

PPC5 – Applicant Expert Advice: Issues KCDC Must Reconsider

Fairway Oaks Drive Residents’ Partnership | Comparison with the s42A report and the Operative Kāpiti Coast District Plan 2021

Purpose. This table does not suggest that the applicant’s experts oppose PPC5. It identifies the qualifications, dependencies and adverse effects contained in their evidence, and the matters KCDC should test against its initial s42A conclusions and the operative District Plan before deciding whether, and on what terms, rezoning is appropriate. Because the September flood and engineering evidence relies on the earlier RFI understanding of residual flood behaviour, the table also includes Awa Environmental’s flood assessment as critical contextual evidence. That Awa entry is RFI evidence, not one of the expert statements dated 2–3 September 2026.

Key lens for the Panel: there are now two sequential tests. First, has the wider Waikanae River breach/overflow, post-Expressway flow-path, groundwater, stormwater and future-climate risk been shown, on comprehensive and independently reviewed evidence, to be acceptably low and durable for residential zoning? Second, if technical feasibility is accepted, does the Plan Change itself secure the mitigation and outcomes on which that feasibility depends?

Flood context note. Awa Environmental’s RFI flood assessment considers three Waikanae River stop-bank breach scenarios. In the Chillingworth scenario, floodwater moves toward the Expressway, passes under it and enters the site; modelled peak depths within the site are approximately 10–600 mm. Awa also concludes that the Expressway altered the location of the residual overflow path, moving it north. The significance is that the low-lying land forms part of a wider floodplain system, not merely a local ponding area.

Applicant expert / discipline	What the expert advice establishes or qualifies	Issue the advice highlights for KCDC	Implication for KCDC’s initial s42A report	Operative District Plan requirements engaged	What KCDC / the Hearing Panel should seriously consider
Awa Environmental / Tony Trueman <i>RFI Flood Assessment & Stormwater</i>	- Models the site under post-Expressway conditions. - Considers three Waikanae River stop-bank breach scenarios. - In the Chillingworth breach scenario, floodwater moves toward the Expressway, passes under it and enters the site, with modelled peak depths of approximately 10–600 mm. - Concludes the Expressway altered the residual overflow path, moving it north. - Identifies possible engineering responses but does not provide a comprehensive, independently verified residential flood-risk solution.	The low-lying land forms part of a wider Waikanae River floodplain and residual-overflow system, not simply a local ponding area. Flood suitability must therefore be tested across interacting river overflow, conveyance, groundwater and stormwater mechanisms, with future climate conditions taken into account.	Strengthens the factual basis of the s42A concern about Lot 1 and explains why the Panel should not treat a conceptual development solution as equivalent to a completed natural-hazard assessment. The wider flood-risk threshold remains live before the initial rural recommendation is overturned.	DO-O5 Natural Hazards; NH flood provisions requiring risk avoidance/mitigation and protection of flood-path function; DO-O20 resilient urban environments; UFD-P14 qualifying matters; districtwide subdivision provisions requiring safe building areas and avoidance of increased hazard risk.	VERY HIGH — Has the Panel received a comprehensive, independently peer-reviewed assessment showing that Waikanae River breach/overflow risk, the post-Expressway flow path, local ponding, groundwater, stormwater and future climate conditions can be safely and durably managed? If not, is it appropriate to create GRZ/MDRS rights over the low-lying land now?
Craig Martell <i>Stormwater & Flooding</i>	- Models the applicant’s new Lot 1 earthworks concept. - Concludes raised platforms, retained residual flow paths and compensatory storage can make Lot 1 workable. - Assesses Lot 1 as medium-low rather than very high hazard risk. - Still accepts variable groundwater and the need for further piezometer/infiltration and detailed design work.	The evidence supports a particular engineered landform; it does not establish that any GRZ/MDRS layout would preserve flood conveyance, hydraulic neutrality and off-site safety. Read with Awa’s RFI evidence, it also does not by itself establish that the wider Waikanae River breach/overflow and future-climate risk is acceptable. Groundwater remains a material design input.	KCDC must revisit the earlier conclusion that Lot 1 feasibility had not been demonstrated. However, the s42A concern about flood conveyance, groundwater, hydraulic neutrality, wider river-overflow risk and off-site effects remains relevant unless those matters are comprehensively resolved and the necessary outcomes are secured.	DO-O5 Natural Hazards; NH flood provisions requiring risk avoidance/mitigation, protection of flood-path function and hydraulic neutrality; NH-FLOOD-R3/R4 and restricted-discretionary controls for earthworks/fill in mapped flood areas; INF-MENU-P17/P18 stormwater neutrality/capacity; UFD-P14 qualifying matters.	HIGH PRIORITY — Is the modelled concept sufficiently representative of the development rights being created, and has it been tested within the wider Waikanae River breach/overflow system and future-climate context? If the Panel relies on Martell’s conclusion, should the flood-conveyance corridor, compensatory storage, hydraulic neutrality and groundwater outcomes be mandatory PPC5 provisions rather than later design choices?
Nick Taylor <i>Earthworks / Flood Servicing</i>	- Provides a conceptual landform involving substantial cut/fill and elevated Lot 1 development platforms. - Accepts residual flood conveyance must not be obstructed and displaced flood storage must be replaced. - Relies on engineered earthworks and later detailed design to achieve these outcomes.	The scale of earthworks is not incidental; it is fundamental to the development proposition. The proposed zoning therefore depends on a specific landform and flood-management logic. Read with Awa, that landform also needs to preserve the post-Expressway residual overflow function and perform safely within a wider river-breach scenario.	The new concept materially answers the s42A request for more evidence on feasibility, but it also validates why the officer treated these matters as plan-change-stage issues rather than ordinary building details.	DO-O5; NH-FLOOD-R4/R10-R12; Districtwide subdivision natural-hazard controls including maintenance of overflow paths and flood-free building areas; hydraulic-neutrality standards; earthworks provisions; DO-O20 resilient urban environments.	HIGH PRIORITY — Does PPC5 legally protect the land needed for the post-Expressway conveyance/storage system and prevent a later subdivision from trading away the assumptions that made Taylor’s concept work? Has the combined flood solution been independently verified for river breach/overflow, groundwater, stormwater, climate sensitivity and off-site effects?
Nick Taylor <i>Water & Wastewater / Infrastructure</i>	- Accepts Council modelling that the wider Waikanae water network has no remaining capacity for additional growth without mitigation or planned upgrades. - Identifies future reservoir/trunk-main investment and interim options. - Says development must be sequenced to available capacity. - Wastewater is more manageable, but the rising main remains a constraint until duplication or other mitigation.	Servicing is feasible only with sequencing, investment and/or interim mitigation. Current network capacity is therefore a real constraint, not a hypothetical concern.	Supports the factual basis of the s42A infrastructure concern while providing a credible pathway to resolution. It does not support unconstrained development ahead of network capacity.	UFD-P1(5): development must make efficient use of existing infrastructure or integrate with planned capacity/availability; DO-O13 Infrastructure; infrastructure policies requiring adequate water/wastewater/stormwater servicing; subdivision servicing standards, with non-compliance potentially non-complying.	HIGH PRIORITY — Should a clear infrastructure-capacity trigger be retained in PPC5? How will KCDC ensure PPC5 does not consume capacity required for existing, zoned or already-consented development? Who bears the cost and timing risk if planned upgrades are delayed?
Graham Ussher <i>Ecology</i>	- Confirms the wider pasture is not all natural inland wetland. - Confirms the natural inland wetland, pond/QEII management area and highly modified stream. - Acknowledges potential effects from hydrological change, sediment, pets and human activity. - Supports a 10 m wetland setback/buffer in principle, but prefers final treatment at consent stage.	The ecological issue is now function and connectivity, not an argument that the whole site is wetland. His favourable conclusion depends on maintaining hydrology and effective separation/protection.	Narrows the original ecological objection but supports the s42A officer’s move toward a site-specific wetland buffer and stronger controls.	DO-O2 Ecology & Biodiversity; ECO-P2 cumulative effects and appropriate buffers around ecological sites/aquatic ecosystems; ECO-P3/P4 biodiversity maintenance/enhancement; ECO-R13 controls near ecological sites; UFD-P14 qualifying matters.	HIGH PRIORITY — If Ussher accepts a 10 m buffer in principle, why should the buffer not be secured at rezoning? Can consent-stage discretion reliably protect hydrological inputs and ecological function once GRZ rights have been created?
Robert Smith <i>Geotechnical</i>	- Considers residential development geotechnically feasible. - Distinguishes dune areas as broadly TC2 and low-lying areas as currently consistent with TC3. - Identifies possible need for major earthworks, ground improvement or buffers. - Requires further CPTs, piezometers and refined analysis at subdivision stage.	Geotechnical conditions do not prevent rezoning, but they reinforce that the low-lying part of the site is highly engineered and dependent on unresolved groundwater/earthworks design.	Supports the s42A view that geotechnical matters are manageable, but it also reinforces the interdependency with the flood and groundwater issues that drove concern about Lot 1.	DO-O5 risk-based natural hazard management; District Plan natural-hazard and earthworks provisions; subdivision requirements for safe building areas and avoidance of increased hazard risk; DO-O20 resilience.	MODERATE–HIGH — Is it appropriate to defer TC3 ground treatment and groundwater-dependent design until subdivision if those matters could alter the earthworks/flood concept relied on to justify rezoning?

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Luke Benner <i>Transport & Traffic Engineering</i>	- Updated modelling is more favourable and concludes 150 PPC5 dwellings can be accommodated. - Cumulative scenarios still include poor movements/levels of service at the interchange. - Supports a right-turn facility integrated with cycling infrastructure. - Pedestrian connections/crossings and further modelling remain for later stages.	Transport is not a stand-alone reason to decline PPC5, but the evidence does not support “no transport issue”. Development has identifiable mitigation and cumulative network consequences.	Requires KCDC to revisit the severity of its earlier transport conclusions using the corrected modelling, while retaining the need for transport controls and future cumulative testing.	DO-O14 Access & Transport; TR-P5 effects of development on the transport network; TR safety and active-mode policies; UFD-P1 integrated/efficient urban development; subdivision access and State Highway effects controls.	HIGH PRIORITY — Which transport works must be prerequisites rather than later aspirations? What trigger should require fresh intersection modelling as Ngārara and PPC5 development progresses? How will walking/cycling safety be secured?
Don Wignall <i>Transport Modelling</i>	- Provides the transport modelling framework/future-demand scenarios underpinning the applicant’s network case. - The outputs are necessarily dependent on development, distribution and future-growth assumptions and should be read with Benner’s engineering interpretation and recommended future testing.	The decision is sensitive to cumulative-growth assumptions. A favourable result for the currently modelled scenario does not remove the need to manage future network performance.	KCDC should reconcile its initial modelling concerns with the applicant’s revised assumptions rather than treating either modelling set as definitive in isolation.	DO-O14; TR-P5/TR safety policies; UFD-P1(5); DO-O13 where transport infrastructure investment and capacity are relevant to growth.	MODERATE–HIGH — Are the assumptions sufficiently conservative for the planning rights being enabled, and is there an enforceable mechanism to reassess/mitigate cumulative effects before network performance materially deteriorates?
Lachie Grant <i>Highly Productive Land</i>	- Provides the paddock-scale assessment that was missing when the s42A report was prepared. - Identifies physical/economic constraints and concludes the NPS-HPL clause 3.10 pathway is met.	This is a substantive answer to the earlier information gap. HPL should no longer be described as simply “unresolved”, but the statutory conclusion remains contestable for the Panel.	KCDC must reconsider the initial s42A HPL reservation in light of the new evidence, while independently testing whether the statutory tests are actually satisfied.	DO-O6 Rural Productivity; UFD-P1 growth management and urban form; NPS-HPL remains the primary national statutory test and must be read alongside the District Plan’s rural productivity/growth objectives.	MODERATE — Does the new assessment demonstrate the required long-term constraints and alternatives strongly enough to justify loss of rural/productive land? Even if NPS-HPL is met, is rezoning strategically appropriate under UFD-P1?
Ben Ormsby <i>Landscape & Visual</i>	- Accepts the site currently provides an open outlook. - Expressly accepts adverse visual effects on 4, 6, 8 and 10 Fairway Oaks Drive. - Assesses those effects as low and opposes special controls; Council expert Button assesses them as moderate and recommends 5–10 m landscaped setbacks.	The existence of an adverse interface effect is common ground; the dispute is magnitude and appropriate mitigation. Ordinary GRZ setbacks do not replicate the Council-recommended buffer.	Supports the s42A concern that the Fairway Oaks interface warrants consideration. The Panel must resolve the expert disagreement rather than assume standard GRZ controls are adequate.	DO-O11 Character & Amenity and well-managed interfaces; UFD-P3/UFD-P11 amenity; GRZ ordinarily enables comparatively small yard setbacks (approximately 1 m side/rear and 1.5 m front), making a 5–10 m site-specific setback materially different.	HIGH PRIORITY — Given acknowledged adverse effects on identified neighbours, should the Council-recommended planted setback remain? Would removal of the site-specific control expose those properties to a materially different MDRS outcome from the landscape concept assessed?
Mary O’Keeffe <i>Archaeology</i>	- Finds a reasonable probability of additional unknown archaeological sites. - Does not consider archaeology a reason to decline PPC5. - Recommends an archaeological authority before bulk earthworks and appropriate engagement/process.	Archaeology is manageable, but the extensive earthworks proposed make pre-earthworks protection and statutory process important.	Largely supports the s42A view that archaeology is not a barrier, subject to appropriate controls/process.	DO-O7 Historic Heritage and District Plan heritage objectives; earthworks provisions; Heritage New Zealand Pouhere Taonga Act archaeological authority requirements sit alongside, rather than being replaced by, District Plan controls.	MODERATE — Ensure any rezoning does not imply archaeology has been “cleared”. Bulk earthworks should not proceed ahead of the required archaeological authority and associated mana whenua processes.
Susan Jones <i>Planning</i>	- Supports whole-site GRZ rezoning and generally relies on existing District Plan/resource-consent processes for later effects management. - Opposes a binding structure plan and several site-specific controls, including the 10 m planted wetland buffer, Fairway Oaks setbacks/planting and site-specific water provision; leaves road/walking and other detail to later consent.	This is the central tension in the applicant’s case: the technical evidence relies on particular flood, ecological, earthworks, servicing and transport outcomes, while the planning evidence resists embedding several of those outcomes in PPC5. The updated flood context adds an earlier threshold issue: the low-lying land should not be rezoned unless the wider Waikanae River breach/overflow and future-climate risk is shown to be acceptably low and durable.	KCDC must not simply replace the initial “decline Lot 1” position with unrestricted GRZ because technical feasibility has improved. It must first decide whether the wider flood-risk threshold has been met, and then whether any rezoning is justified only if the mitigation relied on is secured.	UFD-P1 Growth Management; UFD-P14 qualifying matters; DO-O3 Development Management; DO-O5 hazards; DO-O11 amenity; DO-O13 infrastructure; DO-O14 transport; DO-O20 well-functioning/resilient urban environments. SUB-RES-R33 GRZ subdivision is controlled and public/limited notification is precluded, increasing the importance of plan-stage certainty.	VERY HIGH — Has the natural-hazard threshold for the low-lying land been met on comprehensive, independently peer-reviewed evidence? If it has, should the same Panel then accept a planning framework that does not bind the measures underpinning the favourable technical conclusions? The development assessed and the development enabled should materially correspond.

Cross-cutting tests the Panel should apply

Decision test	Core question
1. Natural-hazard threshold / independent verification	Before considering whether the mitigated concept is secured, has the Panel received comprehensive, independently peer-reviewed evidence that Waikanae River breach/overflow risk, the post-Expressway flow path, local ponding, groundwater, stormwater and future-climate conditions can be safely and durably managed without increasing risk elsewhere?
2. Development assessed vs development enabled	Does the GRZ/MDRS envelope permit a materially different outcome from the concept relied on by Martell, Taylor, Ussher, Smith and the transport experts?
3. Plan-stage certainty vs later consent	Because key GRZ subdivision under SUB-RES-R33 is controlled and non-notified, are the critical flood, wetland, amenity, infrastructure and transport outcomes sufficiently certain if left mainly to later consent?
4. Qualifying matters	UFD-P14 expressly enables GRZ density while accommodating identified qualifying matters. Do the mapped flood hazards, ecological site/wetland interface and Fairway Oaks amenity interface justify site-specific constraints?
5. Infrastructure sequencing	UFD-P1 and DO-O13 require efficient/integrated servicing. What enforceable trigger prevents development from proceeding before water, wastewater and transport capacity is available?
6. Risk transfer and reversibility	If later detailed investigations, climate sensitivity testing or independent review show that the concept cannot be delivered without greater flood risk, off-site effects or infrastructure demand, what mechanism prevents the planning rights from outliving the assumptions that justified them?

Planning references used: Operative Kāpiti Coast District Plan 2021 (current KCDC published version), including Urban Form and Development, Natural Hazards, Ecosystems and Indigenous Biodiversity, Infrastructure, Transport, Districtwide/Residential Subdivision, General Residential Zone, and District Objectives. Applicant evidence: statements dated 2–3 September 2026. Council comparison: PPC5 s42A report dated 24 August 2026. Flood context: Awa Environmental Flood Assessment & Stormwater Management Concept Memo provided through the RFI process and reflected in the Partnership’s updated position letter dated 9 September 2026. This is a hearing reference aid, not legal advice.