

16 January 2025

Welhom Developments Ltd
Level 27, Majestic Centre
100 Willis St
Wellington
Hayden.beaton@summerset.co.nz

Attn: Hayden Beaton, Development Manager

Dear Hayden,

**REQUEST FOR FURTHER INFORMATION – PRIVATE PLAN CHANGE REQUEST –
WELHOM DEVELOPMENTS LTD – 65 AND 73 RATANUI ROAD, OTAIHANGA**

Thank you for your request for a private plan change (the PPC) to rezone part of 65 and 73 Ratanui Road, Otaihanga.

Pursuant to clause 23 of Part 2 of Schedule 1 of the Resource Management Act 1991 (the RMA or Act), the following information is requested so that we can better understand:

- the nature of the request in respect of the effect it will have on the environment, including taking into account the provisions of Schedule 4;
- the ways in which any adverse effect may be mitigated;
- the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request;
- the nature of any consultation undertaken or required to be undertaken.

Our overall approach to reviewing the PPC for adequacy of information has been to determine:

- a. Whether there is sufficient justification and information provided in accordance with clause 23 (as above)
- b. Whether the PPC would be able to be recommended for acceptance, considering the criteria set out in clause 25(4), and in particular subclauses (c) and (d)

Proposed Plan Provisions

1. Controlled Activity Status – Proposed DEV3-P1 Retirement Villages. Please provide more justification as to the appropriateness of a controlled activity status for the retirement village.

Reason

The Landscape Effects Assessment (LA) Section 6.4 page 33, assessed that a

retirement village would overall have similar character effects to a typical residential subdivision in terms of the effects of buildings and would be predominantly urban. As there is very little detail in terms of location on the site for a future retirement village or villages and /or typical residential subdivision the effects due to roading, stormwater, earthworks and buffer landscaping would be similar in both development options. It is unclear why it could then be justified that a retirement village could have a controlled activity status, but a residential development would be restricted discretionary.

The proposed controlled activity rule also includes the matters of discretion relevant to a retirement village as a restricted discretionary activity. We do not consider that there is the necessary level of certainty in the structure plan and in the policy and rule that would support a controlled activity status for the number of matters that would need to be considered (in addition to the matters that are included in this request). We also do not agree that the level of detail provided in the Structure Plan to be commensurate with what would be provided at the time of resource consent.

2. DEV3-P1 – Retirement Villages and DEV3-P2 – Residential activities and associated subdivision
 - a. Please review these policies as to whether they provide the appropriate clear and certain direction to be considered in decision-making and whether there are aspects that should either form part of rules or standards
 - b. The policies both include clauses that seek the provision of a landscaping and earthworks plan, but there is no direction as to why such a plan is required or its purpose and what would be considered through the assessment of an application
 - c. The introduction states that the rules and standards apply in addition to the rules and standards in other parts of the Plan. However, it does not state the same in respect to the policies. Accordingly, we need to understand how it is intended that these two policies relate to the rest of the Plan's policies.
 - d. In respect to the landscape plan clauses, please explain why the recommendations included in Section 7 of the LA for the proposed landscape plan have not been fully incorporated into the site-specific provisions.

Reason

This information is required to understand how the proposed policies are intended to be implemented and how any application would be assessed. We note that the matters addressed in this request may necessitate other amendments to the proposed policies, particularly in providing adequate direction.

Development Area Structure Plan

3. The Development Area Structure Plan does not include what we consider are key elements, such as the main roading layout, open space network, wetland and stream areas, and other areas to be protected from earthworks. This is particularly the case if a controlled activity rule was to apply to a retirement village development.

Reason

The Development Area Structure Plan Diagram (Figure 1) provides only high-level site-planning directions which do not include some of the key features that are typically represented in and managed through a structure plan (refer to District Plan definition and

further explanations¹). More specifically, Figure 1 does not indicate the roading layout and nature of infrastructure (including transportation links), areas of open space/reserves (apart from marking up the general location of a stormwater management area/wetland), the likely extent of the wetland and stormwater management areas, and/or any other key features for managing the effects of development (such as areas protected from earthworks). This information is considered particularly important given the requested controlled activity status for the future development of the site for a retirement village.

Landscape and visual effects

4. Please identify where and by what means the natural character of the dunes will be protected from earthworks and integrated with land on neighbouring properties, in order to implement DEV3-P1 (f) and DEV-P2 (h).

Reason

Proposed provisions in DEV3-P1 (f) and DEV-P2 (h) mentions a minimum setback from adjacent property boundaries, however there are no rules or standards that would protect the dune areas, and no areas are identified on the Development Area Structure Plan. It is unclear whether the minimum setback referred to in the policies equals the minimum yard standard, and if not, what it is intended to be. Similarly, whether the reference to 'protection or mitigation for adjacent property boundaries' under the same policies relate to the proposed landscape buffers, and if not, what these measures may be. The proposed Development Area Structure Plan does not identify any areas protected from earthworks. For integration with adjoining land and to retain some natural character any protected dunes, in particular high dune areas, within the northern end of the land should be identified on the Development Area Structure Plan as protected from earthworks and extent of the area indicatively identified. Where possible all connecting dunes within adjoining properties and at the road frontage should be battered naturally and retaining walls avoided. There should also be policy direction on how these areas are intended to be managed following any future development.

5. In respect to the proposed buffers, please:
 - a. provide further details on what is sought to be achieved in respect to landscaping and what is meant by each with respect to heights and types of species envisaged, the intended density of planting and the extent/width of the planted buffer.
 - b. clarify the difference between the two types of buffers (landscaped and vegetated) and their respective mitigation roles.
 - c. clarify why the policies refer to one type of buffer only
 - d. explain the rationale for why landscaped buffers are not proposed along the western boundary of the site which partly sits adjacent to the Rural Lifestyle Zone

¹ Structure plan 'means a framework to guide the *development* or redevelopment of a particular area by defining the future *development* and land use patterns, areas of *open space*, the layout and nature of *infrastructure* (including transportation links), and other key features for managing the *effects of development*'.

Reason

Proposed DEV3 - P1 and DEV3 - P2 includes provision for a landscaped buffer as well as the provision of landscape plans. The Development Area Structure Plan shows a landscaped buffer and a vegetated buffer. It is unclear exactly what the intended purpose of the landscaping and earthworks plan and what it is to be assessed against (also addressed under plan provisions). It is unclear why a buffer is not proposed along the western boundary with the Rural Lifestyle Zone, given buffers are proposed along other boundaries with the Rural Lifestyle Zone.

6. Please clarify whether the conclusions in the LA regarding landscape and visual effects have been facilitated by or made with reference to any indicative site layouts.

Reason

The LA supporting the PPC considers that the change in zoning to General Residential is suitable due to the location of the site on the edge of existing residential areas. The LA (page 2) notes that the assessment:

- has taken account of the existing environment and what could be developed under the current zoning (e.g. 12 residential dwellings and 12 minor dwellings); and
- has considered the difference between such a scenario and the potential development under the PPC of up to 153 lots/235 dwellings and '*associated ancillary infrastructure such as landscaping and a new road network as a result of the proposed plan change*'.

The LA does not specifically discuss the difference in effects between the above-mentioned scenarios. It is not clear whether the effects of the potential scenario under the PPC were considered in relation to any particular site layouts (for retirement village or residential subdivision) as somewhat implied in the LA, which states that the new road network and intended landscaping have been taken in account. It is noted that:

- the proposed DEV3-Figure 1: Ratanui Development Area Structure Plan (PPC Request/Appendix A - Proposed Changes to the District Plan) does not show the intended road layout; and
- the PPC additional site-specific provisions (Appendix A) do not include any site-specific standards re extent of the proposed buffer planting or the intended landscape treatments.

7. Please provide photographs or visual representations to illustrate views of the site from within the identified private locations.

Reason

The LA notes that the analysis of visual effects on views from private locations was based on observations from site visits and extensive desktop research, but without visiting any of the identified potentially affected properties. Figure 5 and Figure 6 of the LA provide photographs taken from within the site looking towards about half of the identified potentially affected properties (marked on Figure 3). The photographs on Figures 5 and 6 allow high level assumptions to be made regarding the extent/nature of private views from the respective properties. However, the lack of photographs indicating the actual views from within all the identified potentially affected properties makes it difficult to follow the visual effects assessment and its conclusions (LA, pages 20-31).

Wetlands and the modified stream

8. Please:

- a. better define the extent of the stormwater management and wetland offsetting area and any wetland restoration areas on the Development Area Structure Plan to better represent the likely intended outcome
- b. address how DEV3 – P1 (b) and DEV3 P2 (d) will ensure that there is differentiation between wetland offset areas and constructed stormwater management areas, including their identification and management
- c. clarify whether it is intended that the stream is integrated into the wetland offset area and /or stormwater management wetland area and whether riparian margin setbacks are intended to apply, and if so, consider whether direction should be provided through DEV3 – P1 (b) and DEV3 P2 (d).

Reason

Proposed DEV3 – P1 (b) and DEV3 P2 (d) are clauses to create a centralised restoration wetland. The clauses are considered vague and do not describe the intended outcome against which any future application would be assessed. Location “S” on the Development Area Structure Plan does not clarify where the wetlands are to be maintained in respect to the modified stream, or the intended size to be set aside for wetlands (ecological and stormwater). The wetland offset areas and constructed stormwater management areas will require different management regimes as part of any future development, given their different functions. It is also unclear how the future hydrology of the wetlands is likely to function, and the clauses proposed do not provide any direction that this be addressed through a future application.

The modified stream is a tributary of the Waikanae River via the Mazengarb Stream. The Mazengarb Stream is known to provide habitat for at least five indigenous species of fish, including some At Risk declining species. No fishing of the on-site stream was undertaken by the ecologists; therefore it is not certain whether the stream will be totally devoid of fish at all water levels. Although the stream is currently periodically dry it is proposed to be the receiving waterway for gradual release of stormwater from the stormwater wetlands (to maintain hydraulic neutrality requirements for the site). This creates the possibility of longer retention of water in the stormwater management areas and associated mitigation wetlands, which in turn may provide habitat for those species of fish within the Mazengarb Stream colonising the wetlands. There is brief mention of potentially revegetating the riparian margins, but no further details are provided, and the value of this revegetation is considered to be negligible by the applicant (page 23 of the Plan Change Request). It is therefore unclear what the potential adverse effects on the stream and the riparian margin might be, and whether this is a matter intended to be addressed through DEV3 – P1 (b) and DEV3 P2 (d).

Traffic and transport

9. Please provide:

- a. Sidra assessments for the Mazengarb Road/ Ratanui Road intersection (roundabout) to ensure sufficient capacity at the intersection.
- b. Sidra assessments for the Otaihangā Road/ Ratanui Road intersection (tee intersection) to ensure sufficient capacity at the intersection.

- c. An updated ITA to include an assessment of the proposed intersection onto Ratanui Road against the provisions of the District Plan. For example, sightlines and intersection separation.
- d. Speed surveys to confirm the assumed 50km/h speeds along Ratanui Road.

Reason

The information is required to demonstrate the assumptions made in the ITA and request and so that a full assessment of the potential effects can be undertaken.

Legislative requirements

There is no statutory time limit to the provision of this further information. Further, Clause 23 of Part 2 of Schedule 1 provides that the person who made the request:

- (a) May decline, in writing, to provide the further or additional information or to agree to the commissioning of a report; and
- (b) May require the local authority to proceed with considering the request.

Please advise how you wish to proceed.

Please contact me or Council's consultant planner, Gina Sweetman, if you would like to discuss any matters relating to this request. The Council welcomes the opportunity to discuss the contents of this request.



Yours sincerely

Sandhira Naidoo
Principal Policy Planner