

Kāpiti Coast District Council Plan Change Hearing

Addendum to Section 42A Officer's Report (Rebuttal Evidence) on Proposed
Private Plan Change 5: 100 and 110 Te Moana Road, Waikanae Rezoning
Prepared for Kāpiti Coast District Council

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Prepared by:	Kate Pascall Planner, Principal Boffa Miskell Limited	
Reviewed by:	Josh Patterson Urban Planning Team Leader Kāpiti Coast District Council Aastha Shrestha Intermediate Policy Planner Kāpiti Coast District Council	
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1.0 Introduction

Purpose of this Supplementary Officer's Report

- 1.1 This addendum to the Section 42A Report for Proposed Private Plan Change 5 (PPC5) has been prepared in response to expert evidence that has been received and pre-circulated ahead of the hearings. As such, this addendum report serves as rebuttal evidence in accordance with the Hearing Direction 1 of the Hearings Panel.
- 1.2 This report also addresses the following matters raised by the Hearings Panel in Direction 4:
- an evaluation under section 32AA of the Resource Management Act 1991 (RMA) in relation to the provisions I recommend be included in the Operative District Plan (ODP), having regard to the Joint Witness Statement referred to in paragraph 7 of Direction 4.
 - Whether the new provisions I recommended in my Section 42A report, being a landscaped development setback on the northwestern boundary of the site and a 10m planted buffer around the wetland (ecological site K068), constrain the development capacity anticipated by the Medium Density Residential Standards (MDRS) as given effect to through the General Residential Zone (GRZ) provisions and if so:
 - whether a qualifying matter assessment is required, and
 - how the proposed approach is consistent with GRZ-P21
 - Consideration of a Development Area approach as a reasonably practicable alternative, particularly in light of the National Planning Standards and the approach taken in the more recent Private Plan Change 4.
- 1.3 This addendum report responds to each of these matters and identifies whether any amendments to the recommendations contained within the Section 42A Report are warranted.

Outcomes of Expert Conferencing

- 1.4 Following the receipt of the Section 42A report, expert evidence from the Applicant and statements from submitters, the Hearings Panel directed expert conferencing on a number of matters via Direction 4, covering the following topics:
- Flooding and stormwater
 - Highly Productive Land, specifically whether clause 3.6 of the NPS-HPL was the relevant clause to be assessed rather than clause 3.10 and the NZLRI mapping of LUC2 land relative to the Lot 1 and Lot 2 boundary.
 - Transport
 - Planning

1.5 Joint witness statements (JWS) have been filed as a result of expert conferencing. I understand from reviewing the relevant JWS that the principal matters that remain in contention relate to planning matters, as follows:

- The need for site specific provisions relating to a landscaped development setback and a 10m planted buffer around ecological site K068, specifically:
 - Policy GRZ-P29 clauses 1 and 2
 - Rules GRZ-R43, GRZ-R44
 - Amendments/additions to ODP Rule SUB-RES-R33
- The need for a structure plan and the associated references to the structure plan in the abovementioned rules.

1.6 I address these matters further in the following sections.

Statements of Rebuttal Evidence by Council Experts

1.7 In addition to this Addendum report, the following statements of rebuttal evidence have been prepared on behalf of the Council:

- Statement of Rebuttal Evidence of Simon Button – landscape and visual amenity effects
- Statement of Rebuttal Evidence of Ramesh Pillai – water network planning

1.8 Mr Button's rebuttal evidence has informed my opinion in relation to landscape and visual amenity effects outlined in this report.

1.9 Mr Pillai's rebuttal evidence provides clarification of a number of matters raised by Mr Taylor (on behalf of the Requestor). My conclusions in relation to water supply and capacity for the PPC5 site remain unchanged as a result of Mr Pillai's evidence, although it is acknowledged that an amendment to Policy GRZ-P29 to remove clause 7 (relating to water and wastewater servicing) has been agreed as a result of expert conferencing¹.

Submitter Summary Statements

1.10 Summary Statements have been filed on behalf of two submitters as follows:

- Jill Bond on behalf of the Fairway Oaks Drive Residents' Partnership (S1)
- Nathan Keenan on behalf of NZTA (S2)

1.11 I confirm that I have read these summary statements. I consider the matters raised in these summary statements have largely been addressed through the conferencing of experts (as recorded in the relevant JWS) or through this Addendum report.

¹ Refer to the Joint Witness Statement – planning – site-specific provisions:
<https://www.kapiticoast.govt.nz/media/nbjj4kht/joint-witness-statement-planning-site-specific-provisions.pdf>

2.0 Supplementary Evaluation and Recommendations

Recommended setbacks and the MDRS

2.1 At paragraphs 14 and 15 of Direction 4, the Panel has identified that some of the site-specific provisions I recommended in my section 42A report may constrain the MDRS. I note the 'height variations' that are included relating to the landscaped setback from the boundary with 4, 6, 8, and 10 Fairway Oaks Drive do not amend the MDRS height standards. Rather, the reference to building height was solely to determine the width of the required boundary setback rather than to impose a separate building height control. Where the building is proposed to be 8m or less in height, the 5m setback is required, and where the building is more than 8m in height, the 10m setback is required. In other words, the extent of the planted setback is dependent on the proposed building height.

2.2 Rule GRZ-R33 of the ODP applies the MDRS setbacks as follows:

Yard	Minimum depth
Front	1.5 metres
Side	1 metre
Rear	1 metre (excluded on corner sites)

2.3 The side and rear yard setbacks apply to the PC5 site boundary with 4, 6, 8, and 10 Fairway Oaks Drive. Therefore, the development setback I recommended in my section 42A report would have the effect of replacing the MDRS side and rear yard standards with more restrictive setback requirements along this section of the northwestern boundary.

2.4 The statutory framework for the MDRS is as follows:

- **Schedule 3A** of the RMA sets out the objectives and policies and the MDRS
- **Section 77G** requires territorial authorities to incorporate the MDRS into the relevant residential zone (in this case the General Residential Zone)
- **Section 77H** allows territorial authorities to modify the MDRS to enable greater development
- **Section 77I** allows territorial authorities to modify relevant building height or density requirements to be less enabling of development only to the extent necessary to accommodate 1 or more of the following qualifying matters:
 - **Clause 77I(a)** a matter of national importance that decision makers are required to recognise and provide for under section 6 (clause 77I(a))
 - **Clause 77I(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

- **Clause 77I(c)** a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River
- **Clause 77I(d)** a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008
- **Clause 77I(e)** a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure
- **Clause 77I(f)** open space provided for public use, but only in relation to land that is open space
- **Clause 77I(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
- **Clause 77I(h)** a matter necessary to implement, or to ensure consistency with, iwi participation legislation
- **Clause 77I(i)** the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand
- **Clause 77I(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 is satisfied.
- **Section 77L** directs that ‘any other matter’ identified in section 77I(j) is not considered a qualifying matter, unless a section 32 report 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.

2.5 The Council amended the ODP to incorporate the MDRS through Plan Change 2, which was made operative in September 2023. Policy GRZ-P21 is directly from the MDRS and was required to be included in the ODP, along with other objectives, policies, and the MDRS under s77G(5) of the RMA. Policy GRZ-P21 reads as follows:

GRZ-P21 Medium Density Residential Standards – Policy 2

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

- 2.6 Policy GRZ-P21 is therefore a plan-making policy that requires implementation of the MDRS within relevant residential zones, unless a qualifying matter applies.
- 2.7 I recommended the development setbacks from the northwestern boundary in response to the evidence of Mr Button, as outlined at paragraphs 12.49 to 12.53 of my section 42A report. In summary, the landscaped setbacks were intended to address the visual amenity effects identified by Mr Button for the properties at 4, 6, 8 and 10 Fairway Oaks Drive. Mr Button considered those properties would experience greater visual effects than other viewpoints due to the scale of development that could occur on the site under the MDRS and the departure that form of development represents from the visual amenity values anticipated under the current General Rural zoning. The landscaped setbacks were recommended, together with native planting, as a means of filtering views of future development and reducing the visual effects experienced by those adjoining properties. While my Section 42A Report considered the landscape and visual amenity rationale for the setbacks, it did not expressly assess whether those setbacks were justified under the qualifying matter provisions in section 77I and 77L of the RMA. Having now undertaken that assessment, I have reconsidered my recommendation.
- 2.8 Clauses (a) to (i) of s77I do not apply in relation to the development setbacks I originally recommended. Clause (j) of s77I provides for the identification of any other matter that is not listed in that section, but requires a closer evaluation under s77L. Reflecting on the matters in section 77L, I do not consider that the visual amenity effects identified by Mr Button meet the criteria under s77L to be an 'other' qualifying matter under section 77I(j). While Mr Button identified visual amenity effects associated within the scale of MDRS-enabled development and the change from the amenity currently experienced by the adjoining Fairway Oaks Drive properties, those effects do not arise from a site-specific characteristic that makes MDRS-enabled development inappropriate in this location. Rather, they relate to the change in amenity that may result from rezoning and redevelopment of the site for residential purposes. Accordingly, I do not consider there is a qualifying matter that would justify modifying the MDRS setbacks in this location. Therefore, I consider that the requirement for development setbacks as proposed in my Section 42A report should be removed.
- 2.9 I note that flood hazard overlays apply under the ODP to parts of the northwestern extent of the site (the location where these setbacks would apply) and may independently constrain development in some locations. However, those overlays relate to a separate qualifying matter and do not provide a basis for imposing the landscaped setback recommended to address visual amenity effects.
- 2.10 Notwithstanding my revised recommendation in relation to the development setbacks on the northwestern boundary, I consider the visual amenity effects identified by Mr Button remain relevant to the consideration of PPC5. In particular, there is likely to be a noticeable change in the visual environment experienced by the adjoining Fairway Oaks Drive properties as a result of residential development occurring at the scale provided for under the GRZ. While those effects do not justify reducing MDRS-enabled development capacity through a qualifying matter, I consider they should be

recognised through the site-specific policy framework recommended for the site. I address this matter further in paragraphs 2.33 to 2.36.

- 2.11 The Panel has also asked the same question in relation to the 10m planted setback I have recommended around the full perimeter of ecological site K068, being the wetland and pond that are subject to a QEII covenant.
- 2.12 While the planted setback I have recommended constrains MDRS-enabled development, I consider a qualifying matter exists in this location under clause 77I(a) for the following reasons:
- Section 6(a) of the RMA requires the preservation of (among other things) wetlands and the protection of them from inappropriate subdivision, use, and development. There is an identified natural inland wetland on the site which is protected via a QEII covenant and the district plan as an ecological site.
 - Section 6(c) of the RMA requires the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. The wetland and pond are an identified ecological site within the District Plan (site K068) and also have protection under a QEII covenant.
- 2.13 I also note the National Environmental Standards for Freshwater (NES-F) restricts development and earthworks within a 10m setback from natural inland wetlands, with a Restricted Discretionary Activity consent required for such works from the regional council. While this does not prevent development and earthworks from occurring within the setback, it reinforces the ecological sensitivity of the wetland margin, the values of the wetland, and the need to carefully manage activities within this area.
- 2.14 In his primary evidence, Mr Pickett identified ecological features within 10m of the wetland boundary, including wetland vegetation, which, while potentially only periodically present, nonetheless represent ecological values. In my view, this evidence supports the appropriateness of a 10m planted buffer as a means of protecting ecological values associated with the wetland and its margin.
- 2.15 Accordingly, I consider the recommended 10m planted buffer around the wetland is justified through the qualifying matter provided for in section 77I(a), and that constraining MDRS-enabled development in this location is appropriate in order to recognise and provide for the ecological values associated with the wetland and ecological site K068.

The need for a structure plan map

- 2.16 In my section 42A report, I recommended the inclusion of a structure plan map to support the rezoning of the plan change site and I recommended the following features and constraints to be shown on the map:
- A 10m planting buffer around the QEII protected wetland and pond
 - The area on the northwestern boundary where a development setback with native shrub and tree planting will be required.
 - The location of the Pōhutukawa trees on the Te Moana Road boundary that are proposed to be retained.
 - The indicative road layout, as shown in the concept plan submitted as part of the Application.

- 2.17 At paragraphs 108 to 115 of her Evidence in Chief, Ms Jones disagrees that a structure plan is required for this site, preferring the concept plan approach included within the plan change application. Ms Jones considers a structure plan is appropriate for larger landholdings typically under multiple ownership, neither of which apply in this case.
- 2.18 In my opinion, the inclusion of a structure plan for this site is appropriate to provide for an integrated approach to future development of the site. While structure plans are particularly useful for larger development sites and where there are separate parcels under different ownership, they remain useful for smaller sites where there are features or values that require consideration as part of the overall development design. I also note that while the PC5 site has a single owner at present, the site is comprised of two land parcels with separate titles – it is therefore conceivable that following any rezoning, one or both lots could be on sold under separate ownership. The value of a structure plan in this scenario is that future development of the PC5 site is considered in an integrated way in its entirety, regardless of any future changes in ownership.
- 2.19 A structure plan also provides certainty for adjoining landowners, the Council, and future developers of the site and surrounding area features that need to be given careful consideration through the detailed design phase. The structure plan, with the associated rule framework, provides guidance as to the intended layout and pattern of future development by virtue of showing the indicative road layout and identification of specific amenity and ecological features of the site that should be retained or established.
- 2.20 I acknowledge there may be a concern that the structure plan approach ‘locks in’ certain outcomes for the site. In my opinion, there remains considerable flexibility in relation to matters such as subdivision lot layout, the form and scale of residential dwellings, and the location of infrastructure. The features shown on the structure plan are matters that have been raised through this plan change process by the relevant Council experts as being important for the management of the environmental effects of development of the site. Should detailed design work identify the need for a departure from the structure plan, I consider it appropriate that such departures are assessed through the resource consent process, where the opportunities and implications of the proposed change can be evaluated.
- 2.21 As noted in the Joint Witness Statement (planning) in relation to the site-specific provisions², and in particular the retention of the eight Pōhutukawa trees along the Te Moana Road frontage, Ms Jones considers assurance could be provided of their retention via something in writing from the property owner. In my view, this approach does not provide an enduring or reliable mechanism to ensure the retention of these trees which have been identified as an important part of the amenity of the site by Mr Button and also within the Applicant’s Landscape and Visual Amenity report included with the plan change application, which states the following³:

The retention of the Pohutukawa trees, and mature vegetation on site recognises and retains some of the amenity values already identified in the area and is considered consistent with Objective 11 [of the District Plan].

² <https://www.kapiticoast.govt.nz/media/nbj4kht/joint-witness-statement-planning-site-specific-provisions.pdf>

³ [Revised LVA 25-03-04](#), page 17

- 2.22 On this basis, my opinion remains unchanged that a structure plan for this site is both necessary and of value. To assist the Panel, I have prepared a structure plan map based on the concept plan provided in the application document. The structure plan identifies the 10m planted setback from the wetland, the need for landscape treatment along the northwestern boundary, the location of the eight Pōhutukawa trees to be retained along the Te Moana Road frontage, and the indicative road layout. In my view, these are key features that warrant recognition through the planning framework in order to support integrated development of the site. I have included this recommended structure plan map as Appendix 1 to this report.
- 2.23 I note the wetland and pond is shown differently on the concept plan provided by the Requestor. This is because the concept plan shows this area as being zoned 'open space'. I have clarified with Ms Jones that that is an error on the concept plan map – the wetland and pond will retain its status as an ecological site under the ODP along with the QEII covenant. It is understood that the underlying zoning being sought for the wetland and pond area is General Residential Zone not Open Space Zone.

Development Area Approach

- 2.24 At paragraph 16 of Direction 4, the Panel has invited comment from Ms Jones and I regarding a Development Area approach, as a reasonably practicable alternative. The Panel notes this is provided for in the National Planning Standards⁴ and is the approach that was taken in Plan Change 4 (now operative and included as the Ratanui Development Area in the ODP).
- 2.25 I consider that the Development Area approach is appropriate for PPC5. In my view, the site contains a number of features and development outcomes that warrant an integrated planning framework to guide future subdivision and development, including the wetland and pond, the retention of the Pōhutukawa trees along the Te Moana Road frontage, and the structure plan I have recommended. From a District Plan structure perspective, a Development Area framework also provides a clear and logical means of incorporating the site-specific provisions and structure plan into a single chapter, while clearly signalling to plan users that provisions of other chapters may also apply.
- 2.26 Accordingly, I have prepared a Development Area chapter that includes all of the site-specific provisions I recommend, and the structure plan map I recommend for inclusion in the ODP. The Structure Plan is attached as Appendix 1 and the site-specific provisions are attached as Appendix 2 to this report. The proposed chapter contains the provisions I originally recommended, with updated references as follows:
- Policy GRZ-P29 is now Policy DEV4-P1
 - Rule GRZ-R42 is Rule DEV4-R1
 - Rule GRZ-R43 is DEV4-R2
 - The site-specific references in SUB-RES-R33 are now included as DEV4-R3

⁴ 12. District Spatial Layers Standard defines the function of a 'development area' as "a development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change."

- Rule GRZ-R44 is DEV4-R4
- 2.27 I have also included a default Discretionary rule, Rule DEV4-R5 for subdivision that does not comply with Controlled activity rule DEV4-R3. This aligns with the approach adopted in the subdivision chapter and provides a clear consenting pathway where the controlled activity standards are not met.
- 2.28 These changes are primarily structural and administrative in nature. They do not change the planning outcomes or activity status recommended in my Section 42A Report. Rather, they provide a clearer and more integrated framework for managing future subdivision and development of the site.
- 2.29 I note consequential changes may be required to other parts of the ODP where Development Areas are referenced, should the Panel agree that a Development Area approach is appropriate.

Amendments to site-specific provisions

- 2.30 Following my review of the Applicant's evidence, the outcomes of expert conferencing, and questions from the Panel through Direction 4, I have reviewed the site-specific provisions I recommended in my section 42A report. In summary, I recommended:
- The inclusion of a structure plan which is referenced in the above rules (as discussed earlier in this report)
 - New Policy GRZ-P29
 - New Permitted Activity Rules GRZ-R42 and GRZ-R43
 - New Restricted Discretionary Rule GRZ-R44
 - Amendments to Rule SUB-RES-R33
- 2.31 As set out above at paragraphs 2.16 to 2.22, I still recommend the inclusion of a structure plan in the District Plan for the plan change site. I also consider that site-specific provisions relating to a relatively narrow set of matters are necessary, although some amendments to those provisions are required.
- 2.32 Given the outcomes of expert conferencing with Ms Jones and Mr Keenan, I make no further comment on clauses 3-6 of the site-specific policy, DEV4-P1.
- 2.33 The remaining clauses where agreement was not reached between Ms Jones and I are clauses 1 and 2 relating to the landscape development setbacks along the northwestern boundary with 4, 6, 8, and 10 Fairway Oaks Drive, and around ecological site K068, being the wetland and pond.
- 2.34 As discussed at paragraphs 2.5 to 2.10, I no longer recommend the inclusion of specific setbacks along the northwestern boundary with 4, 6, 8 and 10 Fairway Oaks Drive, due to the absence of a qualifying matter under section 77I of the RMA, but I remain of the view that some direction is still required to provide for consideration of the visual amenity effects arising from the change in outlook and visual environment experienced by those adjoining properties identified by Mr Button in his primary evidence, and reiterated in his statement of rebuttal evidence. While Rule GRZ-R33 applies the MDRS landscape standard, I consider this is intended to provide amenity for occupants of the development site. It does not sufficiently address the visual amenity effects of a change in outlook for the identified adjoining properties. In

particular, I note that GRZ-R33(10) provides for the 20% landscaped area to be 'located on any part of the development site' – it is not required to be located on boundaries or even associated with a specific dwelling.

- 2.35 Taking into account the MDRS, the absence of a qualifying matter, and the evidence of Mr Button, I consider an appropriate alternative approach is to amend clause 1 of DEV4-P1 to remove reference to development setbacks and instead include direction to ensure that development along the northwestern boundary occurs in a way that manages landscape and visual effects, including provision of landscape treatment where appropriate. I recommend the following replacement clause:
- ~~1. Minimise adverse visual amenity effects on neighbouring properties on Fairway Oaks Drive through provision of a planted development setback commensurate with the height and scale of built development on that boundary~~
1. Ensure development occurs in a way that manages landscape and visual effects for properties at the northwestern boundary with Fairway Oaks Drive, in the location shown on DEV4-Figure 1: 100 & 110 Te Moana Road Development Area Structure Plan, including the provision of landscape treatment along this boundary, where appropriate
- 2.36 A consequential amendment is required to Rule DEV4-R2, to delete the references to setbacks from the boundary with 4, 6, 8, and 10 Fairway Oaks Drive.
- 2.37 I also recommend amendments to DEV4-R3 matters of control and DEV4-R4 matters of discretion to include reference to Policy DEV4-P1. This approach will provide specific consideration of the visual effects for these properties at the detailed design stage, through the subdivision consent process and land use consent where 4 or more residential units are proposed and assessed under Rule GRZ-R44. I consider it is appropriate to require consideration of this at the subdivision stage as well as at the land use consent stage, in the event that subdivision occurs first. By not including this matter of control at the subdivision stage, the PC5 site could be subdivided and subsequently developed, with each resulting allotment developed as a permitted activity (3 or less units) without any specific consideration of the visual amenity effects on adjoining Fairway Oaks Drive.

Section 32AA Assessment

- 2.38 As noted by the Panel in Direction 4, my section 42A report did not include a section 32AA evaluation of the site-specific provisions I have recommended. Having reviewed the evidence filed by the Requestor, the outcomes of expert conferencing, and the recommendations set out in this addendum report, the following paragraphs set out my assessment under section 32AA of the RMA of the site-specific provisions I am recommending (shown in Appendix 2 of this report).

Reasonably Practicable Options

- 2.39 I consider there are three reasonably practicable options, as follows:
- **Option 1:** The Plan Change as proposed which relies on the existing ODP provisions and does not include a structure plan map or additional site-specific provisions
 - **Option 2:** Site-specific provisions (being a policy and associated rules) in addition to the existing ODP provisions, with no structure plan included

- **Option 3:** Site-specific provisions (being a policy and associated rules) in addition to the existing ODP provisions supported by a structure plan

2.40 For the purposes of this assessment, I have not specifically assessed the location of the site-specific provisions within the ODP – that is whether they are located within a Development Area chapter or integrated into the relevant sections of the ODP. The reason for this is that I consider this to be a structural matter, rather than a material influence on the matters requiring assessment under section 32AA. Notwithstanding this, paragraph 2.25 sets out my views on the Development Area approach which I am recommending.

Evaluation of options

- 2.41 **Table 1** below sets out my evaluation of the options, including their relative efficiency and effectiveness, and costs and benefits.
- 2.42 For all options, I am satisfied there is sufficient information available to assess the benefits, costs, efficiency and effectiveness of each option, including the ODP provisions, evidence provided by the Requestor, the evidence of Council’s experts, and the outcomes of expert conferencing.
- 2.43 Overall, I consider Option 3 is the most appropriate option. It provides an integrated framework for future subdivision and development that recognises the key ecological, landscape and amenity features of the site, while retaining a high degree of flexibility regarding the layout, scale, and density of residential development. In my view, the structure plan provides greater certainty regarding the intended development outcomes than Option 2, while avoiding the prescriptive outcomes that could arise from more detailed site-specific controls.

Table 1 Section 32AA Evaluation of Recommended Provisions

Reasonably Practicable options	Efficiency and effectiveness	Benefits and costs
Option 1: The Plan Change as proposed – no site-specific provisions or structure plan	<u>Efficiency</u> This option is efficient because future subdivision and development would be assessed under the existing GRZ, subdivision and district wide provisions, which are already operative and provide a well-established framework for assessing development proposals. A high level of flexibility is also retained for the form and layout of future development as there is no structure plan. This provides for a wide range of outcomes for the site in terms of the location of future internal roads and the location of development in relation to site-specific features, such as ecological site K068. At the same time, this approach also has less certainty regarding how the key identified site features may be incorporated into future development. <u>Effectiveness</u> This option is not considered the most effective because it relies primarily on the future resource consent process to identify and address effects on site-specific features and values of the plan change site, rather than establishing an integrated framework through the District Plan. While existing transport provisions will apply to future development of the site to manage effects on the transport network, this option does not provide a mechanism to specifically recognise the site-related considerations identified through the plan change	<u>Benefits</u> <i>Environmental</i> The existing ODP provisions provide a baseline from which environmental effects can be managed including minimum landscaping requirements under the MDRS to provide on-site amenity, ongoing protection of ecological site K068, and the safety and efficiency of the transport network. <i>Economic</i> This option enables the provision of new housing on the site with flexibility retained for matters such as the density, form and layout of future development. Certainty is provided about the development potential of the site and the matters that must be addressed in the detailed design stage. <i>Social</i> This option supports the provision of housing in Waikanae at a range of scales and variety, including standalone dwellings and townhouse development. <i>Cultural</i> No additional cultural benefits have been identified over and above those contained within the Requestor's section 32 evaluation report. <u>Costs</u> <i>Environmental</i> While the existing ODP provisions provide a baseline level of management of environmental effects of future

	process (i.e. they do not sufficiently address the relationship of development on this site with effects on the Te Moana Road/Kāpiti Expressway interchange and any mitigation measures that may need to be considered at the detailed design stage to address those effects). There is a risk that these matters are not sufficiently considered through the detailed design stage where subdivision layout and the location of buildings are determined.	development on this site, they do not specifically recognise site-specific features and values of the site that there were identified through the plan change process, including managing the change in visual amenity for adjoining properties and ecological values associated with ecological site K068 that extend beyond the wetland. The absence of site-specific provisions and a structure plan does not provide for an integrated approach to managing the effects on these features and values, nor does it provide certainty for the Council or adjoining landowners about how those values and features will be managed through future development. <i>Economic</i> The economic costs of this option are limited to the costs of undertaking the plan change to rezone the site, and the need to obtain subdivision consent, and resource consents for future development where 4 or more dwellings are proposed on a site and where development is to be located within natural hazard overlays. <i>Social</i> No social costs have been identified with this option. <i>Cultural</i> No cultural costs have been identified with this option.
Option 2: • Existing ODP provisions • Site-specific provisions (policy and associated rules)	<u>Efficiency</u> This option is reasonably efficient because it supplements the existing ODP provisions with site-specific policy and rule direction to address identified features and values of the site, while retaining flexibility for future subdivision and development. It provides greater direction than Option 1 regarding the matters	<u>Benefits</u> <i>Environmental</i> The inclusion of site-specific provisions will have the benefit of recognising the environmental values and features of the site that have been shown to be an important consideration at the resource consent stage, being visual and landscape

• No structure plan.	that require consideration through the detailed design and resource consent stages. However, this option is less efficient than Option 3 (with a structure plan map) because the site-specific provisions rely on descriptions of features and locations that are not spatially identified through a structure plan. In particular, the provisions relating to the northwestern interface with Fairway Oaks Drive, the retention of the Pōhutukawa trees along the Te Moana Road frontage, and the planted buffer associated with ecological site K068 are not supported by a plan-based framework that identifies their location and relationship to future development. As a result, this option may create greater uncertainty for plan users when interpreting how and where the site-specific provisions are intended to apply. The absence of a structure plan also reduces the ability of the District Plan to communicate an integrated development outcome for the site, particularly if ownership or subdivision patterns change over time. <u>Effectiveness</u> This option is effective in that it provides site-specific policy and rule direction. However, it is less effective than Option 3 because it does not spatially identify the key ecological, landscape and development features of the site. As a result, it provides less certainty regarding how those features are to be recognised and incorporated into future subdivision and development.	effects experienced by adjoining Fairway Oaks Drive properties along the northwestern boundary, the Pōhutukawa trees on the Te Moana Road frontage, and the ecological values associated with the wetland margins and surrounding area. Existing and site-specific provisions will also assist in ensuring specific consideration is given to the transport effects associated with future development of the site through the resource consent process in relation to the Te Moana Road/Kāpiti Expressway Interchange and the integration of active transport modes with the existing facilities on Te Moana Road. <i>Economic</i> This option enables the provision of new housing on the site with flexibility retained for matters such as the density, form and layout of future development. Certainty is provided about the development potential of the site and the matters that must be addressed in the detailed design stage. <i>Social</i> The social benefits of this option are the same as for Option 1. <i>Cultural</i> No additional cultural benefits have been identified over and above those contained within the Requestor's section 32 evaluation report. <u>Costs</u> <i>Environmental</i>
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		In the absence of a structure plan map, there is less certainty regarding the key site features will be incorporated into future subdivision and development. As a result, development may not be undertaken in an integrated way, considering site-specific environmental values and the form and layout of future development holistically. <i>Economic</i> In addition to the economic costs identified for Option 1, there may be costs associated with providing the 10m planted buffer around ecological site K068 and implementing landscape or design responses to address the policy direction to manage visual and landscape effects at the northwestern boundary. However, these costs are considered to be low when considered in the context of the site as a whole. <i>Social</i> No social costs have been identified for this option. <i>Cultural</i> No cultural costs have been identified for this option.
Option 3: • Existing ODP provisions • Site-specific provisions (policy and associated rules) • Inclusion of a structure plan map referenced in the site-	<u>Efficiency</u> The recommended site-specific provisions, together with the associated structure plan, are considered the most efficient method of achieving the objectives of the proposal. This option enables residential development of the site while providing a clear framework for recognising and managing site-specific features and values. The structure plan spatially identifies key features that are to be recognised through future subdivision and development, including the wetland and pond, the 10m	<u>Benefits</u> <i>Environmental</i> The environmental benefits are the same as those identified for Option 2, with the additional benefit of combining the site-specific provisions with a structure plan map which spatially identifies the key features and values of the site. This enables the environmental effects to be considered in an integrated way at the detailed design stage, while retaining considerable flexibility in the scale and design of future development on the site. The structure plan also provides greater certainty regarding recognition and

specific provisions	planted buffer, the Pōhutukawa trees along the Te Moana Road frontage, and the indicative development pattern of the site. This provides greater certainty for plan users, adjoining landowners, future developers, and the Council about the outcomes sought for the site while retaining flexibility regarding subdivision layout, building design, infrastructure, and development density. The structure plan also provides an integrated framework that will continue to apply irrespective of any future subdivision of the site or changes in ownership. <u>Effectiveness</u> This option is considered the most effective in achieving the objectives of the proposal. It combines site-specific policy and rule direction with a structure plan that spatially identifies key ecological, landscape, amenity, and development features of the site. This provides for an integrated approach to future subdivision and development while ensuring those features and values are recognised and managed through the resource consent process.	management of site-specific features over time, including in circumstances where ownership of the site changes. <i>Economic</i> As for option 2, this option enables the provision of new housing on the site with retaining flexibility for matters such as the density, form and layout of future development. The structure plan and associated provisions provide additional certainty regarding the matters that must be addressed in the detailed design and resource consent processes, reducing the potential uncertainty and dispute at later stages of development. <i>Social</i> The social benefits of this option are the same as for Option 1. <i>Cultural</i> No additional cultural benefits have been identified over and above those contained within the Requestor's section 32 evaluation report. <u>Costs</u> <i>Environmental</i> Environmental costs are expected to be low. The structure plan and associated provisions may reduce flexibility in the way future development is configured compared with Option 1, as certain site features and values are identified for recognition and management through future subdivision and development. However, the structure plan remains indicative in nature and does not prescribe subdivision design, building locations, infrastructure layouts, or development density. Accordingly, any reduction in flexibility is considered minor and proportionate to the environmental benefits achieved.
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		<i>Economic</i> In addition to the economic costs identified under Options 1 and 2, there may be additional costs associated with demonstrating compliance with the site-specific provisions and structure plan through future resource consent applications. There may also be costs associated with providing and maintaining the 10m planted buffer around ecological site K068 and implementing landscape or design responses to address visual and landscape effects along the northwestern interface of the site. However, these costs are considered to be low in the context of the overall development potential of the site and are not expected to materially constrain the residential development anticipated by the General Residential Zone. <i>Social</i> No social costs have been identified for this option. <i>Cultural</i> No cultural costs have been identified for this option.
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3.0 Overall Conclusions and Recommendations

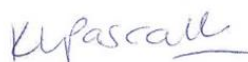
Conclusion

- 3.1 Private Plan Change 5 seeks to rezone 100 and 110 Te Moana Road, Waikanae from General Rural to General Residential. As originally proposed, the plan change did not seek any amendments to the District Plan objectives, policies, rules or other methods.
- 3.2 Following receipt of the Requestor's evidence and the outcomes of expert conferencing, many of the outstanding matters identified in my section 42A report and the evidence of Council's experts have been resolved. This includes matters relating to flooding and stormwater management, which at the time of preparing my section 42A report were not sufficiently resolved to enable me to recommend rezoning Lot 1.
- 3.3 I remain of the opinion that site-specific provisions accompanied by a structure plan map should be included in the district plan to provide an integrated framework for future residential development of the site. In particular, the structure plan and associated provisions recognise and manage the environmental effects of that development on the transport network, ecological values of the site, and landscape and visual amenity values.
- 3.4 Based on the evidence now available and the agreement reached between experts, I recommend approving PPC5 subject to the site-specific provisions and structure plan map appended to this report, including the amendments identified in this addendum report.

Recommendations

- 3.5 That on the basis of the evidence and information available, the Commissioners make the following recommendations to Council:
 - (a) That pursuant to Clause 29(4) of Schedule 1 of the Resource Management Act 1991, Council:
 - i. approves Private Plan Change 5 for the reasons set out in this report and subject to the amendments recommended in this report; and
 - (b) Accepts, rejects, accepts in part or rejects in part submissions and further submission in accordance with the above recommendation.

Report prepared by:



Kate Pascall
Planning Consultant
17 September 2026

Appendix 1: Recommended structure plan

Appendix 2: Recommended Development Area Chapter with marked up changes to provisions

Appendix 3: Updated Officer Recommendations on submissions