectives 1 and 5, and policies 1(a)(ii) and 9(b) of the NPS-UD (in relation to urban environments);</li><li>• The status quo does not enable Council to fulfil its obligations under s6(e), s7(a) and s8 of the RMA.</li></ul>		

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Option 3: Enable papakāinga but limit development to land held under Te Ture Whenua Māori Act 1993	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>This option would involve similar policies and rules for papakāinga as outlined under Option 1 above, except that papakāinga development is limited to land held under Te Ture Whenua Māori Act 1993.</p>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental costs identified under Option 1 also apply under this option, except that these costs would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the costs are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic costs identified under Option 1 also apply under this option, except that these costs would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the costs are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> <li><b>Converting general title land into land held under Te Ture Whenua Māori Act 1993.</b> In order to develop ancestral land for papakāinga under this option, tangata whenua would be required to convert general title land into land held under Te Ture Whenua Māori Act 1993. While this may be desirable for some groups, this option would impose costs on tangata whenua in the form of regulatory costs, legal and process costs, time costs and add complexity to the development process.</li> <li><b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> Economic growth and employment-related opportunity costs would be incurred where papakāinga development does not occur on general title land held by tangata whenua, as a result of restricting development to land held under Te Ture Whenua Māori Act 1993.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li><b>Opportunity costs – housing for tangata whenua.</b> Where papakāinga development does not occur on general title land held by tangata whenua as a result of restricting development to land held under Te Ture Whenua Māori Act 1993, there is likely to be social opportunity costs in the form of forgone housing supply for tangata whenua.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>The environmental benefits identified under Option 1 also apply under this option, except that these benefits would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the benefits are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>The economic benefits identified under Option 1 also apply under this option, except that these benefits would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the benefits are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> <li>The exception to this is that this option is unlikely to support the growth and development of tangata whenua land ownership (identified as a benefit under Option 1), as this option does not provide sufficient certainty about the ability for tangata whenua to develop ancestral land held in general title.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>The social benefits identified under Option 1 also apply under this option, except that these benefits would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the benefits are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>The cultural benefits identified under Option 1 also apply under this option, except that these benefits would only apply to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act 1993 (in other words, the benefits are likely to be reduced in scale, as a result of reduced potential papakāinga development).</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the assessment of this option because:</p> <ul style="list-style-type: none"> <li>The provisions have been developed in partnership with iwi authorities.</li> <li>Engagement with iwi on the development of the provisions has informed the identification of the range of benefits and costs associated with the development of papakāinga;</li> <li>There is a body of supporting evidence that has been used to support the development of the provisions, as outlined in section 3.0 of this report.</li> </ul> <p>Based on engagement with iwi, there is a low degree of confidence that this approach would be supported, as iwi have specifically identified that providing for the development of papakāinga on general title land would more effectively provide for the relationship of tangata whenua with their ancestral land.</p>

Options evaluation - Provisions for Package 2: papakāinga			
	<ul style="list-style-type: none"><li>• <b>Opportunity costs – social wellbeing.</b> Where papakāinga development does not occur on general title land held by tangata whenua as a result of restricting development to land held under Te Ture Whenua Māori Act 1993, this is likely to result in opportunity costs to the social wellbeing of tangata whenua. In particular, this would reduce the ability for tangata whenua to develop secure tenure housing that enables participation in iwi, hapū, marae and community life.</li></ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"><li>• <b>Opportunity costs – relationship with ancestral land.</b> Restricting papakāinga development to only land held under Te Ture Whenua Māori Act 1993 does not recognise or provide for the relationship of tangata whenua with their ancestral land, the majority of which is not held under Te Ture Whenua Māori Act.</li><li>• <b>Opportunity costs – cultural wellbeing.</b> Where papakāinga development does not occur on general title land held by tangata whenua as a result of restricting development to land held under Te Ture Whenua Māori Act 1993, this is likely to result in opportunity costs to the cultural wellbeing of tangata whenua, as a result of reduced levels of papakāinga development.</li></ul>		
<b><u>Effectiveness and efficiency</u></b>  Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.	<b><i>Effectiveness</i></b>  This option is partially effective at achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"><li>• It includes policies that support the development of papakāinga, however by not enabling the development of papakāinga on ancestral land held in general title, it does not sufficiently provide for the relationship of tangata whenua with their ancestral land;</li><li>• It supports cultural wellbeing by enabling tangata whenua to determine the most appropriate design, density, location, form and appearance of papakāinga (within reasonable limits), but only on land held under Te Ture Whenua Māori Act;</li><li>• It supports improved social, cultural and economic wellbeing of tangata whenua by enabling a range of activities to occur on a papakāinga, but only to the extent that papakāinga are developed on land held under Te Ture Whenua Māori Act;</li><li>• It better enables tangata whenua to fulfil their role as kaitiaki of their ancestral land, but only where this land is held under Te Ture Whenua Māori Act.</li></ul>	<b><i>Efficiency</i></b>  This option is partially efficient in achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"><li>• It provides for a range of benefits for tangata whenua, but only to the extent that tangata whenua are able to develop land held under Te Ture Whenua Māori Act;</li><li>• It reduces the costs of development for tangata whenua, but only on land held under Te Ture Whenua Māori Act;</li><li>• It incurs a range of costs on tangata whenua whose ancestral land is held in general title, including opportunity costs associated with forgone development of ancestral land, or costs associated with converting general title land into land held under Te Ture Whenua Māori Act.</li></ul>	

Options evaluation - Provisions for Package 2: papakāinga	
<b><u>Overall evaluation</u></b>	<p>This option is partially appropriate for achieving the relevant objectives of the Plan Change and the purpose of the RMA, however it is not as appropriate as Option 1 because:</p> <ul style="list-style-type: none"> <li>• This option does not effectively provide for the relationship between tangata whenua and their ancestral land, because it excludes ancestral land held in general title.</li> <li>• Excluding land held in general title imposes a range of additional costs on tangata whenua for the use and development of their ancestral land;</li> <li>• While this option does provide some benefits to tangata whenua for the development of ancestral land held under Te Ture Whenua Māori Act, the overall level of benefit is reduced by excluding ancestral land held in general title.</li> <li>• This option partially gives effect to policy 49 of the Regional Policy Statement, and partially gives effect to effect to Objectives 1 and 5, and policies 1(a)(ii) and 9(b) of the NPS-UD (in relation to urban environments);</li> <li>• This option partially enables Council to fulfil its obligations under s6(e), s7(a) and s8 of the RMA.</li> </ul>

## 8.5 Provisions for Package 3: financial contributions

For the purpose of this evaluation, the Council has considered the following potential options:

- **Option 1: The proposed approach.** The proposed amendments to financial contributions outlined in section 5.4 of this report;
- **Option 2: The status quo.** The status quo outlined in section 3.3.3 of this report.

Options evaluation – Provisions for Package 3: financial contributions			
This analysis relates to the following proposed, amended or existing objectives:			
Objective		Status of objective	
DO-Ox1: Well-functioning urban environments		Proposed objective. Refer section 7.2.1 for examination of this proposed objective.	
DO-O1: Tangata Whenua		Existing objective.	
DO-O3: Development Management		Existing objective with proposed amendments. Refer section 7.2.3 for examination of the proposed amendments to this objective.	
DO-O8: Strong Communities		Existing objective.	
DO-O13: Infrastructure		Existing objective.	
DO-O17: Open Spaces/Active Communities		Existing objective.	
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
The proposed amendments to policies and rules for financial contributions are outlined in section 5.4 of this report.	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>No direct or indirect environmental costs have been identified.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Administrative costs.</b> There may be some initial costs for Council and applicants associated with familiarisation with the new provisions, in instances where they are used.</li> <li><b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth/employment related costs have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect social costs have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural costs have been identified.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li><b>Offsetting and compensation.</b> The new policy that provides for the taking of financial contributions for the purpose of offsetting or compensation is likely to ensure that environmental benefits can be achieved where adverse effects of activities cannot otherwise be avoided, remedied or mitigated.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li><b>Improved certainty.</b> New general rules for financial contributions provide a greater degree of certainty for applicants and the Council as to how the taking of financial contributions is to be determined in instances where the Development Contributions Policy does not apply. This is also likely to reduce administrative costs, and reduce the risk of costs associated with appeals.</li> <li><b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth/employment related benefits have been identified.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>No direct or indirect social benefits have been identified.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No direct or indirect cultural benefits have been identified.</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the evaluation of the proposed provisions because:</p> <ul style="list-style-type: none"> <li>Analysis of the existing provisions in the District Plan has identified the issues addressed by the proposed provisions;</li> <li>The Council sought feedback from the public on the draft provisions.</li> </ul>

Options evaluation – Provisions for Package 3: financial contributions			
<b>Effectiveness and efficiency</b>  Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.	<b>Effectiveness</b>  The proposed provisions are the most effective method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• They provide clarity as to how financial contributions will be determined in instances where the Development Contributions Policy does not apply. This ensures that the District Plan meets the requirements of s108(10)(b) of the RMA;</li> <li>• The provisions clarify that financial contributions can be taken for the purposes of offsetting and compensation, consistent with s108(10)(a) of the RMA.</li> </ul>	<b>Efficiency</b>  The proposed provisions are the most efficient method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• They increase certainty for applicants and the Council as to how financial contributions will be determined in instances where the Development Contributions Policy does not apply.</li> </ul>	
<b>Overall evaluation</b>	This option is the most appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because: <ul style="list-style-type: none"> <li>• It provides clarity and certainty for applicants and the Council when determining the level of financial contribution to apply in instances where the Development Contributions Policy does not apply;</li> <li>• It clarifies that financial contributions can be taken for the purpose of ensuring positive effects on the environment;</li> <li>• It improves the degree to which the District Plan meets the expectations for financial contributions outlined under s108(10) of the RMA.</li> </ul>		
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
The policies and rules associated with the status quo are outlined in section 3.3.3 of this report.	<b>Environmental</b> <ul style="list-style-type: none"> <li>• <b>Opportunity cost – offsetting and compensation.</b> There may be instances where financial contributions for the purposes of ensuring positive effects are not considered as an option under s108(10), because the District Plan does not clearly provide for them.</li> </ul> <b>Economic</b> <ul style="list-style-type: none"> <li>• <b>Lack of certainty.</b> While the status quo provides some guidance at a policy level, there is an overall lack of certainty as to how financial contributions are determined in instances where the Development Contributions Policy does not apply. This lack of certainty presents potential costs to both Council and applicants, who do not have a framework against which to assess the appropriateness of the level of financial contribution required under the existing policy.</li> <li>• <b>Other economic growth/employment related costs (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth/employment related costs have been identified.</li> </ul> <b>Social</b> <ul style="list-style-type: none"> <li>• No direct or indirect social costs have been identified.</li> </ul> <b>Cultural</b>	<b>Environmental</b> <ul style="list-style-type: none"> <li>• No direct or indirect environmental benefits have been identified.</li> </ul> <b>Economic</b> <ul style="list-style-type: none"> <li>• No direct or indirect environmental benefits have been identified.</li> <li>• <b>Other economic growth/employment related benefits (RMA s32(2)(a)(i)-(ii)).</b> No direct or indirect economic growth/employment related benefits have been identified.</li> </ul> <b>Social</b> <ul style="list-style-type: none"> <li>• No direct or indirect social benefits have been identified.</li> </ul> <b>Cultural</b> <ul style="list-style-type: none"> <li>• No direct or indirect cultural benefits have been identified.</li> </ul>	It is considered that there is certain and sufficient information on which to base the evaluation of the status quo because analysis of the existing provisions in the District Plan has identified the issues addressed by the proposed provisions.

Options evaluation – Provisions for Package 3: financial contributions			
	<ul style="list-style-type: none"> <li>No direct or indirect cultural costs have been identified.</li> </ul>		
<p><b><u>Effectiveness and efficiency</u></b></p> <p>Note: this assessment of effectiveness and efficiency incorporates the identification of costs, benefits and the risk of acting or not acting if there is uncertain or insufficient information, for this option as outlined above.</p>	<p><b><i>Effectiveness</i></b></p> <p>The status quo is not an effective method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It provides no clear direction as to how financial contributions will be determined in cases where the Development Contributions Policy does not apply;</li> <li>It is uncertain whether the status quo provides for the taking of financial contributions for the purposes of ensuring positive effects;</li> <li>It is not well aligned with the requirements for financial contributions outlined in s108(10) of the RMA.</li> </ul>	<p><b><i>Efficiency</i></b></p> <p>The status quo is not an efficient method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>There are costs to applicants and the Council associated with a lack of clarity as to how financial contributions are to be determined in instances where the Development Contributions Policy does not apply;</li> <li>Because the District Plan does not clearly provide for taking financial contributions to ensure positive effects, there may be opportunity costs where financial costs are not being provided for this purpose.</li> </ul>	
<p><b><u>Overall evaluation</u></b></p>	<p>The status quo is not an appropriate method of achieving the relevant objectives of the Plan Change and the purpose of the RMA because:</p> <ul style="list-style-type: none"> <li>It lacks clarity and certainty for applicants and the Council when determining the level of financial contribution to apply in instances where the Development Contributions Policy does not apply;</li> <li>There is no clarity as to whether financial contributions can be taken for the purposes of ensuring positive effects;</li> <li>The status quo is not well aligned with the requirements for financial contributions under s108(10) of the RMA.</li> </ul>		



## 9.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA (including the additional information required by part 5A of the RMA) in order to identify the need, benefits and costs and the appropriateness of the three proposed packages of provisions included within the scope of PC2, having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the RMA.

### Resource management issue 1/package 1: housing supply and intensification

Package 1 was developed to provide for a range of provisions in response to the issue of housing supply and intensification. This package includes:

- Objectives, policies and rules to incorporate the MDRS into the District Plan, and give effect to policies 3 and 4 of the NPS-UD;
- Provisions to manage urban development in relation to a range of new qualifying matters, including the Coastal Qualifying Matter Precinct, recognising and providing for Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan, and providing for a Marae Takiwā Precinct to manage development around marae in urban environments;
- Rezoning a number of smaller areas located adjacent to existing urban areas as General Residential Zone (which incorporate the MDRS and in some cases policy 3 of the NPS-UD);
- Adding new design guides to the District Plan to encourage high-quality urban development in the district's General Residential and Centres Zones;
- Incorporating references to the Council's *Land Development Minimum Requirements, April 2022* document (which replaces the *Subdivision and Development Principles and Requirements, 2012* document).

The evaluation demonstrates that the proposed package of provisions is the most appropriate option because:

- It provides for an increased supply and variety of housing (and commercial activities and community services in the district's centres zones);
- It enables a broad range of benefits associated with enabling increased levels of urban development to be realised, while providing for the management of the impacts associated with urban development through existing and proposed District Plan provisions. In addition to this, there are a range of potential impacts that are managed through other planning documents, including the PNRP and National Environmental Standards;
- The development of this package of provisions has taken into account the feedback of iwi and the community;
- It is consistent with, and supports the implementation of *Te tupu pai*, the District growth strategy;
- It provides for the Council to meet its statutory obligations to incorporate the MDRS into the District Plan and give effect to policies 3 and 4 of the NPS-UD, in accordance with s77G and s77N of the RMA.

Because of the scale and/or significance of the provisions associated with the Coastal Qualifying Matter Precinct and the proposal to add Kārewarewa Urupā as a wāhi tapu site to Schedule 9 of the District Plan, these provisions were separately evaluated.

In relation to the Coastal Qualifying Matter Precinct, the evaluation demonstrates that the proposed provisions are the most appropriate option because:

- They avoid increasing the exposure of people, the community, private assets, public assets and infrastructure to adverse effects or harm associated with coastal erosion hazard;

- They avoid unnecessarily restricting, or increasing the costs associated with implementing, the options for coastal hazard management that may be considered by the ongoing Takutai Kāpiti and subsequent coastal environment plan change process;
- The approach is consistent with policy 3 of the NZCPS, and avoids reducing the degree to which the District Plan gives effect to policy 25 of the NZCPS;
- The approach is consistent with policy 4 of the NPS-UD and s77G(6) and s77N(3)(b) of the RMA.

In relation to the proposal to provide for Kārewarewa Urupā as a wāhi tapu in Schedule 9 of the District Plan, the evaluation demonstrates that this is the most appropriate option because:

- It provides for the protection of the cultural and heritage values associated with Kārewarewa urupa from further inappropriate land disturbance and urban development that would otherwise be enabled by providing for the MDRS as a permitted activity;
- It recognises and provides for the relationship between Te Ātiawa ki Whakarongotai and their ancestral land and wāhi tapu, and recognise their role as kaitiaki;
- It provides certainty for current and future landowners as to the status of the area as a wāhi tapu site, and enable current and future landowners to be aware of the historical use of the site, the cultural and heritage values of the site, and the significance of the site to tangata whenua;
- It provides for appropriate levels of land disturbance and development to be managed through permitted activity standards or resource consent processes;
- Recognising and providing for Kārewarewa Urupā gives effect to policy 49 of the Regional Policy Statement and Objective 5 and policy 9(b) of the NPS-UD;
- Recognising and providing for Kārewarewa Urupā enables Council to fulfil its obligations under Part 2 of the RMA.

## **Resource management issue 2/package 2: papakāinga**

Package 2 was developed in partnership with iwi to provide for objectives, policies and rules that enable the development of papakāinga on urban and rural ancestral land held by tangata whenua. The evaluation demonstrates that the proposed package of provisions for papakāinga is the most appropriate option because:

- They provide for the relationship of tangata whenua with their ancestral land, through the development of papakāinga;
- They provide for a range of benefits for tangata whenua and reduce costs to tangata whenua associated with the development of ancestral land, while appropriately managing other potential impacts that may arise from the development of papakāinga;
- They provide the greatest degree of flexibility for tangata whenua to determine the most appropriate way to develop papakāinga, in a manner that is consistent with kaupapa and tikanga Māori;
- They recognise that ancestral land is not confined to land held under Te Ture Whenua Māori Act 1993;
- They support the social, cultural and economic wellbeing of tangata whenua;
- They give effect to policy 49 of the Regional Policy Statement, and give effect to Objectives 1 and 5, and policies 1(a)(ii) and 9(b) of the NPS-UD (in relation to urban environments);
- They enable Council to fulfil its obligations under Part 2 of the RMA.

### **Resource management issue 3/package 3: financial contributions**

Package 3 was developed to improve the efficiency and effectiveness of the existing financial contributions provisions contained in the District Plan, having regard to the requirements for financial contributions outlined in s108 of the RMA. The evaluation demonstrates that the proposed package of amendments to the financial contributions provisions is the most appropriate option because:

- They provide clarity and certainty for applicants and the Council when determining the level of financial contribution to apply in instances where the Development Contributions Policy does not apply;
- They provide clarity that financial contributions can be taken for the purpose of ensuring positive effects on the environment;
- They improve the degree to which the District Plan meets the expectations for financial contributions outlined under s108(10) of the RMA.

## **Appendix A. Written feedback received from iwi authorities on Draft PC2**

## **Appendix B. Summary of Public Feedback on Draft PC2**

## **Appendix C. Summary of Proposed Amendments to the District Plan**

## **Appendix D. Schedule of Existing Qualifying Matters**

## **Appendix E. Spatial Application of NPS-UD Intensification Policies (Boffa Miskell, 2022)**



## **Appendix F. Kāpiti Coast Intensification Evaluation: Bulk and location analysis (Boffa Miskell, 2021)**

**Appendix G. Beach Residential Precincts – Paekākāriki: Character Assessment Update (Urban Perspectives in association with Boffa Miskell, 2022)**

**Appendix H. Beach Residential Precincts – Raumati: Character  
Assessment Update (Urban Perspectives in association with Boffa  
Miskell, 2022)**

**Appendix I. Beach Residential Precincts – Waikanae Beach:  
Character Assessment Update (Urban Perspectives in association  
with Boffa Miskell, 2022)**

**Appendix J. Beach Residential Precincts – Ōtaki: Character  
Assessment Update (Urban Perspectives in association with Boffa  
Miskell, 2022)**

## **Appendix K. Waikanae Garden Precinct: Character Assessment (Urban Perspectives in association with Boffa Miskell, 2022)**

## **Appendix L. Kāpiti Coast Urban Development Intensification Assessment (Boffa Miskell, 2022)**

## **Appendix M. Assessment of Kāpiti Coast Residential Intensification Area Feasibilities (Property Economics, 2022)**



## **Appendix N. Kāpiti Coast Urban Development Greenfield Assessment (Boffa Miskell, 2022)**

## **Appendix O. Waikanae Future Urban Zone High-level Issues Analysis (Boffa Miskell, 2022)**

**Appendix P. Kāpiti Coast District Council – Intensification Plan  
Change Infrastructure Input – Stormwater (Memo) (Awa  
Environmental, 2022)**

## **Appendix Q. Paekākāriki, Peka Peka and Te Horo Wastewater Servicing Assessment (Aecom, 2022)**

## **Appendix R. The Kārewarewa Urupā Report (Waitangi Tribunal, 2020)**

## **Appendix S. Kāpiti Coast Papakāinga Commercial Land Use Economic Memorandum (Property Economics, 2022)**

## **Appendix T. Marae Takiwā Precinct Studies (Boffa Miskell, 2022)**

## **Appendix U. Alternative Sources of Information Considered for the Coastal Qualifying Matter Precinct**



## **Appendix V. Schedule of proposed new areas of General Residential Zone**

## **Appendix W. Spatial extent of proposed additions to Schedule 9 of the District Plan (Wāhi tapu)**

***Appendix X. Proposed document to be incorporated by reference:  
Land Development Minimum Requirements, April 2022***

**Appendix Y. Record of changes made to the *Subdivision and Development Principles and Requirements, 2012*, through the *Land Development Minimum Requirements, April 2022***

**Appendix Z. Alternatives considered to including the *Land Development Minimum Requirements, April 2022* as a document incorporated by reference**