

Submission on notified proposal for plan change



About preparing a submission on a proposed plan change

You must use the prescribed form

- [Clause 6](#), Schedule 1 of the Resource Management Act 1991 (RMA) requires submissions to be on the prescribed form.
- The prescribed form is set out in [Form 5](#), Schedule 1 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.
- This template is based on Form 5. While you do not have to use this template, your submission must be in accordance with Form 5.

Your submission and contact details will be made publicly available

- In accordance with [clause 7](#) of Schedule 1 of the RMA, the Council will make a summary of your submission publicly available. The contact details you provide will also be made publicly available, because under [clause 8A](#) of Schedule 1 of the RMA any further submission supporting or opposing your submission must be forwarded to you by the submitter (as well as being sent to Council).
- [Section 352](#) of the RMA allows you to choose your email to be your address for service. If you select this option, you can also request your postal address be withheld from being publicly available. To choose this option please tick the relevant boxes below.

Reasons why a submission may be struck out

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

To Kāpiti Coast District Council

Submission on Proposed Plan Change 4 (Private) to the Operative Kapiti Coast District Plan 2021

Submitter details

Full name of submitter: Stephen Alexander & Linda Parsons

Contact person (name and designation, if applicable):

Postal address (or alternative method of service under section 352 of the RMA):

Telephone: 021 629 549

Electronic address for service of submitter (i.e. email): stevealexander400@gmail.com

I would like my address for service to be my email *[select box if applicable]*



I have selected email as my address for service, and I would also like my postal address withheld from being publicly available *[select box if applicable]*



Scope of submission

The specific provisions of the proposed plan change that my submission relates to are:
[give details]

Scope: The specific provisions of the proposed plan change that our submission relates to are:

1. Welhom Development Ltd Plan Change Request Section 3

- Assessment of Environmental Effects page 16-25.
- Private viewpoint assessments page 20,
- Ecological effects existing waterway page 22, and
- Waste water management – hydraulic neutrality.

2. Clarification of the extant wastewater system for 81 Ratanui Road, that relies upon 73 Ratanui Road.

3. Existing User rights for Rural land usage.

4. The consultation and engagement process for plan changes that effect our existing user rights as landowners adjacent to the planned zone change area.

Continue on a separate sheet if necessary

Submission

My submission is: *[include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]*

Our submission is:

References:

- A. LIM Report for 81 Ratanui Road dated 19 Sep 2016.
- B. KCDC Resource Consent RM140141 - Decision report for subdivision of 81 Ratanui Road from 73 Ratanui Road dated 28 Aug 2014.
- C. Welhom Development Ltd Plan Change Request of February 2024.

We support the Welhom submission in principle pending resolution of the issues outlined below.

1. Welhom Development Ltd Plan Change Request Section 3 (the Plan)

Like all plans and proposals, this Plan has a significant optimism bias towards achieving its desired KCDC decision. Many of the issues or potential issues are minimised or presented in a manner that negates their potential impact and importance. This is not unusual for most change proposals but does need to be noted as being significant within this specific proposal. This bias is evident in the points we have noted below.

We have the following concerns regarding the Plan with respect to the Assessment of Environmental Effects page 16-25. Specifically, these are.

- Private viewpoint assessments page 20,
- Ecological effects existing waterway page 22, and
- Waste water management – hydraulic neutrality.

Given that 80% of our boundary (circa 340 metres) will be affected by the development, how was the rating of "Low" applied to 81 Ratanui Road with respect to adverse effects?

- What does 'Low' mean as a metric?
- What is the process if we would like this changed?
- What is the effect or outcome if this rating was increased to medium or high?

We note that KCDC asked Welhom Ltd to provide images taken from within the properties to confirm the visual and environmental statements made in the plan. To date we have not been engaged by Summerset Ltd or Welhom Ltd regarding approval to enter our property for the purpose of taking these picture.

We also assume they have not taken images/picture from within 65/73 Ratanui Rd across our property to simulate this requirement.

2. Clarification of the extant wastewater system for 81 Ratanui Road, that relies upon 73 Ratanui Road.

We purchased 81 Ratanui Road in late 2016 as an existing property previously subdivided from 73 Ratanui Road in 2014. There were no existing easements for grey water or wastewater noted on the LIM report (Ref A) or sales agreement.

The KCDC Resource Consent (Ref B) regarding the subdivision of 81 Ratanui Road notes a requirement for a drainage plan (Para 14) and the provision of easements by solicitors as part of the subdivision (Para 17). No easements were created. The drainage plan shows grey water only. No stormwater plan is shown.

Currently the storm water from 81 Ratanui Rd drains into a pond on 73 Ratanui Road adjacent to our southern boundary. That pond drains via an 80mm pipe into the pond on 81 Ratanui Road (NW corner), which then has a 50mm pipe from the NW corner across the adjacent paddock to the open drain crossing 73 Ratanui Road's property.

There are also drains from the house and shed on 81 Ratanui Road into the pond on the property. It did have hydraulic neutrality prior to the subdivision from 73 Ratanui Road. But now 81 Ratanui Road relies on 73 for stormwater disposal. This stormwater system will need remediation if the waterway on 73 Ratanui Road and extant drainage system from 81 Ratanui Road is to be removed/altered.

This imposes a potential cost on 81 Ratanui Road as a direct consequence of the Plan request. That cost should not be borne by us as we have done nothing to incur a cost, nor were we advised of a need to change our stormwater system prior to this land sale and the Change plan.

CONTINUED ON SEPARATE SHEET

Submission Continued

My submission is: [include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

Carried on from last paragraph:

This imposes a potential cost on 81 Ratanui Road as a direct consequence of the Plan request. That cost should not be borne by us as we have done nothing to incur a cost, nor were we advised of a need to change our storm water system prior to this land sale and the Change plan.

If easements are required to continue the existing arrangements for current storm water drainage, what is the process and who is the liable party to remediate this situation given it was a condition of the initial subdivision?

If easements or continuity of current arrangements cannot be achieved, what is the process for connection to storm water on Ratanui Road?

- a. Note that this is a cost imposed by the approval of the subdivision, not from a decision made by us as the owners of 81 Ratanui Road.
- b. This requirement should have been declared to Summerset during the sale of 73 Ratanui Rd as an existing facility.

Existing user rights should apply to this requirement.

3. Existing user rights for rural land usage.

Our usage of 81 Ratanui Road is based on rural activities. It should be noted that we intend to continue:

- a. Use of the land and operation of equipment such as ride on mowers, chainsaws, weed eaters, log splitters, wood chippers, stump grinders, and other petrol driven maintenance tools?
- b. Burning of green waste on occasions as allowed by KCDC outside fire guidelines.
- c. Will noise restrictions for change of zoning affect my use of this equipment?

4. Consultation and engagement process for plan changes that effect our existing user rights as land owners adjacent to the planned zone change area.

We took the following questions to a meeting with the KCDC duty town planner (Mr Alan Brunton) on 21 March 2025. We did not get any satisfactory answers except that we should write this submission.

- a. What consultation is required prior to commencement of the construction?
 - a.1. What is the closest distance to existing boundaries allowed for rural zoned land? Assume that rezoning of 65-73 Ratanui Rd does not allow residential distance from 81 Ratanui Rd as the affected boundary?
- b. What fencing and retaining wall requirements are required to ensure 81 Ratanui Road is not adversely affected by this development? Our property has many height variations on the boundary that may be affected by earthworks.
- c. Will the footpath on the western side of Ratanui Road be extended from 65 Ratanui Road down to Otaihangā Road?
- d. Will there be curb side drainage installed on the road? Currently rain water from Ratanui Rd drains into the front of our property often causing flooding, along with the ingress of rubbish, road debris and silt.
- e. What are the authorised hours of construction activity during the construction phase for week days and weekends?
 - e.1. What is the acceptable noise ratings for work on site at affected boundaries?
 - e.2. What is the process for when these ratings or working hours are breached?

- f. The initial subdivision of 65 Ratanui Road (to create 61, ~~85~~ and 87 Ratanui Road) was allowed as part of funding the general subdivision of 65 Ratanui into lifestyle blocks with an average of 10,000 sqm plots. The subdivision of these three sections below that 10,000 sqm threshold was approved based on an average property size being achieved in the general subdivision of the land. The sale to Summerset/Welhom to create the retirement village would appear to have voided that requirement. Is this a formal waiver of that requirement? Or a factor ignored during the recent proposal?

I seek the following decision from the Kāpiti Coast District Council: [give precise details]

I seek the following decision from the Kapiti Coast District Council:

1. What consultation is required prior to commencement of the construction?
 - What is the closest distance to existing boundaries allowed for rural zoned land? Assume that rezoning of 65-73 Ratanui Rd does not allow residential distance from 81 Ratanui Rd as the affected boundary?
2. What fencing and retaining wall requirements are required to ensure 81 Ratanui Road is not adversely affected by this development? Our property has many height variations on the boundary that may be affected by earthworks.
3. Will the footpath on the western side of Ratanui Road be extended from 65 Ratanui Road down to Otaihangā Road?
4. Will there be curb side drainage installed on the road? Currently rainwater from Ratanui Rd drains into the front of our property often causing flooding, along with the ingress of rubbish, road debris and silt.
5. What are the authorised hours of construction activity during the construction phase for weekdays and weekends?
 - What are the acceptable noise ratings for work on site at affected boundaries?
 - Existing user rights should apply to this requirement.
6. What fencing and retaining wall requirements are required to ensure 81 Ratanui Road is not adversely affected by this development? Our property has many height variations on the boundary that may be affected by earthworks.
7. Will the footpath on the western side of Ratanui Road be extended from 65 Ratanui Road down to Otaihangā Road? Will there be curb side drainage installed on the road? Currently rainwater from Ratanui Rd drains into the front of our property often causing flooding, along with the ingress of rubbish, road debris and silt.
8. What are the authorised hours of construction activity during the construction phase for weekdays and weekends?
 - What are the acceptable noise ratings for work on site at affected boundaries?
 - What is the process for when these ratings or working hours are breached?
9. Given that 80% of our boundary (circ 340 metres) will be affected by the development, how was the rating of Low applied to 81 Ratanui Road with respect to adverse effects?
 - What does Low mean as a metric?
 - What is the process if we would like this changed?
 - What is the effect or outcome if this rating was increased to medium or high?
10. The initial subdivision of 65 Ratanui Road (to create 61, 85 and 87 Ratanui Road) was allowed as part of funding the general subdivision of 65 Ratanui into lifestyle blocks with an average of 10,000 sqm plots. The subdivision of these three sections below that 10,000 sqm threshold was approved based on an average property size being achieved in the general subdivision of the land. The sale to Summerset to create the retirement village would appear to have voided that requirement. Is this a formal waiver of that requirement? Or a factor ignored during the recent proposal?

The following questions are directed to Welhom Ltd and focus on the construction and engagement process should the Plan change be approved.

1. What direct consultation and engagement will occur with us prior to commencement of the construction?
2. Will there be any multi story dwellings or facilities constructed adjacent to 81 Ratanui Road property?
3. Confirm we will not have any mounds of topsoil adjacent to 81 Ratanui Road during the construction phase?
4. How will dust from earth/sand mounds be controlled during construction?
5. Confirm no trees, bushes or plantings within the boundary of 81 Ratanui Road will be damaged during earthworks or fencing construction? This includes root systems that exceed the current boundary limits.
 - a. If damage occurs what is the remediation/reparation process?
 - b. Is there a timeline for remediation/repair/replacement of items that needs to be complied with by the damaging party?
6. Confirm no earthworks will undermine existing fences or existing trees on 81 Ratanui Road.
Note: we will not accept any insurance liability for damage to facilities or dwellings built near these existing trees.
7. There was a line of large Pine and Gum trees adjacent to our Southern boundary. The root systems from these trees have encroached onto our property over time. Many are under the existing driveway. Confirm that any removal of the tree stumps will not cause damage to our existing fence, driveway, and newly planted trees.
Note also that the grey water system exceeds our boundary by 2 metres in this area. It is marked but we would like to be assured it will not be damaged during any construction. If this system requires remediation to be within the boundary of 81 Ratanui, our expectation is this will be done by Welhom Ltd the current owner of 65/73 Ratanui Road.

CONTINUED ON SEPARATE SHEET

Continue on a separate sheet if necessary

I seek the following decision from the Kāpiti Coast District Council: CONTINUED

Carried on from last paragraph:

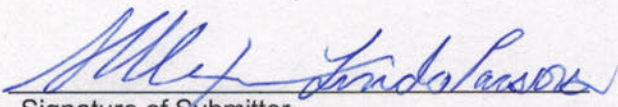
7. *There was a line of large Pine and Gum trees adjacent to our Southern boundary. The root systems from these trees have encroached onto our property over time, many are under the existing driveway. Confirm that any removal of the tree stumps will not cause damage to our existing fence, driveway, and newly planted trees.*

Note also that the grey water system exceeds our boundary by 2 metres in this area. It is marked but we would like to be assured it will not be damaged during any construction. If this system requires remediation to be within the boundary of 81 Ratanui, our expectation is this will be done by Welhom Ltd or the current owner of 65/73 Ratanui Road.

8. What protection from water runoff or drainage will be put in place to protect 81 Ratanui Road?
9. The development notes an intent to use alternate fencing to wooden batten construction and planting of various flora to aid visual sightings at the boundary. More detail is requested on this aspect.
10. Current storm water drainage from 81 Ratanui Road drains into the pond on the southern boundary with 73 Ratanui Road, which then drains into the pond on 81 Ratanui Road, then via a pipe from the NW corner of 81 across the paddock to the open drain on 73 Ratanui Road. Indications are that the pond on our southern boundary will be filled in for dwellings which adversely affects our storm water.
- a.10 What solutions can be found for maintaining current storm water drainage?
 - b.10 We believe existing user rights apply to the current storm water disposal system.
 - c.10 Did the current owner of 65-73 Ratanui declare this as an existing arrangement during the sale process? It is not mentioned in the Plan Change request
 - d.10 The waterway on 73 Ratanui is described in the Plan Change request as mostly dry and of little use. It should be noted that during winter/spring, the stream floods, as does our pond due to the volume of water. Will this waterway/stream be replaced by an alternate facility?
11. The Plan Change request notes an intent to create a wetland area to act as a storm water retention area. Given the reliance of our stormwater disposal on the waterway outlined above on 73 Ratanui, and the encroachment of the drain from our pond across to this waterway, will it be possible to connect that drain to the intended wet land drainage area noted in the Plan. A lack of drainage from our pond will create a stagnant body of water that will create an unsightly and unhealthy water feature.

Hearing Submissions [select appropriate box]

I wish to be heard in support of my submission.	<input checked="checked" type="checkbox"/>
I do not wish to be heard in support of my submission.	<input type="checkbox"/>
If others make a similar submission, I will consider presenting a joint case with them at a hearing.	<input type="checkbox"/>
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	<input type="checkbox"/>



Signature of Submitter
(or person authorised to sign on behalf of submitter)

16 June 2025

Date

A signature is not required if you make your submission by electronic means.

Trade Competition [select the appropriate wording]

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could ☐ / I could not ☒ gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission, please complete the following:

I am ☐ / I am not ☐ directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

Email your submission to district.planning@kapiticoast.govt.nz or post/deliver to:

Attn: District Planning Team
Kāpiti Coast District Council
175 Rimu Road
Paraparaumu 5032

For office use only
Submission No:

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