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Attn: Susan Jones, Senior Consultant

4.06.2025

Dear Susan,

**REQUEST FOR FURTHER INFORMATION (RFI): PRIVATE PLAN CHANGE
REQUEST TO REZONE 100 & 110 TE MOANA ROAD, WAIKANAЕ**

Thank you for your request for a private plan change to rezone 100/110 Te Moana Road, Waikanae.

An assessment of the private plan change request to rezone 100 & 110 Te Moana Road from General Rural Zone (Rural Dunes Precinct) to General Residential Zone, and its supporting documentation has now been completed by Council staff and its technical advisors. A number of matters have been identified that require further information to enable the Council to better understand:

- (a) 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 of the Resource Management Act 1991 (RMA);
- (b) The ways in which any adverse effects may be mitigated;
- (c) the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request;
- (d) the nature of any consultation undertaken or required to be undertaken.

Therefore, please find below a request for further information pursuant to clause 23 of Part 2 of Schedule 1 of the RMA.

The overall approach to reviewing the private plan change request 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 private plan change request would be able to be recommended for acceptance, considering the criteria set out in clause 25(4) of Schedule 1, and in particular subclauses (c) and (d).

Planning

1. Please confirm the extent of the changes requested to the District Plan via requesting a single plan change proposal and update the plan change request documentation accordingly.

Reason

The plan change request is technically two plan change requests. It is not possible to change the District Plan to achieve the preferred option to rezone the site from General Rural Zone to General Residential Zone ('the preferred option), while also changing the District Plan to achieve the less preferred 'deferred rezoning with concept plan' option.

2. Regarding the requested 'Deferred Residential Precinct', with a requested underlying General Residential Zoning, please confirm the planning mechanism that would enable the General Rural Zone provisions for subdivision, use and development to continue to apply despite the site no longer being a rural zone.

Reason

The requested new policy GRZ-Policy XXX – Deferred Residential Precinct appears to set out the requested approach for the rural zone provisions to continue to apply to Stage 2 despite the site no longer being zoned rural. As a policy, it would only apply during the consideration of a resource consent application. Policies are not rules and accordingly cannot specify what rules apply to a specific site. On this basis, it is unclear how the requested 'deferred rezoning with concept plan' option would function as intended.

3. Please update the reverse sensitivity effects assessment to include the noise setback distances specified within the encumbrances registered on the titles for the site under instruments 11513765.1 and 11702654.2.

Reason

The reverse sensitivity effects assessment in section 4.12 of the section 32 evaluation specifies how future transportation noise effects would be managed, but does not include the existing noise mitigation restrictions registered on both allotments. It appears the encumbrances contain different setbacks than those specified within the District Plan.

4. Regarding the possible alternative options considered and to ensure the section 32 evaluation has evaluated all reasonably practicable alternatives to the private plan change request, please confirm what, if any mitigation measures have been considered to address potential adverse effects on persons occupying numbers 2-10 Fairway Oaks regarding permitted activity residential development (as per the MDRS) that could occur on residential allotments adjoining the boundary of these sites.

Reason

Additional reasonably practicable alternatives need to be identified and evaluated within the section 32 evaluation to enable the consideration of any possible alternatives to the request. This information will also enable the consideration of the ways in which any adverse effects on persons occupying these sites may be mitigated. Examples of alternatives that could be explored within the section 32 evaluation include the application of a qualifying matter, and alternative zoning options and uses adjacent to these adjoining sites.

5. Regarding the proposed rezoning of the portion of the site that is identified on the New Zealand Land Resource Inventory as Land Use Capability Class 2 (LUC2), please clarify how the Government's signalled intended amendment to the NPS-HPL to remove LUC3 land would overcome the 'avoidance' direction of NPS-UD Clause 3.6, and the timing and transitional provisions of clauses 4.1(1) and 3.5(7) of the NPS-HPL. It is noted that the timing and transitional provisions of the NPS-HPL mean that, as currently worded, a change to the class of the productive capacity of the portion of the site from LUC2 to LUC3 cannot be achieved via a site-specific assessment until Greater Wellington Regional Council's future mandatory change to the Regional Policy Statement is made operative.

Reason

It is unclear how the NPS-HPL policy and timing constraint regarding the Regional Council's future Regional Policy Statement change becoming operative could be overcome within the timeframes for the processing of this private plan change

request, or by October 2025 as anticipated within the request¹. Confirmation of this matter is relevant to the evaluation of the private plan change request against the criteria set out in clause 25(4) of Schedule 1 of the RMA.

6. Please update section 6.7.7 of the section 32 evaluation setting out the planning conclusions on the content of the document Nga Korero Kaupapa o Te Taiao regarding the plan change request.

Reason

The evaluation of this document appears to be missing. Confirmation of this matter is relevant to the evaluation of the private plan change request against the criteria set out in clause 25(4) of Schedule 1 of the RMA.

7. Please advise the legal mechanism anticipated that Council would use to enable the 'lifting' of the Deferred Residential Precinct from the District Plan Maps in the future, as referred to within section 10.2.2 of the section 32 evaluation. For example, is it envisioned that this would be an additional Schedule 1 RMA plan change process or another process under the RMA?

Reason

Should the private plan change request be approved and made operative, the anticipated legal mechanism that would enable Council to change the District Plan Maps to uplift the requested Deferred Residential Precinct at a future unspecified date is unclear.

Ecology

1. Please provide evidence that the watercourse referred to in the application documentation as a 'drain' does not meet the GWRC Watercourse Types Guidance classification for a highly modified watercourse/stream.

Reason

Please see Attachment 1 to this RFI for the technical justification for this question. This information is necessary to better understand the nature of the request regarding the effect it will have on the environment, noting that the accurate identification of natural features on the site will enable Council and any potential submitters to understand what the request seeks and its potential environmental effects. It is recommended that the Applicant contacts Greater Wellington Regional Council to clarify the matter on whether the watercourse is classified as a highly modified watercourse/stream as described in the GWRC Watercourse

¹ Section 11, *Conclusion*, page 128.

Types Guidance Note.

2. Please update the Ecological Effects Assessment to correctly identify all wetland areas or otherwise respond to the evidence provided in the Council's ecological review included as Attachment 1 to this RFI.

Reason

This information is required to better understand the nature of the request regarding the effect it will have on the protected wetland. Based on the ecological review included as Attachment 1 to this RFI, it appears that the identification of the ecological site that includes the wetland may not be accurate. Council notes that in accordance with section 75(3)(c) of the RMA the plan change is required to give effect to the Regional Policy Statement, including Policy 23 - *Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values*. Confirmation of this matter is relevant to the evaluation of the private plan change request against the criteria set out in clause 25(4) of Schedule 1 of the RMA.

3. Please update the Ecological Effects Assessment to reflect the potential presence of copper skink or provide specific evidence of their absence. Please see the Council's ecological review for further information (Attachment 1).

Reason

Please see Attachment 1 to this RFI for the technical justification for this question. This information is necessary to enable Council to better understand the nature of the request regarding the effect it will/may have on indigenous fauna and habitat.

4. Please update the Ecological Effects Assessment to reflect the potential for NZ pipit and include effects mitigation for ground nesting avifauna.

Reason

Please see Attachment 1 to this RFI for the technical justification for this question. This information is necessary to enable Council to better understand the nature of the request regarding the effect it will/may have on indigenous fauna and habitat.

5. Please clarify whether the overflows via secondary overflow paths will be diverted within or away from the site.

Reason

Please see Attachment 1 to this RFI for the technical justification for this question.

This information is necessary to enable Council to better understand the nature of the request regarding the effect it will/may have on indigenous fauna and habitat.

Transport

Note: The reasons for requesting all additional transportation information set out in the following is to enable Council to better understand the effect on the environment the private plan change request may have on the environment, specifically regarding effects on the safe and efficient operation of the transportation network. Please see Attachment 2 for the full technical transportation review.

Expressway Interchange

1. The Figure 3, 4 and 5 queue lengths presented in the April 2025 transport assessment used to calibrate the Sidra model are shorter in length than those presented in Figure 3 and 4 of the November 2024 draft transport assessment. It is requested that this issue is clarified further.
2. The results of the existing AM and PM peak Sidra model are provided in attachment 1 (pages 29 and 30) but no details are provided on the calibration of the Sidra model. Please provide details of the Sidra model calibration.

Traffic generation

3. The transport assessment notes that with the trip generation from the development that would be enabled by the plan change request, traffic volumes on Te Moana Road would increase to 17,142 people being moved by private vehicles which would be in line with its classification as a major community connector road. However, this assessment does not take into account the impact of the Ngarara Development Area, which (as section 5 of the transport assessment report indicates) needs to be considered before applying the vehicle movements that could result from the requested rezoning. Section 5 of the transport assessment indicates that the Ngarara Development Area has a daily traffic generation of 9,017 vehicles (or the equivalent of 13,525 people) which would result in total people in vehicles on Te Moana Road of 28,525 before the Plan Change trip generation. This is a substantially greater number than that indicated in the transport assessment and as evidenced in the Sidra Modelling reported in section 7.2 creates operational and potentially resultant safety issues. Therefore, please update the transport assessment to take into account the impact of the Ngarara Development Area.

Trip distribution and effects

4. No details are provided of how the traffic generation in section 7.1 has been distributed - is this on the same basis as Table 2 of the November 2024 transport assessment? Further details are requested.
5. The Sidra network model presented in Attachment 1 (page 31) does not include the Te Moana Road/Te Ara Kawakahia intersection, which should be included in both the AM and PM peak Sidra to accurately model the interaction of this intersection with the interchange. Please update the Sidra model to include this intersection.
6. The Sidra network model presented in Attachment 1 (page 31) does not include the Te Moana Road/Te Ara Kawakahia intersection which should be included to accurately model the interaction of this intersection with the interchange. Please update the Sidra model to include this intersection.
7. Existing Interchange + Ngarara Farm AM Peak – KCDC and NZTA should take note and consider future actions regarding the potential problems and implications that full development of the Ngarara Development Area could have in terms of a LoS D, long queue lengths on Te Moana Road west blocking back past the Plan Change site and a cycle time of 140 seconds (which increases delays for all road users, including for pedestrians waiting to cross). It is noted from the results in Attachment 1 (page 32) these actually indicate a LoS F on the northbound off ramp right turn in the AM peak and LoS E on the northbound off ramp left turn and both of the southbound off ramp turns. The Sidra network model presented in Attachment 1 (page 31) does not include the Te Moana Road/Te Ara Kawakahia intersection, which should be included in both the AM and PM peak Sidra to accurately model the interaction of this intersection with the interchange. Therefore, please update the Sidra model is updated to include this intersection.
8. Existing Interchange + Ngarara Farm + Plan Change site AM Peak – Extensive queueing blocking back past the plan change request site access, resulting in long queues within the plan change request site. It is noted from the results in Attachment 1 (page 35) that these indicate a LoS F on the northbound off ramp right turn and plan change request site access right turn and LoS E on the Te Moana Road eastbound ahead, the northbound off ramp left turn and both of the southbound off ramp turns. This matter will need to be addressed at the resource consent stage to identify appropriate mitigation. The Sidra network model presented in Attachment 1 (page 34) does not include the Te Moana Road/Te Ara Kawakahia intersection, which should be included to accurately model the interaction of this intersection with the plan change request site access and the

interchange. It is therefore requested that the AM and PM peak Sidra model is updated to include this intersection.

Geotechnical

1. Please clarify what is being referred to as the '*proposed building*' within section 8.5 of the geotechnical report.

Reason

It is assumed this is a typographical error, but please confirm to ensure the private plan change request does not result in confusion.

2. Please clarify if the SPT based liquefaction analysis report attached in Appendix E of the CGW geotechnical report is for CPT04 which was completed in April 2025 as part of the CPT04 (DPSH) 3.2 to 8.6 m.

Reason

Confirmation of this is necessary to complete the geotechnical review and to better understand the ways in which any adverse effects may be mitigated. Please see Attachment 3 for more information.

3. In CGW's CPT based liquefaction analysis for the dune area, two of the three analyses predicted liquefaction induced settlement are greater than 100 mm. However, the CGW's report states that "*The dune area is not necessarily subject to any risks as per Section 106 of the RMA however, low bearing capacity is a geotechnical aspect that requires consideration*". Please comment on expected settlement (total and differential settlement in terms of liquefaction induced free field settlement and seismic shakedown) for the dune area.

Reason

This information is required to better understand the nature of the request regarding the effect it will have on the environment and the ways in which any adverse effects with respect to geotechnical matters may be mitigated. Please see Attachment 3 for more information.

4. It is uncertain whether the geotechnical risks associated with flooding in the low-lying area can be effectively mitigated by the proposed large-scale earthworks (built-up) as additional flood modelling is required to confirm that such works will not lead to unacceptable adverse environmental effects or increased risks from natural hazards. Please comment on any foreseeable adverse environmental effects associated with the proposed earthworks at the site and to the neighbouring properties. If there are any identified adverse environmental effects,

please provide comments on potential mitigation options.

Reason

This information is required to better understand the nature of the request regarding the effect it will have on the environment and the ways in which any adverse effects with respect to geotechnical and flooding matters may be mitigated. Please see Attachment 3 for more information.

5. Soft soil/weak ground was encountered in the April 2025 CPT investigation. Please comment on the expected bearing capacity, static and long-term settlement for the proposed future development for the low-lying area with soft soil/weak ground and high groundwater table. Please also assess the viability of the mitigation options proposed and if any adverse environmental effects are associated with the proposed mitigation options.

Reason

This information is required to better understand the nature of the request regarding the effect it will have on the environment and the ways in which any adverse effects with respect to geotechnical matters may be mitigated. Please see Attachment 3 for more information.

6. The CGW's geotechnical report did not provide comments on the likely foundation options. Please comment on the likely foundation options, possible mitigation measures that may be required for the proposed future development and the viability of those possible mitigation measures.

Reason

This information is required to better understand the nature of the request regarding the effect it will have on the environment and the ways in which any adverse effects with respect to geotechnical matters may be mitigated. Please see Attachment 3 for more information.

Flooding

1. Please provide an updated flood hazard map that identifies the flood hazard extent and flood hazard categories affecting the site following the construction of the M2PP Expressway, as described on page 2 of the Flood Stormwater Memo under the heading '*KCDC Flood Hazard Planning Maps*'.

Reason

The flood hazard extents and types affecting the site following the construction of the M2PP expressway are not shown. This information is required to enable the

Council to better understand the nature of the request regarding the effect it will have on the environment, and the ways in which any adverse effects may be mitigated.

2. To address the uncertainty arising from the legacy breach models not including the elevated M2PP expressway, please provide flood hazard mapping for the site under the Waikanae River breach scenarios 'Chillingworth Stop-Bank Breach Scenario', and 'Jim Cooke Park Stop-Bank Breach Scenario' to identify the effects of the elevated M2PP expressway on the breach scenarios.

Reason

The flood effects arising from the Chillingworth Stop Bank Breach Scenario and the Jim Cooke Park Stop-Bank Breach Scenario on the site following the construction of the M2PP expressway are not shown. This information is required to enable the Council to better understand the nature of the request in respect of the effect it will have on the environment, and the ways in which any adverse effects may be mitigated.

3. Please provide detailed soakage test information to enable the flood stormwater review to be completed. The methodology used for this test is unknown.

Reason

This information is required to enable the Council to better understand the nature of the request regarding the effects it will have on the environment, and the ways in which any adverse effects may be mitigated via onsite soakage.

4. The geotechnical report has been provided for an investigation which took place on 28 April 2025. The report estimates groundwater depth at 0.6m - 1.5m below ground level within the Stage 2 area. An elevation for seasonal high groundwater level has not been established. The suitability of devices which rely on infiltration are not yet certain. Therefore, please provide an updated geotechnical report and method for establishing seasonal high groundwater elevation.

Reason

This information is required to enable the Council to better understand the nature of the request regarding the effect it will have on the environment, and the ways in which any adverse effects may be mitigated via the use of onsite soakage and infiltration devices.

5. The SWM memo discusses the possible flood effects on the neighbouring properties to the west of Lot 1. This summarises to "All effects on neighbouring properties will need to be mitigated". It is not yet clear how this will be achieved

with raising of building platforms on a lot which has been modelled to be ~60% inundated during the 100-year event. Therefore, please provide a clear solution of how the stormwater associated risks are managed for flood plain filling and peak flow rate mitigation.

Reason

This information is required to enable the Council to better understand the nature of the request regarding the effect it will have on the environment, and the ways in which any adverse flood effects on neighbouring sites may be managed.

6. The conclusions of the flood stormwater management memo include the following:

The results from the three breach scenarios show the raising of the land for construction of the expressway has altered the location of the residual overflow path shown in the KCDC Flood Hazard Planning Maps moving it to the north, however the development site is still impacted by flooding from these scenarios.

This appears to contradict the statements earlier in the memo that state that the legacy modelling for two of the three breach scenarios do not take into account the raising of the land for the construction of the expressway. Please provide clarification.

Reason

It is understood that the breach scenarios for the Chillingworth Stop-Bank Breach Scenario', and 'Jim Cooke Park Stop-Bank Breach Scenario' are identified via legacy models that do not take into account the construction of the M2PP Expressway. Please clarify.

Landscape and Visual

1. Please provide a rating for effects on natural character which is separate to the rating for landscape effects, in line with Te Tangi a te Manu, i.e. a rating for effects on the key characteristics and qualities that contribute to the site's coastal natural character.

Reason

This assessment is requested to enable the Council to better understand the nature of the request regarding the effect it will have on the identified coastal environment. Confirmation of this matter is relevant to the evaluation of the

private plan change request against the criteria set out in clause 25(4) of Schedule 1 of the RMA.

2. Please provide further explanation for the Low (less than minor) adverse rating for landscape effects which take into account natural character effects in the landscape and visual assessment, without the inclusion of the Landscape Development Framework recommended in the landscape and visual assessment.

Reason

This is requested in light of the landscape and visual assessment comments that it could be difficult to meet the Coastal Environment provisions if the permitted Medium Density Residential Standards that have been incorporated into the General Residential Zone provisions are applied across the steeper more elevated dune forms on the property; and with the landscape and visual assessment conclusions recommending "further protection of the sand dune formations to meet these objectives."

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.

My contact details are below. Please contact me 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,



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