

PRIVATE PLAN CHANGE 4 - WELHOM DEVELOPMENTS LIMITED

**RECOMMENDATIONS REPORT OF THE HEARING PANEL | KUPU Ā TE PAE
WHAKAWĀ RĪPOATA KUPU WHAKATAU**

Date: 7 April 2026 | Te 7 o Āpereira 2026

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He Mihi | Some Acknowledgements

E pāpaki atu ana te tai o mihi ki ngā rekereke o te maunga whakahī o Maungakōtutukutuku e tū tonu rā, ki te riu o Reikōrangī, ki te motu rongonui o Kāpiti, ki ngā wai o te Moana o Raukawa e ripo kau atu ana, ki ngā tangata whenua o te takiwā, otirā ki ngā tangata katoa kua noho mai rā, ki Paraparaumu.

Ka tukuna te aroha ki a rātou mā, ki ngā raukura kua maunu atu ki moana uriuri, haere, haere, whakangaro atu rā.

Ka pari te tai moana, ka timu te tai tangata.

Ko ngā tai e whā, i whai wāhi atu ai i tēnei kaupapa, horekau e ārikarika ana te mihi ki a koutou katoa.

Kia ora mai tātou.

Tihei wā mauri ora!

These are our acknowledgements to the mountain of Maungakōtutukutuku that stands proud, the valley of Reikōrangī, the well-known island of Kāpiti, the swirling waters of the Cook Strait, to the people of the land and to all those who have settled in Paraparaumu.

We give a heartfelt acknowledgement to the loved ones who have been passed beyond the depths of the ocean and farewell them as they pass from sight.

To everyone who has participated in this kaupapa, no matter where you are from, we thank you unreservedly.

We wish everyone health and wellbeing.

Executive Summary | Whakarāpopototanga

1. Private Plan Change 4 (**PC4** or **Plan Change**) by Welhom Developments Ltd (**Applicant** or **Welhom**) to the operative Kāpiti Coast District Plan (**District Plan**) proposes to rezone part of 65 Rātānui Road and all of 73 Rātānui Road, Paraparaumu (**Site**) from Rural Lifestyle Zone (**RLZ**) to General Residential Zone (**GRZ**). The purpose is to enable the future development of a retirement village or residential development on the Site. The Applicant seeks the establishment of a new Development Area Chapter in the District Plan (Rātānui Development Area), the insertion of a Structure Plan (Rātānui Development Area Structure Plan), and policies and rules bespoke to the Site.
2. This Plan Change request is recommended to be **APPROVED**.
3. The reasons for our recommendations are set out in the sections that follow, and in summary include that PC4:
 - a) will assist Kāpiti Coast District Council (**KCDC**) in achieving the purpose of the Resource Management Act (**RMA**) and implementing its functions under the RMA;
 - b) is consistent with the provisions of Part 2 of the RMA;
 - c) will give effect to the higher order planning documents;
 - d) is supported by the necessary evaluation in accordance with s.32 of the RMA;
 - e) is sufficiently supported by technical evidence in support; and
 - f) accords with s.18A of the RMA.
4. We have largely adopted the final version of the Plan Change provisions as agreed between the Applicant and KCDC,¹ but have determined that it is more appropriate for retirement village activities to be a restricted discretionary (**RDIS**) activity and for the additional wording proposed by KCDC requiring consideration of the retention and enhancement of landforms (where practicable) to be included.
5. A retirement village of this size is a significant development for this location and community. A RDIS activity status is consistent with the approach already in the District Plan, and commensurate with the level of detail contained in the PC4 structure plan. A RDIS activity status is the most appropriate for considering the design, layout and all the matters in DEV3-P1 and GRZ-R41 through the resource consent process.
6. Given the dune system is one of the few distinguishing features of the Site, it is appropriate that consideration be given to whether, and to what extent, it could be retained and enhanced. The wording makes it clear that while retention and enhancement must be “considered”, it is not required where it is not practicable. We

¹ These were the provisions received by us on 4 March 2026 as part of the Applicant’s Reply.

find that strikes an appropriate balance between recognising the dune feature and not unreasonably constraining development of the Site.

7. The relevant plan provisions as recommended by us are set out in **Appendix 1**.
8. All key documents referred to can be found on the KCDC website.² A glossary of the abbreviations used throughout this Recommendations Report is set out in **Appendix 2**, with a list of appearances contained in **Appendix 3**.
9. The Panel expresses its thanks to all those who assisted in the smooth running of this process, as well as all those who contributed and participated – whether successful or not in terms of the relief sought. Those contributions ensured that relevant issues were identified and ventilated so that we were able to consider them when we were formulating our recommendations.

E pari atu nei te tai o ā mātou mihi ki a koutou katoa.

Our thanks flow out to all of you.

² <https://www.Kāpiticoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-welhom-developments-ltd/>.

1 Introduction | Kupu Whakataki

1.1 Hearing Panel

1. This Recommendation Report is made on behalf of KCDC by Independent Hearing Commissioners, Vicki Morrison-Shaw (Chair), Carolyn Wratt, and Brad Coombs, (together the **Panel**). We have been appointed and are acting under delegated authority pursuant to section (s.)34A of the RMA.
2. We have been delegated authority by KCDC to hear submissions and make recommendations on PC4.

1.2 Purpose of PC4

3. PC4 seeks to rezone the Site from RLZ to GRZ and include a new Development Area Chapter and Structure Plan in the District Plan for the Site. The new Development Area Chapter proposes bespoke provisions that would apply to the Site, which by the end of the hearing process comprised the following:³
 - a) a new policy enabling retirement villages and residential activities and associated subdivision where the development is generally consistent with the structure plan and includes consideration of certain matters;
 - b) an RDIS or controlled (**CON**) activity rule for retirement villages subject to certain standards;⁴
 - c) an RDIS activity rule for subdivision subject to certain conditions;
 - d) an RDIS rule for residential activities involving four or more residential units subject to certain conditions;
 - e) an RDIS rule for retirement villages within the Rātānui Development Area that do not comply with GRZ-R33; and
 - f) a non-complying (**NC**) activity rule for any activity that does not comply with certain rules.

1.3 Site and Surrounding Context

4. The Site is located in Paraparaumu approximately 3.2kms north of the town centre. The Site comprises 12.65 hectares (**ha**) being part (some 7.28ha) of 65 Rātānui Road (Lot 4 DP 58017) and all (5.38ha) of 73 Rātānui Road (Lot 3 DP 497389) - two contiguous properties. The south-western portion of 65 Rātānui Road (which contains the dwelling) does not form part of this Plan Change and has been the

³ Applicant Reply Provisions, 4 March 2026.

⁴ The Applicant advocating for a CON activity status, with KCDC maintaining its view that RDIS is more appropriate.

subject of a separate subdivision.⁵ **Figure 1** below shows the location and extent of the Site (with the Site boundaries outlined in red).⁶



Figure 1: Site Location

5. In terms of the Site itself, the Plan Change and s.42A Report note that:⁷
 - a) The Site is a rural-residential lifestyle block with few existing buildings and undulating topography. It is covered in pasture. There is a highly modified, channelised stream flowing east to west across the middle of the Site, and a number of natural inland wetlands within the Site. The stream flows to the Mazengarb Stream catchment.
 - b) The Site is accessed from Rātānui Road, which is a local community collector route, subject to a 50km/hour speed limit, but which transitions to 60km/hour further east of the Site.
 - c) The Site is able to be serviced by the KCDC reticulated three-waters infrastructure along Rātānui Road.
 - d) Similar to other sites in Paraparaumu, the Site has high liquefaction potential.

⁵ We were informed that subdivision consent had been granted but that titles had not yet issued.

⁶ Section 42A Report, Private Plan Change 4 – Welhom Developments Ltd to Kāpiti Coast District Plan, Gina Sweetman, 5 December 2025 (**s.42A Report** or **Section 42A Report**), p.9, Figure 1.

⁷ PC4 as notified, Section 2.2; and Section 42A Report, at [20].

- e) The Site is not listed in the Greater Wellington Regional Council (**GWRC**) hazardous industries and activities list (**HAIL**), but an area of the Site has an arsenic concentration exceeding the national standard levels.
6. The surrounding area is a mix of rural residential and residential activities. The Site is reasonably close to the Paraparaumu town centre being approximately a seven minute drive or 14 minute bike ride. The closest bus stop is approximately 700m away. It is also reasonably close to the Kāpiti Coast Airport (4kms), the new Kāpiti Expressway (3.9kms), the former State Highway 1 (2kms), the Waikanae River with its network of walking trails (1.5kms), and Paraparaumu Beach (8 minute drive). **Figure 2** below shows the location of the Site in relation to these features.⁸

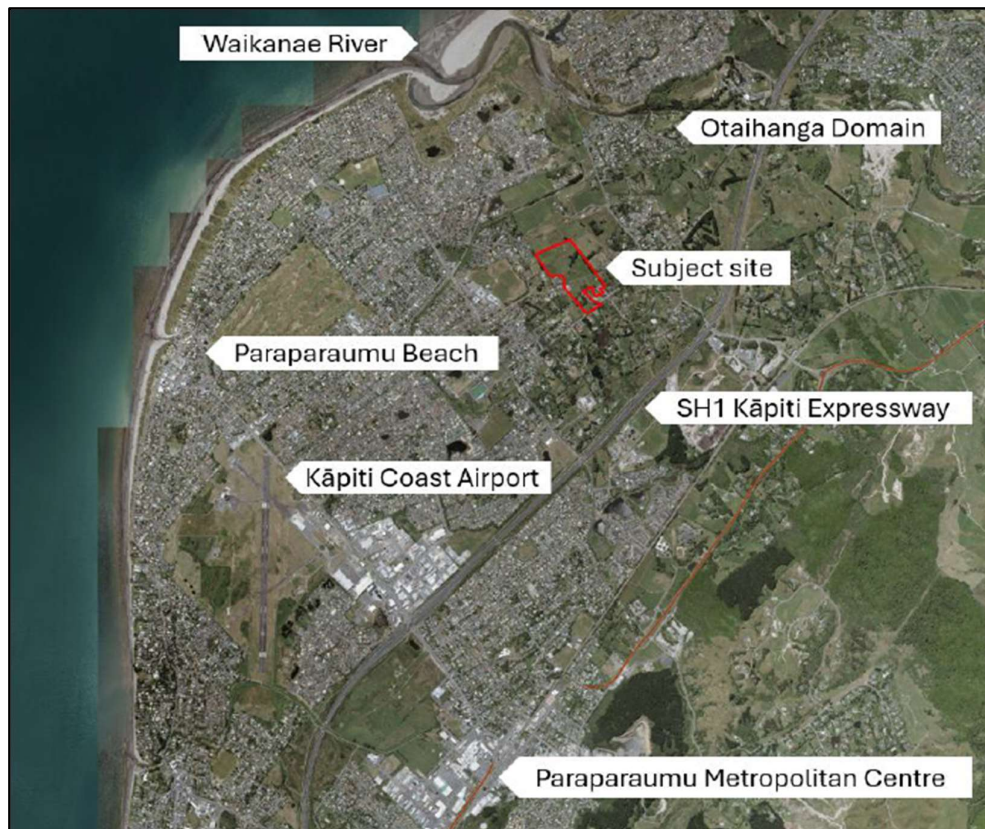


Figure 2: Site and wider Paraparaumu area

1.4 Zoning and District Plan Features

7. The Site is located within the RLZ zone, with RLZ properties on all sides, other than approximately 10% of its boundary,⁹ where the adjoining properties are GRZ.
8. The Site is located within the coastal environment overlay, and parts of the Site are subject to flood hazard stream corridors and ponding area overlays.

⁸ PC4 as notified, p.3, Figure 1.

⁹ Oral evidence of Deyana Popova, 17 February 2026.

9. The Site has a land use capability rating of 6 which is non-arable land, and is therefore not highly productive land.¹⁰

2 Procedural Matters | Ngā Mea Tukanga

2.1 Plan Lodgement, Further Information and Submissions

10. PC4 was lodged by the Applicant with KCDC on 2 December 2024. Following the receipt of further information requested by KCDC,¹¹ it was formally accepted for processing on 13 March 2025.¹²
11. PC4 was publicly notified on 30 May 2025, with the submissions period closing on 1 July 2025. At that time 18 submissions had been received - eight in opposition, nine in partial support or opposition seeking amendments, and one which is unclear on the position.¹³
12. The further submissions period closed on 29 August 2025. Two further submissions were received within time; however, one was subject to a procedural issue, which we address in the next section.
13. A list of all of the submitters and further submitters along with their respective submissions are available on KCDC's website.¹⁴

2.2 Procedural Issue with Further Submission

14. Ms Katherine Corich filed a "further submission" in her name but on behalf of her mother's estate within the relevant time period.¹⁵ The submission does not support or oppose any primary submission, and instead is in the nature of a primary submission. Ms Corich did not file a primary submission.
15. Due to the non-compliance with the procedural requirements of a further submission, the s.42A Report author recommended that this submission be rejected.¹⁶
16. Ms Corich was advised of the s.42A Report author's recommendation and invited to address the Panel on this issue. She provided an email response and attended the hearing with her sister Alison Corich to speak to this issue. In short, Ms Katherine Corich submitted that:

¹⁰ PC4 as notified, at [2.2.10].

¹¹ Further information was requested on 16 January 2025, and responded to on 17 February 2025.

¹² [KCDC Strategy, Operations and Finance Committee Minutes, 13 March 2025, at 9.1.](#)

¹³ Section 42A Report, at [38].

¹⁴ <https://www.KapitiCoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-welhom-developments-ltd/>.

¹⁵ Note as the submission was filed in Ms Corich's name we refer to it in this section as Ms Corich's submission although we understand that it was intended to be on behalf of her mother's estate.

¹⁶ Section 42A Report, at [40].

- a) the further submission was intended to be an original submission but was late due to a misunderstanding of dates;
 - b) the estate is the nearest neighbouring property on the longest rural boundary and infrastructure considerations will have a great impact on the property; and
 - c) they did not receive a letter as part of the “letter drop” undertaken by the Applicant, and therefore were not aware of/able to attend the community drop in-session organised by the Applicant.
17. Both the Applicant and KCDC were given an opportunity to comment on the procedural issue identified. Counsel for the Applicant, Mr Daniel Minhinnick, indicated that the Applicant agreed with the comments in the s.42A Report and had nothing further to add.
 18. Ms Gina Sweetman, the s.42A Report author for KCDC, was also largely content to rely on the comments in her s.42A Report, but added that as the Corich submission was effectively a late primary submission (received during the further submission period), the requirement to notify it as part of the summary of decisions requested had not been met. This had flow on consequences for other people who did not have an opportunity to comment on the matters raised in the submission.
 19. At the hearing, we indicated to Ms Corich that we were concerned about this issue and would address it in our substantive Recommendations Report. We explained that while we would permit Ms Corich and her sister an opportunity to speak to the submission during the hearing, this was without prejudice to our decision on the procedural matter. In other words, it would only be if we determined that the procedural issue had been resolved that we would accept and directly consider the submission points in our Recommendations Report.

2.2.1 Evaluation and Findings

20. We have carefully considered the explanation provided by Ms Corich and the submissions of the s.42A Report author and Applicant.
21. While we understand the reasons provided by Ms Corich, and do not dispute that as an adjoining property owner the estate is affected by the Plan Change, the issue is one of procedural fairness.
22. In determining whether to grant a waiver for a late submission we are required to consider the tests set out in s.37A(1) of the RMA. This section states:

Requirements for waivers and extensions

(1) A consent authority or local authority must not extend a time limit or waive compliance with a time limit, a method of service, or the service of a document in accordance with section 37 unless it has taken into account—

(a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and

(b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and

(c) its duty under section 21 to avoid unreasonable delay.

23. In relation to these matters we note that:

- a) As the submission was received after the summary of decisions requested had been notified, persons that would otherwise have had an opportunity to comment on it during the further submission period have been denied that opportunity.
- b) One of the matters the submission raises is whether other properties, and in particular, the submitter's property should be rezoned as well. While another submitter (Lang)¹⁷ also raised a similar issue, the relief sought in that submission referred to the "entire end of Rātānui Road" and "all of Rātānui Road". No reference was made to properties on Ōtaihangā Road.
- c) If other adjacent properties and the public were to be given an opportunity to comment on the submission, that would effectively necessitate a renotification of Ms Corich's submission together with a further submission period, resulting in delay, prejudice and costs to those parties who have participated in the Plan Change process to date. Such prejudice and costs would include having to update evidence and assessments to address any further submissions on that submission and additional hearing time, with a consequent delay to when our recommendations and the KCDC decision on this Plan Change could be issued.

24. We find that in the circumstances such a delay would be unreasonable and granting the waiver would give rise to prejudice. Accordingly, we decline to grant a waiver for the submission, and do not consider it further in making our substantive recommendations. However, we note that to the extent the submission raises points made by other submitters, our reasoning would be equally applicable to the matters raised by Ms Corich.

2.3 Hearing Reports, Expert Technical Evidence, Legal Submissions, and Submitter Statements

25. As noted, Ms Sweetman prepared the s.42A Report for the hearing. This Report was made publicly available on 5 December 2025 and was supported by the following:

- a) Growth Strategy and Housing Business Assessment: Memorandum of Mr Hamish McGillivray, Manager Urban Planning and Research at KCDC, 8 October 2025;
- b) Economics: Statement of Evidence of Dr Kirdan Lees, Director of Sense Partners, 14 November 2025;

¹⁷ Submission s2.

- c) Transport: Statement of Evidence of Mr Colin Shields, Senior Principal Transport Planner at Tonkin & Taylor, 5 November 2025;
 - d) Urban Design: Memorandum of Ms Deyana Popova, Consultant Urban Designer at Urban Perspectives, 24 October 2025;
 - e) Geotechnical: Statement of Evidence of Mr Charles McDermott, Technical Director of Geotechnical Engineering at Miyamoto New Zealand Ltd, 3 November 2025;
 - f) Water: Statement of Evidence of Ms Kate Waterland, Water Network Planner at Stantec New Zealand, 23 October 2025;
 - g) Wastewater: Statement of Evidence of Mr Brian Robinson, Managing Director at HAL Consulting Ltd, 28 October 2025;
 - h) Stormwater and Flood Risks: Statement of Evidence of Ms Rita O'Brien, Stormwater and Coastal Asset Manager at KCDC, 1 October 2025;
 - i) Landscape and Visual: Memorandum of Ms Angela McArthur, Landscape Architect at Eco-Landscapes & Design Ltd, 7 October 2025; and
 - j) Ecology: Report of Dr Astrid Dijkgraaf, Ecologist at Astrid.Ecology, 24 September 2025.
26. The Applicant filed corporate evidence from Mr Aaron Smail and expert technical evidence from the following nine independent experts on 16 January 2026:
- a) Mr Mark Thomson (Civil Engineering);
 - b) Mr Brett Black (Geotechnical);
 - c) Mr Marcus Hermann (Contamination);
 - d) Ms Ellen Cameron (Archaeology);
 - e) Mr Mark Georgeson (Transport);
 - f) Mr Vaughan Keesing (Ecology)
 - g) Mr Tim Heath (Economics);
 - h) Ms Alex Gardiner (Landscape and Visual); and
 - i) Mr Torrey McDonnell (Planning).
27. No expert evidence was filed by submitters.
28. The following expert evidence was filed by KCDC in reply:
- a) a s.42A Addendum Report by Ms Sweetman;¹⁸

¹⁸ Section 42A Addendum Report, 3 February 2026.

- b) replacement appendices 2, 7, 11 and 12 for the original s.42A Report which include the qualifications, experience and code of conduct confirmation by those report authors;¹⁹
 - c) a further memorandum from Ms Popova responding to landscape buffer and tall building placement issues;²⁰
 - d) a further memorandum from Ms McArthur responding to landscape buffer, viewing audience, taller building placement, and activity status issues;²¹ and
 - e) a statement of evidence from Ms Dijkgraaf in relation to natural inland wetlands.²²
29. Opening legal submissions were filed by Mr Minhinnick and Ms Eve Boister of Russell McVeagh on behalf of the Applicant.²³ KCDC did not file any legal submissions. Summary statements were provided by Ms Gardiner and Mr McDonnell for the Applicant, and Ms McArthur and Ms Sweetman for KCDC.
30. In addition, a number of submitters provided summary statements following their appearances on 18 February 2026. These included written statements from Ms Helen Foo, Mr John Harivel, Ms Ellen Cohen, Mr Stephen Alexander and Ms Linda Parsons.
31. The Applicant filed Closing Legal Submissions on 4 March 2026. These were accompanied by:²⁴
- a) an updated set of provisions;
 - b) a copy of the Waimakariri District Council decision on Private Plan Change 29 which adopted a CON activity status for retirement villages; and
 - c) an email from Mr Brian Robinson regarding cumulative wastewater impact issues with the Maunsell development and confirming no additional analysis was necessary.
32. A copy of all of the material provided before, during and following the hearing is available on the KCDC website.²⁵

2.4 Pre-Hearing Meetings and Expert Conferencing

33. No formal pre-hearing meetings or expert conferencing was undertaken prior to the lodgement of the s.42A Report.

¹⁹ Section 42A Addendum Report, Appendices 3 to 6.

²⁰ Section 42A Addendum Report, Appendix 7.

²¹ Section 42A Addendum Report, Appendix 8.

²² Section 42A Addendum Report, Appendix 9.

²³ Applicant Opening Legal Submissions, 11 February 2026.

²⁴ Applicant Closing Legal Submissions, 4 March 2026, and Appendices A, B, and C to those Submissions.

²⁵ <https://www.KapitiCoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-wellhom-developments-ltd/>.

34. Following receipt of the parties' expert primary evidence, the Panel considered whether expert conferencing should be directed. As noted in our [Direction #3](#), the Panel determined it was not necessary to direct formal expert conferencing given the large degree of agreement on issues, and given the remaining issue areas are clear and discrete. We did however encourage the parties to continue working together to narrow the issues.²⁶

2.5 Consultation

35. The Applicant directly consulted with the following persons prior to lodging its Plan Change:²⁷
- a) KCDC and GWRC;
 - b) Ātiawa ki Whakarongotai – who provided a letter of support;
 - c) Ngā Hapū o Ōtaki – who deferred to Ātiawa ki Whakarongotai on technical details; and
 - d) Ngāti Toa Rangatira – who provided a letter confirming they did not have any concerns.
36. Other than GWRC, none of the above consultees subsequently made a submission on the Plan Change.
37. In addition, the Applicant did a letter drop to adjacent neighbours (pre-notification) and held a public drop-in evening on 18 June 2025 at the Ōtaihangā Boat Club.²⁸ The Applicant also attended a meeting of the Paraparaumu Community Board to discuss its proposal.²⁹
38. The Applicant continued to engage with KCDC throughout the Plan Change process, including post-hearing on conditions filed with the Applicant's reply.

2.6 Site Visit

2.6.1 PC4 Site

39. We visited the PC4 Site on the afternoon of 15 February 2026. The weather was extremely windy during the site visit, with one large tree on a neighbouring property falling onto the Site while we were there. The rain held off until we had almost completed the visit.
40. We walked the boundaries of the Site and visited each of the 10 site-appraisal photograph locations which had been marked for us by the Applicant with numbered

²⁶ Direction #3, 27 January 2026.

²⁷ PC4 as notified, Section 6, and Appendix L.

²⁸ Primary Evidence of Torrey McDonnell, 16 January 2026, at [7.94].

²⁹ Section 42A Report, at [44]; and Primary Evidence of Aaron Smail, 16 January 2026, at [8.6].

batons. For health and safety reasons we were accompanied by Mr Hayden Beaton (a representative from Summerset), during the time we were on the Site itself.

41. Following the on-site portion of the Site visit, we then drove (unaccompanied) the full length of Rātānui and Ōtaihangā Roads and stopped and viewed the Site from the three publicly accessible viewpoints noted in the Applicant’s landscape assessment (Rātānui Road, Ōtaihangā Road and Kōtuku Park).

2.6.2 Summerset villages

42. In addition, we also requested and were granted the opportunity to visit two existing Summerset retirement villages on the Kāpiti Coast. These were:
 - a) Kāpiti on the Coast, a 25+ year old village with 92 villas, 22 apartments and 44 care units located on a 6ha site at Guildford Road and Realm Drive Paraparaumu; and
 - b) Summerset Waikanae, a partially opened new village with 257 villas, 56 assisted living suites (serviced apartments) and 63 care units on a 14ha site in Park Road, Waikanae.
43. We found those visits useful in better understanding the type of facilities offered, layout and arrangements. We thank Mr Beaton for accompanying us while we were on the PC4 Site, and the Applicant for marking out the Site and securing us permission to visit the Summerset villages.

2.7 Hearing and Appearances

44. The hearing for PC4 took place on 16 to 18 February 2026 at the Kāpiti Sport Turf and Pavilion facility in Paraparaumu.
45. A list of the persons appearing for the Applicant, KCDC and submitters on each of the three hearing days is set out in **Appendix 3**.

2.8 Directions

46. In order to respond to matters arising both before and during the hearing process the Panel issued a total of three Directions.³⁰
47. These directions related to the following:
 - a) evidence exchange and hearing (Direction #1);
 - b) hearing venue change and site visit preparations (Direction #2); and
 - c) witnesses to be excused, expert conferencing and temporary change in hearing administrator contact (Direction #3).

³⁰ All of our Directions are available from the KCDC website: <https://www.Kapiticoast.govt.nz/council/forms-documents/district-plan/private-plan-changes-underway/proposed-plan-change-4-private-welhom-developments-ltd/>.

2.9 Approach to this Recommendations Report

48. We have taken what we call an “exceptions” approach to this Recommendations Report. That is, our Report follows s.113(3) of the RMA in that we adopt all or part of the s.32 Evaluation, the Assessment of Environment Effects (**AEE**), the Applicant’s evidence, legal submissions and Reply, the KCDC s.42A Reports, Addendum and associated evidence, unless we state otherwise within this Recommendations Report.
49. Our Recommendations Report focusses on the matters that remained in contention between parties at the time of the hearing, and the evidence, information, and submissions, presented before, during and after the hearing. Accordingly, while some non-contested matters may be dealt with relatively briefly, we have carefully considered and assessed all material provided to us.

2.10 Acknowledgements

50. There are several people who assisted with the hearing process that we wish to specifically acknowledge. These include:
 - a) Ms Caitlin Green, who handled all hearing administration matters and ensured the process ran smoothly;
 - b) Mr Matthew Muspratt, who oversaw the hearing process arrangements and provided support as and when necessary; and
 - c) Mr Norm Beazley and Ms Sue Spellacey, the operators of the Kāpiti Sports Turf Pavillion, for their manaakitanga to us and all who participated in the hearing.
51. The Panel also wishes to record its appreciation to all parties, the Applicant, KCDC, the submitters and all their respective representatives, for the constructive and helpful manner in which they engaged in the process.

3 Statutory Provisions and Requirements | Ngā Kupu Ture me Ngā Herenga

3.1 Introduction

52. Section 73(2) of the RMA enables any person to request a change to a district plan in accordance with Part 2 or Part 5 of Sch.1 to the RMA. The plan change request must explain the purpose of and reasons for the plan change, contain a s.32 evaluation, and describe any anticipated effects in such detail as corresponds to the scale and significance of the effects anticipated from the implementation of the plan change.³¹

³¹ Clause 22 of Sch.1 to the RMA.

3.2 Relevant Plan Change Tests

53. The s.42A Report summarised the relevant tests as follows:

30. In this case, the tests to be applied to the consideration of PPC4 under Schedule 1 Part 2 of the RMA are summarised below and include whether:

- a) It accords with and assists the Council to carry out its functions (s74(1)(a) and s31).
- b) It accords with Part 2 of the Act (s74(1)(b)).
- c) It accords with a national policy statement, a national planning standard and any regulation (s74(1)(ea) and (f)).
- d) It will give effect to any national policy statement, national planning standard or operative regional policy statement (s75(3)(a)(ba) and (c)).
- e) The objectives of the request (in this case, being the stated purpose of the request) are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)).
- f) The provisions in the plan change are the most appropriate way to achieve the objectives of the District Plan and the purpose of the request (s32(1)(b)).

31. In evaluating the appropriateness of PPC4, the Council must also:

- a) Have particular regard to an evaluation report prepared in accordance with s32 (s74(1)(d) and (e)).
- b) Have regard to any proposed regional policy statement, management plans and strategies prepared under any other Acts, consistency with the plans or proposed plans of adjacent territorial authorities and any emissions reduction plan and national adaptation plan made in accordance with s52S of the Climate Change Response Act 2002 (s74(2)).
- c) Take into account any relevant planning document recognised by an iwi authority (s74(2A)).
- d) Not have regard to trade competition or the effects of trade competition (s74(3)).
- e) Ensure that it is not inconsistent with a water conservation order or regional plan (s75(4)).
- f) Have regard to actual and potential effects on the environment, including, in particular, any adverse effect in respect to making a rule (s76(3)).

32. The functions of Council set out in s31 of the Act that are required to be maintained when evaluating the appropriateness of PPC4 include the establishment, implementation and review of objectives, policies, and methods to:

- a) Achieve integrated management of the effects of the use, development and protection of land and associated natural and physical resources (s31(1)(a)).
- b) To ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district (s31(1)(aa)).
- c) Control any actual or potential effects of the use, development, or protection of land (s31(1)(b)).

54. The Applicant's Opening Legal Submission drew attention to these provisions and noted that the legal framework for the assessment of private plan changes was

developed by the Environment Court in *Long Bay*³² and refined in *Colonial Vineyards*.³³

55. In addition to the above provisions, as the proposed rezoning is to a residential zone, s.77G of the RMA requires the incorporation of the medium density residential standards (**MDRS**).

3.3 Relevant Policy and Plan Documents

56. The relevant policy and plan documents were identified in the s.42A Report, and subsequently updated in the evidence of Mr McDonnell and the s.42A Addendum Report, to include the following:³⁴

RMA statutory policy and plan documents

- a) National Policy Statement for Urban Development 2020 (**NPS-UD**) particularly Objective 6, and Policies 1, 2, 6 and 8;
- b) New Zealand Coastal Policy Statement 2010 as amended in December 2025 (**NZCPS**) including Objectives, 1, 2, 3, 6 and Policies 2, 6, 11, 13 and 14;
- c) National Policy Statement for Freshwater Management 2020 as amended in December 2025 (**NPS-FM**);
- d) National Policy Statement for Indigenous Biodiversity 2023 as amended in December 2025 (**NPS-IB**) including its Objective, and Policies 1 -5, 8-10, 13-15, and cl.3.16;
- e) National Policy Statement for Natural Hazards 2025 (**NPS-NH**);
- f) National Planning Standards 2019 (**NPStds**);
- g) Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025;
- h) Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**NES-CS**);
- i) Resource Management (National Environmental Standard for Freshwater 2020 as amended in December 2025 (**NES-F**), particularly Regulations 38 to 56;
- j) Regional Policy Statement for the Wellington Region 2013 (**RPS**) particularly Objectives 4, 5, 7 and Policy 36;

³² Long Bay-Okura Great Park Society v North Shore City Council (2008) EnvC A078/2008.

³³ Colonial Vineyards v Marlborough District Council [2014] NZEnvC 55.

³⁴ Section 42A Report, at Section 8; Primary Evidence of Torrey McDonnell, 16 January 2026, at [5.12]-[5.14]; and Section 42A Addendum Report, at [61].

- k) Proposed Change 1 to the RPS (**PC1 – RPS**) particularly Objectives 12, 16, 16A, 16B, 19, 21, 22, 22A, 24-26, 28, CC.1, CC.4, and Policies CC.9, CC.14, CC.14A, 29, 40A, 40B, 41, 42, 47-49, 51, 54-58, FW.XXB, IE.2, IE.2A, UD.3-UD.5 (some/most of which are subject to appeal to the Environment Court);
- l) Natural Resources Plan for the Wellington Region 2023 (**NRP**);
- m) Proposed Plan Change 1 to the NRP (**PC1 - NRP**);
- n) District Plan including PC2 (MDRS plan change);

Non-statutory documents

- o) Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 (**FDS**);
- p) Kāpiti Coast District Reserve Management Plan (**Reserve MP**);
- q) Wellington Regional Housing and Business Development Capacity Assessment 2023 (**HBA**);
- r) Te Tupu Pai Growth Strategy 2022 (**Growth Strategy**);

Iwi management plans

- s) Ngā Kōrero Kaupapa mō Te Taiao: Policy Statement Manual for Kapakapanui: Te Rūnanga o Āti Awa ki Whakarongotai 2001;
- t) Te Haerenga Whakamua – A review of the District Plan Provisions for Māori: A vision to the Future for the Kāpiti Coast District Council District Plan Review 2012; and
- u) Whakarongotai o te moana o te wai Kaitiakitanga Plan for Te Ātiawa ki Whakarongotai 2019.

57. In addition, the Applicant identified the following documents as also being relevant:³⁵

- a) Government Policy Statement on Housing and Urban Development 2021 (which the s.42A Report author noted had been superseded by the Government's new Going for Housing Growth Programme and which she considered had been particularised in the RMA and NPS-UD);³⁶
- b) Better Later Life – He Oranga Kaumātua 2019 to 2034 (which the s.42A Report author notes was developed by the former Government and that the RMA and NPS-UD provide more relevant direction);³⁷ and
- c) Te Whaitua o Kāpiti Implementation Programme.

³⁵ PC4 as notified, at [4.8.3]-[4.8.5].

³⁶ Section 42A Report, at [118].

³⁷ Section 42A Report, at [118].

58. The s.42A Report includes an assessment of the relevant statutory documents in various sections of the Report and adopts Mr McDonnell’s assessment of the new and amended national directions.³⁸ We return to assessing these matters later in this Recommendations Report.

4 Preliminary Legal Issues | Ngā Kaupapa Ture Tōmua

4.1 Scope

59. Two minor scope issues arose in submissions – one relating to activity status, and the other relating to relief sought. We briefly outline these issues below, and then set out our findings on both matters in the combined evaluation and findings section.

Activity status

60. PC4 as notified sought a CON activity status for retirement village activities on the Site.
61. The s.42A Report noted that while no submissions expressly sought a change in activity status from CON to RDIS, the scale of the development versus the planned built form anticipated under the District Plan was an issue that submitters had raised.³⁹ The s.42A Report therefore concluded there was scope for making the change.
62. Mr McDonnell for the Applicant agreed there was scope and also relied on those same submissions for introducing a further RDIS rule in his provisions at the hearing.⁴⁰ The Applicant’s legal counsel confirmed that he was comfortable there was scope.⁴¹

Out of scope relief

63. The s.42A Report identified that some of the relief sought by submitters fell outside the scope of what the Applicant can control and/or outside the scope of the Plan Change. This included relief relating to:⁴²
- a) alteration of the speed limit on Rātānui and Ōtaihangā Roads;
 - b) road surfaces, installation of traffic lights, changing the name of Ōtaihangā Road, replacing road junctions with a roundabout, constructing pavements and cycleways over the entire length of roads, widening existing pavement and reopening access to the expressway;
 - c) discharges from roads (which fall under the NRP);

³⁸ Section 42A Addendum Report, at [61]; and Primary Evidence of Torrey McDonnell, 16 January 2026, at [5.12]-[5.14].

³⁹ Submissions 7.2, 8.1 and 8.3.

⁴⁰ Summary Statement of Torrey McDonnell, 13 February 2026, at [3.15].

⁴¹ Applicant Oral Legal Submission, 17 February 2026.

⁴² Submissions 6.1, 6.2, 6.4, 10.2, 10.3 and 16.22, as noted in the Section 42A Report, at [221] and [308].

- d) rabbit control/eradication;
 - e) insurance liability for damage; and
 - f) extending services to adjacent properties.
64. Mr McDonnell agreed that the above matters were beyond scope, and would be managed through existing mechanisms including the Property Law Act 2007 and other legislation.⁴³

4.1.1 Evaluation and Findings

Activity status

65. We accept the joint view of the Applicant and KCDC that the submissions cited by the s.42A Report author provide scope for the changes in activity status. We note that this was not contested by any party.

Out of scope relief

66. We accept the evidence of the s.42A Report author, which was supported by Mr McDonnell, that the matters raised by submitters and summarised by us at paragraph [63] above, are beyond what can be addressed by this Plan Change or, in some cases, under the RMA.
67. We therefore do not consider those matters further in this Recommendations Report.

5 Assessment of Environmental Effects | Te Mātai i Ngā Āhuetanga Ka Pā ki te Taiao

68. Both the s.42A Report and planning evidence for the Applicant assessed the actual and potential effects of the Plan Change by topic. While by the time we received the Applicant's closing submissions, there were only two outstanding issues between the Applicant and KCDC (activity status for retirement villages and the northern dunes), as most effects were also raised by submitters, we address the full suite of effects in this section.
69. We have generally adopted the topics used by the s.42A Report, although we have added in two additional sections to cover economic effects and reverse sensitivity and incompatibility of activities. We assessed the potential effects in the following order and under the following headings:
- a) providing for and approach to growth;
 - b) economic effects;
 - c) land suitability and development;

⁴³ Primary Evidence of Torrey McDonnell, 16 January 2026, at [7.87].

- d) infrastructure servicing – water and wastewater;
 - e) stormwater and flood risk;
 - f) transportation/traffic;
 - g) landscape, natural character, visual amenity and urban design;
 - h) ecology;
 - i) construction; and
 - j) reverse sensitivity and incompatibility of activities.
70. We note that while the s.42A Report divided the “providing for and approach to growth” topic into a Part 1 and a Part 2 and addressed these in separate sections, we have combined our discussion on this topic into one section.
71. We also note that while we have read and considered all submission points, in the interests of brevity, we have not always referenced all submitters where more than one submitter has made a submission on the same topic. For similar reasons, we have not set out in full all points made in submissions on each topic – instead we have summarised key points made by topic (as is permitted by cl.10 of Sch.1).

5.1 Providing for and Approach to Growth

5.1.1 Introduction

72. Central to the appropriateness of the Plan Change is how it aligns and fits into the growth model for the Kāpiti Coast District. Property Economics provided an economic assessment for the Plan Change, analysing the District’s general residential market, existing and anticipated residential capacity and future demand. While the GRZ enables standard residential development, the economic assessment focused on the retirement village market as this is the most likely form of development for the Site. Although nothing in PC4 limits the number of dwellings enabled by the Plan Change, we understand the intention is to provide approximately 153 lots through residential subdivision, and approximately 235 dwellings. If the Site was developed as a retirement village, it would accommodate approximately 260 independent living units and 90 care suites.⁴⁴
73. There are several parts to the consideration of providing for growth:
- a) the future demand for housing for older people, taking into consideration the existing accommodation for older people in Kāpiti Coast; and
 - b) the strategic growth model and planning for growth.

⁴⁴ Plan Change Request, February 2024, Sections 3 and 3.5.

5.1.2 Submissions and Evidence

Providing housing for older people

74. Mr Smail, who provided corporate evidence on behalf of the Applicant, explained that the total population in the Kāpiti Coast is forecast to rise from 58,000 to between 64,300 and 71,000 in 2048. Stats NZ has projected that by the mid-2030s, it is expected that 30 to 32% of Kāpiti Coast will be aged 65 or older compared to 28% in 2024. The amount of people aged 85 years and over is expected to increase the most, significantly contributing to further retirement village and aged care demand.⁴⁵
75. Mr Milburn [s14.1] expressed concern in his submission that the economics assessment accompanying the request is misleading because the median predicted growth rates have dropped, and demand for retirement living is in the long term. Dr Lees observed that updated population forecasts suggest lower levels of growth across the Wellington region in the short to medium term than previously anticipated. Kāpiti Coast District now forecasts between 16,400 – 22,900 additional people in the District over the 2024 – 2054 period (50% - 75% percentile scenarios).⁴⁶
76. Property Economics utilised the Sense Partners projections, which estimated an increase of 10,250 people and 12,160 people aged 65+ years over the next 30 years, under the 50th and 75th percentile scenarios, respectively. Using an existing retirement village penetration rate of around 23% for those aged 75 and over, along with an assumed rate of 2-3% for those aged 65-74, it is estimated that the District will need around 2,750 retirement units over the next 30 years, under the 50th percentile scenario. This demand figure increases to around 2,920 units if the 75th percentile scenario is considered. Dr Lees confirmed that over the next 30 years the District's population is expected to age and result in strong growth in the number of people aged 65 years and older. Consequently the number of one person and couple-only households are expected to grow significantly faster than other household types.
77. These figures were challenged in the submission of Mr Milburn who considered that the quoted rate of 23% penetration, which is significantly higher than the national average of 14.3%, comes from the Retirement Village Association's submission on PC2. At the time of submission there were 1,588 residents within the existing nine villages and the current population over 75 was 6,912 which is 23%. He considered the inclusion of a 2-3% penetration on top is effectively double dipping as the Retirement Village Association quoted rate took into account all residents within the villages. He considered that the higher penetration rate is likely partially attributed to some residents between 65-74 already being included. Therefore, projections based

⁴⁵ Primary Evidence of Aaron Smail, 16 January 2025, at [4.10].

⁴⁶ Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [37].

on population growth should use only the 23% infiltration rate based on the 75+ population figures and not add the unsubstantiated 2-3% for the 65-74 population.

78. Mr Heath's evidence was that the existing supply of retirement units is estimated as 1,490 units in the short term and 1,730 units in the long term once all current developments underway are completed. This results in a shortfall of around 1,000 units under the 50th percentile scenario, and nearly 1,200 units under the 75th percentile scenario.⁴⁷ However these figures are based on an in-situ model that does not account for inflow of older residents from areas outside of the Kāpiti Coast.⁴⁸
79. Mr Smail considered that there are other factors influencing the strong demand, such as the closure of some smaller, poor quality, aged care homes, and more financial pressure on the smaller, independent operators due to the impending changes to the Retirement Villages Act 2003 in respect of mandatory buybacks.
80. The economics assessment acknowledges that Wellington Region's HBA suggests that the Kāpiti Coast District has sufficient residential capacity to meet anticipated growth in the short, medium, and long term, considering the implementation of the MDRS and the NPS-UD. Mr Heath made the point that the HBA does not capture the needs of a specific group of the community – namely, the senior and aged cohort. This sector of the community has unique housing requirements. He considered that the implementation of the MDRS and the NPS-UD has significantly increased the capacity of general residential stock in the market, thereby making the additional economic, market and community benefits generated by further general residential development on the PC4 Site less significant. In contrast, a retirement village development would provide a specialised housing product tailored to the District's growing senior population, addressing an underserved market segment.
81. In this context, Mr Heath considered that the proposed development to specifically accommodate the senior housing demand of the District (and potentially from the wider region) would not significantly undermine the demand for other existing and anticipated residential areas. He observed it may actually have the opposite effect of freeing up existing properties and adding further dwelling supply. This would then have a flow-on effect of tempering price pressure in the local and surrounding markets, thereby benefiting the community.⁴⁹

The strategic growth model and planning for growth

82. Management of growth in Kāpiti Coast and the wider Wellington Region is achieved through a complex layering of documents ranging from the high-level NPS-UD to the more localised Kāpiti Coast Growth Strategy.

NPS-UD

⁴⁷ Primary Evidence of Tim Heath, 16 January 2025, at [4.10].

⁴⁸ Primary Evidence of Tim Heath, 16 January 2025, at [2.6].

⁴⁹ Primary Evidence of Tim Heath, 16 January 2025, at [2.8].

83. Starting with the national level directions, Ms Sweetman noted that Policy 8 and implementation cl.3.8 of the NPS-UD requires councils to be responsive to unanticipated or out-of-sequence plan changes where these would add significantly to development capacity and contribute to well-functioning urban environments.
84. Dr Lees considered that the proposal meets the test under the NPS-UD Policy 8 for whether a plan change adds significantly to development capacity for the following reasons:⁵⁰
- a) it makes a significant local contribution to meeting demand for housing identified in the previous HBA assessment;
 - b) it responds to demonstrated demand for the proposed land use type in the medium-term; and
 - c) it contributes to increasing housing affordability through a general increase in supply.

RPS

85. The submission from Mr Coggan [s15.1] considered that the proposal is inconsistent with RPS Policy 55(c)4 that requires additional greenfield areas demonstrate necessity and be sequenced.
86. Policy UD.3 of the RPS sets out the criteria for determining whether a plan change contributes significant development capacity. Policy UD.5 contains relevant considerations about what constitutes well-functioning urban areas. Policy UD.4 prioritises:
- a) First, urban development, including unanticipated or out-of-sequence brownfield development within existing urban zones;
 - b) Second, sequenced and planned greenfield urban development beyond existing urban zones; and
 - c) Third, unanticipated or out-of-sequence greenfield development that is well-connected along transport corridors and adds significant development capacity.
87. There was considerable discussion about Policy UD.4 of the RPS and which clause PC4 fell under:

Policy UD.4: Achieving a compact regional form – district and regional plans

District and regional plans shall include objectives, policies, rules and/or other methods requiring that subdivision, use and development occurs in a way that supports compact growth by prioritising:

- a) first, urban development (including unanticipated or out-of-sequence brownfield development) within existing urban zones, with a preference for higher densities in and

⁵⁰ Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [31].

adjacent to centres with a range of commercial activities and along existing or planned public transport corridors; then

b) second, sequenced and planned greenfield urban development beyond existing urban zones, consistent with Policies 55 and 56; then

c) third, unanticipated or out-of-sequence greenfield urban development that is well-connected along transport corridors, consistent with Policies 55 and 56, and adds significantly to development capacity consistent with Policy UD.3; then

d) fourth, residential or mixed use development in rural areas, consistent with Policy 56; and

District and regional plans shall apply this hierarchy to enable development capacity while:

(i) enabling Māori to express their culture and traditions, and

(ii) requiring all infrastructure necessary to support development to be provided in an integrated and efficient way which prioritises the use or upgrading of existing infrastructure over the creation of new infrastructure; and

(iii) providing for a range of housing typologies and land uses, including mixed use development; and

(iv) for clauses (b) and (c), demonstrating that additional urban-zoned land is necessary and the most appropriate option to enable sufficient development capacity.

88. The Applicant in its Closing Statement maintained its position that the Plan Change falls within the second priority of Policy UD.4, being planned greenfield urban development beyond existing urban zones – having been identified in Kāpiti's Growth Strategy.⁵¹ However, even if the Plan Change cannot properly be considered "sequenced and planned" development under Policy UD.4(b), the Applicant maintained that it still meets the requirements of Policy UD.4(c).
89. Ms Sweetman did not agree that the Plan Change fell within Policy UD.4(b) as she considered that PC4 was not sequenced *and* planned. Her view was therefore that the proposal fell under Policy UD.4(c).⁵²
90. Ms Sweetman observed that the Site is also not located in a Priority Development Area under the FDS, which provides more of a regional overview. As there is no sequencing for growth that is located outside of a Priority Development Area, she considered that PC4 is not sequenced for growth under the FDS.

Growth Strategy

91. The Growth Strategy outlines KCDC's plan to manage growth out to 2051 and feeds into the region's FDS. As observed in Mr Heath's evidence, the PC4 Site has been identified as a "medium-priority greenfield growth area" in the Growth Strategy. Some submitters considered that the Site is not required to be rezoned to GRZ to

⁵¹ Applicant Closing Legal Submissions, 4 March 2026, at [4.2].

⁵² Section 42A Report, at [151]-[156].

support growth in the area, and it is only identified as a medium priority in the Growth Strategy.

92. Page 27 of the Growth Strategy provides an explanation of medium-priority greenfield growth areas as follows:

We will look to centre any major new developments along transport routes, particularly rail, and as extensions to the current urban area. The areas currently identified in this category, as with the high-priority areas, require further investigation of constraints, including what infrastructure development would be required.

...

Development will happen over the medium term of the strategy as these areas need considerably greater expansion and development of infrastructure. Some of these areas reflect those initially indicated in the Wellington Regional Growth Framework (although other indicative WRGF areas were not considered feasible) and would need to be supported by future rail services.

93. Mr Heath considered this classification indicates that the land is anticipated and suitable to be urbanised, and the retirement development is consistent with residential purposes.⁵³ Dr Lees had a slightly different interpretation of this classification:⁵⁴

Land identified as high priority in the strategy could be preferred by the Council for rezoning and development since this land could be expected to have infrastructure needs already clearly identified in the Strategy. Land identified as a long-term priority is likely to be more challenging for infrastructure provision. Land identified as medium-term priority could be considered as sitting between the two cases.

District Plan zoning pattern

94. Several submissions considered that KCDC should undertake a more comprehensive rezoning and that PC4 was a piecemeal approach to zoning. They considered that allowing the Plan Change would set an adverse precedent for un-sequenced greenfield developments. A number of submitters sought that GRZ be extended to the surrounding sites, particularly as the Growth Strategy identifies Ōtaihangā as a medium density housing area in the near future.
95. Ms Popova advised that “best practice” planning is to take an integrated approach to rezoning the whole area. However Ms Sweetman pointed out that the NPS-UD is directive that councils are to be responsive to plan changes that would provide significant development capacity, where it would contribute to a well-functioning urban environment, is well-connected along transport corridors and meets the criteria set in the RPS. While she considered that the fragmentation of the PC4 Site is not an optimal or best practice outcome, its rezoning would not result in the land to

⁵³ Primary Evidence of Tim Heath, 16 January 2025, at [2.10].

⁵⁴ Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [35].

the west being land-locked and unable to be rezoned and developed through a future plan change exercise.

5.1.3 Evaluation and Findings

96. We return later in this Report to our findings on the statutory tests required by s.75(3) of the RMA, but suffice to say at this point that we are satisfied that PC4 would provide significant development capacity, particularly for the aged community. Based on the evidence of Mr Heath, Dr Lees and Mr Smail we accept there is (and will continue to be) a shortfall in suitable housing for the elderly. This in our view is an important sector of the community. This shortfall will be exacerbated if the Kāpiti Coast continues to be an attractive place for the elderly to live, and attracts additional people from outside of the District.
97. As noted, the RPS policies attracted attention through the hearing, particularly Policy UD.4. The Applicant considered that this discrete interpretative difference between the Applicant and KCDC on the relevant clause of Policy UD.4 has no bearing on the Plan Change Application and that the Panel is not required to make a finding on this point.⁵⁵ We agree, as it seems to us that the key point is whether PC4 is consistent with RPS Policies 55 and 56 and achieves Policy UD.4(iv). These are requirements for both clauses (b) and (c) of Policy UD.4.
98. We note that Policy UD.4(iv) applies to both UD.4(b) and UD.4(c); that is, it must be demonstrated that additional urban-zoned land is necessary and the most appropriate option to enable sufficient development capacity. We consider Mr Heath's evidence the most relevant to this question. We consider that Mr Heath has adequately demonstrated that additional urban-zoned land is necessary; not so much for standard residential development, but certainly for retirement accommodation. Mr Heath considers that enabling additional senior housing capacity is necessary to meet future demand. From an economic perspective, the proposed development is efficiently located to provide a meaningful contribution toward accommodating these shortfalls.⁵⁶ Dr Lees confirmed that this conclusion is reasonable - that rezoning enables provision of a retirement village that meets growing demand.⁵⁷
99. Not only is there a shortfall of retirement living in Kāpiti Coast, but the Site has the necessary infrastructure available and physical and locational attributes for a retirement development. The Site's proximity to Paraparaumu town centre and Te Roto Drive medical centre ensures convenient access to essential services and amenities for future residents within the proposed development. Mr Smail helpfully set out the criteria for site selection in his evidence, which this Site achieves.⁵⁸ His

⁵⁵ Applicant Closing Legal Submissions, 4 March 2026, at [4.3].

⁵⁶ Primary Evidence of Tim Heath, 16 January 2026, at [6.5].

⁵⁷ Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [15].

⁵⁸ Primary Evidence of Aaron Smail, 16 January 2026, at [6.2].

consideration of alternative sites also helps satisfy the question as to whether this is the most appropriate option to enable sufficient development capacity.

100. The requirement to add significantly to development capacity consistent with Policy UD.3, is unique to Policy UD.4(c). Having worked through each of the clauses in Policy UD.3, we consider that PC4 meets each of the criteria.
101. Through the hearing there was considerable discussion about the meaning of “medium-priority greenfield growth area” in the Growth Strategy. Unfortunately the Growth Strategy does not provide timing or clarity on what the significance of this classification is. We agree with Mr McDonnell that the Growth Strategy does not specifically set out a sequence that must be followed for rezoning.⁵⁹ It follows then that the medium-priority growth classification indicates an area suitable for accommodating growth and therefore urbanisation, and consequently we consider that PC4 is consistent with the Growth Strategy.
102. Turning to the zoning pattern that would result from PC4, we entirely agree with submitters, Ms Popova and Ms Sweetman that an opportunity was missed to create a more cohesive and integrated pattern of zoning. However we understand from Mr Smail the reasons for the Applicant focusing on the zoning of a single site that will meet the requirements for a retirement village development. The scope of PC4 cannot, unfortunately, be extended to apply to other sites.

5.2 Economic effects

5.2.1 Introduction

103. Economic effects from a plan change alone are unlikely to be significant other than an increase in value of the site being rezoned, however it is the consequential development that the plan change enables that gives rise to economic effects. The Economic Assessment undertaken by Property Economics accompanied the Plan Change and estimated the economic effects at various stages of the project, during construction and operation. These included:
 - a) employment opportunities;
 - b) local service demand;
 - c) effects on local businesses and services;
 - d) effects on the housing market;
 - e) wider social contributions; and
 - f) adverse economic effects.

⁵⁹ Primary Evidence of Torrey McDonnell, 16 January 2026, at [7.9].

5.2.2 Submissions and Evidence

104. The Economic Assessment observed that houses are less affordable for residents in Kāpiti Coast. Creating more residential capacity within the District would help reduce the escalating housing prices, affordability constraints and assist potential new homeowners into the market. If a retirement village is developed, the Economic Assessment considered there will be a greater impetus for the aged population to move to the retirement village thereby freeing up their existing property and adding further dwelling supply.
105. Other positive economic effects noted in the Economic Assessment include:
- a) Generation of additional employment opportunities in construction, health services and administration for the local economy. This represents an increase in employment retention which has flow-on, “secondary,” impacts that also boosts economic activity.
 - b) The development of a large area brings economies of scale and lower marginal infrastructure costs.
 - c) Greater returns on the use of the local infrastructure.
 - d) Growth from residential developments can often work as a catalyst that spurs further growth in the area.
106. Mr Heath’s evidence set out the total economic impact on business activity within the Greater Wellington Region as a result of the proposed retirement village development (i.e. 250 residences (independent living units), 40 full-time care units, and 40 assisted living suites), in **Table 1** below.⁶⁰

Total direct expenditure over 7-year development period	\$174m
Total NPV at 8% over a 7-year development period	\$132m
Total NPV at 2% over a 7-year development period	\$169m
FTEs during the peak development and operation year	319 FTEs
Total FTE years over the 7-year development period	1,267 FTE years
Total direct employment over the development period	481 FTE years
Total indirect and induced employment over development period	786 FTE years

Table 1: Estimated quantitative economic impacts on Wellington regional economy

107. Mr Heath recognised the potential for non-monetised economic benefits for the broader regional market and communities, extending well beyond the Kāpiti Coast local market, such as increased and diversified choice of housing location and price points.⁶¹

⁶⁰ Primary Evidence of Tim Heath, 16 January 2026, at [5.1].

⁶¹ Primary Evidence of Tim Heath, 16 January 2026, at [5.2].

108. Dr Lees confirmed that PC4 is likely to increasing housing affordability since it provides a general increase in housing supply.⁶²
109. The economic costs are described as:
- a) the loss of RLZ land and its associated productive capacity;
 - b) additional infrastructure investment and servicing requirements; and
 - c) reduced interest in intensification of existing areas.
110. Dr Lees considered that there can be economic benefits from waiting for a wider plan change rather than adopting site-specific plan changes. These include the provision of infrastructure, particularly if developers do not face the full cost of putting in place additional infrastructure. However he observed that this would forego clear economic benefits: the additional housing for elderly residents.⁶³ He considered that on balance, it is not clear that the infrastructure costs outweigh the benefits of the rezoning, particularly given this is not a new, un-serviced area.
111. We asked Mr Heath how the economic effects would differ if the site were to be developed for general residential as opposed to a retirement village. He responded that while there would still be economic benefits, they would not be as great. He also observed that there are 1,420 unemployed in Wellington Region and around 1,000 in the Kāpiti Coast, and the development of a retirement village would create additional employment opportunities.

5.2.3 Evaluation and Findings

112. In Property Economics' view, the rezoning of RLZ land within the Site represents a more efficient development outcome and productive use of the land resource. It considered that the associated loss of productive capacity is negligible and would have no plausible potential to significantly impact the overall productive potential of the broader district. We agree that there are significant economic benefits to PC4 and the consequential development of the Site.
113. It seems to us that there are significantly more (and longer term) economic benefits to be had from the development of a retirement village when compared with general residential. Of particular note is the enduring employment opportunities it would support.

⁶² Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [18].

⁶³ Primary Evidence of Dr Kirdan Lees, 14 November 2025, at [25]-[27].

5.3 Land Suitability and Development

5.3.1 Introduction

114. The suitability of the Site for use as a retirement village and residential development was investigated by the Applicant with separate civil engineering and geotechnical assessments accompanying the Plan Change request.⁶⁴
115. The civil engineering assessment outlined what earthworks would be required to enable development and noted that some parts of the Site may need to be set aside as undevelopable – including the large hills at the northern-end of the Site which straddle the boundary.
116. The geotechnical assessment considered liquefaction risk, seismic induced lateral spread, bearing capacity, earthworks and groundwater levels. It concluded that any geotechnical issues would not preclude the rezoning of the Site.

5.3.2 Submissions and Evidence

117. The submission from Mr Alan Kelly [s11] sought that the large sand dune which straddles the northern boundary of the Site and the submitter's property not be removed, undercut or developed, if the Plan Change were to progress. Mr and Mrs Foo [s7] in their submission requested that liquefaction complications be mitigated without impact to neighbouring properties.
118. The s.42A Report noted that land development and geotechnical matters were reviewed by Mr McDermott, a consultant geotechnical engineer.⁶⁵
119. Mr McDermott was satisfied that the existing District Plan and proposed PC4 provisions are appropriate and adequate to manage any geotechnical effects arising from development. He also recommended a number of matters be addressed through a further geotechnical assessment at the resource consent stage. In terms of the sand dune, Mr McDermott recommended it be left if stable, that mitigation measures may be required if it is not stable, and that any works in proximity to the dune are not to adversely affect its stability.⁶⁶
120. The s.42A Report author agreed and noted that any issues regarding the stability of adjacent land can be appropriately addressed at the resource consent stage. She also considered the proposed approach to be consistent with the relevant RPS and District Plan policy direction, namely RPS Policies 40A and 41; and District Plan Objectives DO-O3 and DO-O4, Policies EW-P1, and GRZ-P7, and Rules EW-R1 and NH-FLOOD-R4.⁶⁷

⁶⁴ Plan Change Application, Appendices H and I respectively.

⁶⁵ Primary Evidence of Charles McDermott, 3 November 2025.

⁶⁶ Primary Evidence of Charles McDermott, 3 November 2025, at [14]-[17].

⁶⁷ Section 42A Report, Section 9.7.

121. The Applicant filed evidence from Mr Black, Civil Geotechnical Engineer and Director at Riley Consultants Ltd. Mr Black was the author of the geotechnical assessment that accompanied the Plan Change. Mr Black agreed with Mr McDermott that any potential geotechnical hazards could be addressed at the resource consent stage, and noted that there were mitigation measures available to address such issues. He concluded that there were no geotechnical constraints that would require the Plan Change to be rejected.⁶⁸

5.3.3 Evaluation and Findings

122. We accept the expert evidence of the Applicant and KCDC (as summarised above) that while there are potential geotechnical hazards present on-site, mitigation measures are available, and the provisions of the existing District Plan and Plan Change are adequate to ensure these matters are appropriately addressed at the resource consent stage.
123. Accordingly, we find that civil infrastructure and geotechnical matters are not a bar to approval of the Plan Change.

5.4 Infrastructure Servicing – Water and Wastewater

5.4.1 Introduction

124. The ability of the Site to be serviced by water and wastewater infrastructure was considered in the notified Plan Change with two separate reports (a Civil Engineering Infrastructure Assessment⁶⁹ and an Updated Wastewater Capacity Assessment)⁷⁰ addressing those aspects.
125. In terms of wastewater, the assessment concluded that:⁷¹
- a) the Site could be serviced by either gravity wastewater draining to a centralised pump station or local-pressure sewer system through the Site, in both cases discharging to the KCDC Rātānui Road wastewater network (which is proximate to the Site);
 - b) no upgrades are required to the existing network if the Site is rezoned; and
 - c) no special on-site wastewater infrastructure would be required to mitigate off-site issues in the KCDC wastewater network.
126. In terms of water supply, the assessment concluded that:⁷²

⁶⁸ Primary Evidence of Brett Black, 16 January 2026, Sections 6-8.

⁶⁹ Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024.

⁷⁰ Memorandum Updated Wastewater Capacity Assessment (Appendix M to PC4 as notified), Mark Thomson, 13 February 2025.

⁷¹ Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 5; Memorandum Updated Wastewater Capacity Assessment (Appendix M to PC4 as notified), Mark Thomson, 13 February 2025, p.1.

⁷² Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 6.

- a) the Site could be serviced by a potable water network;
- b) if the Site is developed as a residential subdivision, pipes would be vested in KCDC with separate meters for each lot or dwelling;
- c) if the Site is developed as a retirement village, it would have a connection at the road boundary; and
- d) the existing KCDC network has capacity for the additional demand, with no upgrades required.

5.4.2 Submissions and Evidence

127. The submission of Mr Coggan [s15.2] raised concerns about peak wastewater loads already approaching capacity in Paraparaumu and that the lack of a rain-water harvesting requirement in the Structure Plan exposed the District's water supply to new peak demand.
128. The s.42A Report attached technical reports from Mr Robinson addressing wastewater issues, and Ms Waterland addressing potable water matters.
129. In relation to wastewater, Mr Robinson confirmed that:⁷³
- a) the downstream wastewater network has sufficient capacity to accommodate the additional flows;
 - b) the impact would be no more than minor; and
 - c) the planned upgrades to the Paraparaumu wastewater treatment plant will provide sufficient additional capacity to accommodate anticipated medium-term growth.
130. In relation to potable water, Ms Waterland concluded:⁷⁴
- a) based on findings from a recent update to KCDC's water network supply model and masterplan there will be little to no adverse effects on the water supply network if there is future growth in the area;
 - b) there is significant storage capacity; and
 - c) the KCDC water supply mains on Rātānui Road would provide service to the Site.
131. The s.42A Report author adopted the evidence of Mr Robinson and Ms Waterland and noted further that:⁷⁵

⁷³ Primary Evidence of Brian Robinson, 28 October 2025, at [13.5], [13.7] and [14].

⁷⁴ Primary Evidence of Kate Waterland, 23 October 2025, at [18].

⁷⁵ Section 42A Report, at [189]-[195].

- a) there is already a rule in the existing District Plan (INF-MENU-R28) that would require rainwater harvesting for non-potable uses – whether the Site is developed for residential uses or for a retirement village; and
 - b) the provision of on-site water and wastewater would be addressed through any future subdivision, land use or building consents.
132. The s.42A Report author therefore concluded there are no water or wastewater constraints that would justify the Plan Change being rejected.⁷⁶
133. The Applicant's planner (Mr McDonnell) and infrastructure expert (Mr Thomson) reached similar conclusions.⁷⁷
134. No submitter evidence was filed on this issue. However, at the hearing, a query was raised by submitters as to whether the wastewater assessment had taken into account the Maunsell development when cumulative effects were considered.
135. As part of its closing the Applicant attached an email from Mr Robinson, its wastewater expert, responding to this issue. Mr Robinson stated:⁷⁸

...the wastewater assessment that was undertaken for the Summerset site on Ratanui Rd that was the subject site for PC4 did not include the cumulative impact of flows from the Mansell development. However as flows from the Mansell development must pass through an intermediate pump station (PSP00006) before entering the gravity network, which flows from the Summerset site will be discharged to, and there is no upgrade to that pump station required, modelled peak flows in the gravity network, which generally dictate the risk of overflows from a gravity network will be unchanged, so the conclusion that the risk of overflows is low as a result of the proposed plan change still stands.

There is an argument that the additional flows from the Mansell development will result in increased wastewater volumes, and as a result increased pump run hours at the downstream pump station (PSP00006), which in turn would result in an increased volume of wastewater flow at the next pump station downstream (Ratanui PS, PSP00004) which relies of some attenuation of peak flows within the wet well, but the assessment that has been undertaken is conservative by assuming a constant flow from the development equivalent to PWWF, so if this was to be assessed dynamically (i.e. peak flows only occurring during the peak of a storm), then the minor surcharge predicted at the pump station is likely to be reduced from the current conservative assessment, even allowing for the cumulative impact of the Mansell development.

So in short, the conclusion that the impact will be no more than minor, and the risk of overflows is low, still stands, and I don't believe additional analysis is necessary.

[Note we have corrected minor spelling typos in the above]

5.4.3 Evaluation and Findings

136. We accept the uncontested evidence for the Applicant and KCDC that there is sufficient capacity within the water and wastewater networks to support the rezoning and any water or wastewater issues can be appropriately managed by the existing regulatory framework and the proposed Plan Change provisions.

⁷⁶ Section 42A Report, at [196].

⁷⁷ Primary Evidence of Mark Thomson, 16 January 2026, at [2.2]; and Primary Evidence of Torrey McDonnell, 16 January 2026, at [7.25].

⁷⁸ Applicant Closing Legal Submissions, Appendix C – Email from Brian Robinson, 25 February 2026.

137. We therefore find that water and wastewater matters are not a bar to the approval of the Plan Change.

5.5 Stormwater and Flood Risk

5.5.1 Introduction

138. Stormwater and flooding effects were covered in the Civil Engineering Infrastructure Assessment,⁷⁹ prepared by Mr Thomson from Woods, and attached as Appendix H to PC4.
139. In relation to the existing stormwater and flooding characteristics of the Site, the Civil Engineering Assessment found:⁸⁰
- a) the KCDC online GIS portal indicates that there is significant flooding across part of the Site near where the unnamed drain crosses the Site;
 - b) updated flood modelling for the Site indicates that there is significantly less flooding on- Site than shown on the KCDC online GIS portal;
 - c) some flooding crosses the southwest boundary and affects the Site; and
 - d) floodplain storage can be protected by setting aside areas as ‘undevelopable’ or by providing offset compensatory storage to ensure the proposed development does not increase adverse effects.
140. The principle of hydraulic neutrality (where the post-development discharge flowrate is no greater than pre-development) would be applied in accordance with KCDC requirements.⁸¹
141. The Civil Engineering Infrastructure Assessment proposed a concept design for stormwater management for the Site which included the following components:⁸²
- Rainfall would be obtained from NIWA HIRDS v4 for RCP8.5 climate change scenario and a 100-year event horizon, in accordance with KCDC and Welhom requirements.
 - In accordance with KCDC requirements, stormwater reticulation within the Site would be designed to pass the 10-year storm event while overland flow for events greater than the 10-year event will be contained within the proposed internal road network.
 - The stormwater attenuation system for the Site as a whole would be designed to mitigate the increase in stormwater runoff associated with the development for all rainfall events up to and including the critical duration 100-year storm event.
 - We have assumed that rock-filled soakpits for roof water runoff designed for the 10-year AEP 1hr rainfall event in accordance with the NZ Building Code compliance doc E1/VM1

⁷⁹ Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 4-Stormwater.

⁸⁰ Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 4-Stormwater.

⁸¹ Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 4-Stormwater.

⁸² Civil Engineering Infrastructure Assessment (Appendix H to PC4 as notified), Woods, 29 November 2024, Section 4-Stormwater.

would be provided. Soakpits would be distributed across the Site located underneath greenspace areas/between townhouses etc for a retirement village development, or on each allotment under a residential development scenario. Roof water runoff in excess of the soakpit capacity would be directed to the stormwater management area. Further Site testing may be required to validate that the assumed (conservative) infiltration rates are available across the entire Site and can be relied upon during periods of high groundwater.

- Stormwater management areas would provide quality and quantity mitigation for the Proposed future development. Part of the area set aside would be formed as wetland and would provide stormwater treatment as well as offsetting the existing low-value wet areas identified on the Site that would be demolished due to development of the Site. Some existing wetlands identified by Blue Green Ecology could be integrated into these new stormwater management areas and/or compensatory flood storage areas.
- The Site would logically be split into two catchments, defined by land each side of the existing Drain; this avoids earthworks level and quantity issues associated with raising part of the Site to convey stormwater overland across the Drain to a centralised stormwater management area. Each catchment would have its own stormwater management area for treatment and attenuation of stormwater runoff.
- We have assumed that invert of constructed stormwater management areas would act as an effective 'upper bound' to groundwater levels, and consequently that groundwater interception would not use up available storage volume within these ponds.
- Compensatory Flood Storage Areas have been set aside adjacent to the Drain and along the west boundary of the Site, as identified by the recent KCDC/Awa modelling.
- A culvert crossing over the Drain has been assumed, based on assessment of predevelopment flowrate within the Drain within the KCDC/Awa flood model.
- KCDC freeboard requirements for this Site are still being assessed by KCDC as part of the updated suite of modelling but we have been advised that that this is likely to be 300mm to 500mm above the ponded 100-year water surface. Subject to detailed design, we consider that this freeboard can be provided. Detailed modelling will be required to confirm available freeboard above the 100-year overland flow path water surface within the Site.
- Access to the Drain for maintenance by KCDC would need to be provided. This maintenance would typically be carried out by a small excavator and truck and would be provided by having a suitably formed accessible hardstand on one side of the Drain.

5.5.2 Submissions and Evidence

142. Several submitters raised general concerns in relation to the existing stormwater management and flooding in the area and the potential effects of PC4 on the ongoing performance of the KCDC stormwater management system.⁸³
143. At the hearing the Lang Family Trust [s2] expressed concern that the drain through the PC4 Site flows through the submitter's property and would be directly affected by stormwater and flooding effects generated by PC4. Ms Lang confirmed that if the stormwater solutions were connected to the drain at the lower end of their property then it would be appropriate. The Lang Family Trust wanted KCDC to ensure that the volume of the stormwater flow will not be increased beyond the current manageable levels. The lower end of the submitters' property adjacent to the drain is prone to

⁸³ Lang Family Trust [s2], Kim Hobson [s4], Stephen Alexander and Linda Parsons [s6], Derek and Helen Foo [s7], Montcalm Family Trust [s10], Hayden Milburn [s14], Paul Coggan [s15] and John Le Harivel [s16].

flooding, however the house site at the Rātānui Road end of the property is not affected.

144. Another submitter, Mr Le Harivel,⁸⁴ who owns a property downstream of the PC4 Site and upstream of the Mazengarb Stream confluence with the Waikanae River, was concerned about the cumulative effect of ongoing land development in the area on the catchment of the Mazengarb Stream and its ability to accept more stormwater without the exacerbation of existing flooding in the area.⁸⁵ Mr Le Harivel noted that the water table has consistently risen over the 27-years that the submitter has lived at the property.
145. A request for clarification was also raised by Mr Alexander and Ms Parsons [s6] about the extent of the effects on their stormwater system given their stormwater pipe was not contained within the boundaries of their site, but extended across the PC4 Site to the open drain.

Section 42A Report

146. The stormwater and flooding effects of PC4 were assessed for KCDC by Ms O’Brien, the Stormwater and Coastal Asset Manager for KCDC. Ms O’Brien’s evidence formed part of the s.42A Report.
147. Ms O’Brien acknowledged at the hearing that many of the stormwater and flooding issues that had been raised by the submitters⁸⁶ were related to the KCDC stormwater system and were outside the control of the Plan Change Applicant. Ms O’Brien confirmed that the drain though the property is protected by the stream corridor overlay in the District Plan with most of the ponding occurring adjacent to the stream.⁸⁷
148. Ms O’Brien indicated that all aspects of the development will need to be hydraulically modelled so further consideration of extents and location will be required at the resource consent stage.⁸⁸ Ultimately Ms O’Brien concluded that that further modelling, along with the Ministry for Environment’s guidance, and the existing stormwater/flood policies will ensure that any downstream stormwater and flooding impacts can be appropriately managed at the resource consent stage.⁸⁹
149. Mr Thomson addressed the matters raised by submitters in relation to stormwater and flooding in his evidence. He took a similar view to Ms O’Brien. Ultimately, he concluded that based on the work that he had undertaken, the proposed re-zoning of

⁸⁴ Written and oral submission John Le Harivel [s16].

⁸⁵ The Panel notes the long and complex nature of the Mazengarb Stream catchment including the drain within the PC4 Site which accepts stormwater from the surrounding area. There are several subdivisions in the catchment, including at Kōtuku Park, Meredith Way and Takahē Drive that have incorporated natural or constructed stormwater ponds into their design.

⁸⁶ Localised flooding issues raised by the Lang Family Trust [s2], the Montcalm Family Trust [s10] and John Le Harivel [s16].

⁸⁷ Primary Evidence of Rita O’Brien, 1 October 2025, at [17].

⁸⁸ Primary Evidence of Rita O’Brien, 1 October 2025, at [38].

⁸⁹ Primary Evidence of Rita O’Brien, 1 October 2025, at [39].

65 and 73 Rātānui Road can be supported from a civil engineering and infrastructure perspective (including stormwater and flooding effects).⁹⁰

150. The Applicant also confirmed at the hearing that it would work with Mr Alexander and Ms Parsons to address the stormwater pipe overlap issue.

5.5.3 Evaluation and Findings

151. We have carefully considered the stormwater and flooding issues that are present within the local area and the evidence that was provided by the Applicant and KCDC technical experts and the local lay submitters. We acknowledge that the stormwater system in the Mazengarb Stream catchment is complicated and the very nature of stormwater systems, crossing cadastral boundaries and having both upstream and downstream effects can lead to a wide level of public interest in the performance of the system and the effect of any specific proposal on it.
152. We acknowledge the concerns raised by several submitters in relation to the current performance of the stormwater system in the Mazengarb Stream catchment. Careful design of the stormwater management system will be required at the resource consent stage in order to adequately manage stormwater on the Site.
153. We accept the evidence of Mr Thomson and Ms O’Brien that the principle of hydraulic neutrality can be designed into a resource consent application for the development of the Site and that there is sufficient national and district level guidance and control to ensure that any effects are adequately managed.
154. In relation to the existing overlapping stormwater pipe issue, we consider this is outside the scope of what we can recommend in terms of PC4, so do no more than acknowledge the Applicant’s confirmation that it will work with its neighbour to address the issue.
155. Given the above, we do not consider that stormwater or flooding effects are an impediment to approving the Plan Change.

5.6 Transportation | Traffic

5.6.1 Introduction

156. Transportation and traffic effects were covered in the Integrated Transport Assessment (**ITA**), Appendix G to the Notified PC4, prepared by Stantec.
157. The ITA:⁹¹
- a) focusses on access between the Site and Rātānui Road and accessibility for a range of travel modes;

⁹⁰ Primary Evidence of Mark Thomson, 16 January 2026, at [8.1].

⁹¹ Integrated Transport Assessment (Appendix G of PC4 as notified), Stantec NZ, 29 November 2024, Section 1.0 Introduction.

- b) notes that while the re-zoning of the Site for residential development would generate additional traffic on the transport network, the scale will not present capacity issues for Rātānui Road and the connecting network; and
- c) concludes that traffic generated by PC4 can be accommodated safely and efficiently with some improvements to the Rātānui Road entrance including right turning facilities and a new intersection.

5.6.2 Submissions and Evidence

158. Most submitters raised transport-related matters.⁹² Key themes in the submissions related to:

- a) traffic volumes;
- b) road safety;
- c) public transport;
- d) carparking;
- e) non-car road users;
- f) connectivity to adjacent land;
- g) proximity to pre-school;
- h) construction traffic; and
- i) other matters.

159. The concerns raised by submitters were broadly that Rātānui Road is very busy and that any further development would make the traffic worse, leading to traffic safety concerns, particularly on Rātānui Road and the intersections at either end. Mr and Mrs Foo [s7] confirmed at the hearing that their family are regular users of the cycleway and walkway on Rātānui Road and there is no physical protection for cyclists or walkers on the side of the road.

Section 42A Report

160. The transportation and traffic effects of PC4 were reviewed for KCDC by Mr Shields, a Senior Principal Transportation Planner at Tonkin & Taylor Limited. Mr Shields confirmed that the proposed site-access and the adjacent road network can safely and efficiently accommodate the predicted traffic flows from PC4. Mr Shields also commented that a safe crossing location is proposed for pedestrians and an

⁹² Samuel Day [s1], Ian Lang c/o Lang Family Trust [s2], Rhys Evans [s3], Kim Hobson [s4], Russell Halliday [s5], Stephen Alexander and Linda Parsons [s6], Derek and Helen Foo [s7], Sarah and Dane Coles [s8], Ian Powell [s9], Montcalm Family Trust [s10], Alex Metcalfe [s13], Hayden Milburn [s14], Paul Coggan [s15], Ingrid van Iperen [s17] and Roy & Meryl Opie [s18].

extension to the footpath on Rātānui Road would provide a safe connection for future residents of the Site.⁹³

161. Mr Shields confirmed that either of the potential development scenarios for the Site⁹⁴ would be a ‘major traffic activity’ and would require a transport assessment under Rule TR-R10 of the District Plan at the resource consent stage, with KCDC having discretion over consistency with all District Plan transport policies. Mr Shields responded to the submissions received on the PC4 (summarised above) and concluded that the PC4 provisions along with the existing District Plan provisions are appropriate to address any transport matters at the resource consent stage.⁹⁵

Applicant evidence

162. In addition to the ITA, Mr Georgeson from Stantec provided a statement of evidence on traffic matters. In response to concerns raised by submitters on traffic effects Mr Georgeson noted:⁹⁶
- a) traffic that could be generated by the development of the Site would not noticeably change the function of Rātānui Road, with key intersections able to continue to operate safely and efficiently;
 - b) the Mazengarb Road / Rātānui Road roundabout has good available capacity;
 - c) traffic speed data does not indicate a concern with existing vehicle speeds relative to speed limits;
 - d) carparking demand for the development will be able to be accommodated within the Site and there will be no need for parking to spill on to Rātānui Road;
 - e) the effects of the traffic generated by the development will not noticeably affect the function of Rātānui Road, including for pedestrians, cyclists or horse riders;
 - f) the development of a retirement village would not normally require traffic access through the Site to a secondary access location;
 - g) the site-access location in the structure plan is sufficiently separated from the preschool entry driveway; and
 - h) it is normal practice for a Construction Traffic Management Plan to be prepared post consent, which sets out the details and expectations of construction activity, to the satisfaction of KCDC.

⁹³ Primary Evidence of Colin Shields, 5 November 2025, at [12].

⁹⁴ Either a retirement village or a residential subdivision.

⁹⁵ Primary Evidence of Colin Shields, 5 November 2025, at [13]-[15] and [29]-[64].

⁹⁶ Primary Evidence of Mark Georgeson, 16 January 2026, at [6.1]-[6.20].

163. Consistent with the recommendations in the ITA, Mr Georgeson provided a concept design and recommendations in his evidence for the location of the site-access point on Rātānui Road, as well as an intersection at that location with a right turn bay and a safe pedestrian crossing point.⁹⁷ During the hearing Mr Georgeson confirmed that a retirement village would generate less traffic than a residential subdivision on the Site, mainly because occupancy rates in retirement villages are typically 1.3 people per residential unit as compared with 2.5 people per residential unit for a typical residential community. Retirement village residents are also less mobile and use their cars less.⁹⁸
164. Mr Georgeson concluded that:⁹⁹
- a) Under either a residential subdivision development or retirement village scenario the traffic generation from a development on the Site will be consistent with local connection to Rātānui Road.
 - b) The proposed structure plan identifies a location for a site-access point on Rātānui Road and an intersection at that location with a right turn bay and a safe pedestrian crossing point is a suitable and logical access response. It will operate safely and efficiently, with negligible effects on Rātānui Road.
 - c) Traffic volume effects will have negligible effects on nearby intersections, including Mazengarb Road / Rātānui Road and Ōtaihangā Road / Rātānui Road intersections.
 - d) Development of the Site will be able to be appropriately connected to KCDC's existing path network for walking and cycling accessibility. Future connectivity to adjacent land can be considered through subsequent consent processes, as required.

5.6.3 Evaluation and Findings

165. We agree with the technical evidence of Messrs Georgeson and Shields that the existing transport conditions on Rātānui Road and connecting intersections are safe and have capacity to accommodate the increase in traffic that would be generated by the implementation of PC4. We find that the proposed site-access point on Rātānui Road, intersection design with a right turn bay and the safe pedestrian crossing point, is a suitable and logical response to the development of the Site as either a retirement village or a residential subdivision.
166. We acknowledge the concerns of submitters that PC4 will lead to a change in the character of the traffic conditions on Rātānui Road. However, this will not adversely affect the safe and efficient operation of the transport network.

⁹⁷ Primary Evidence of Mark Georgeson, 16 January 2026, at [5.1]-[5.20].

⁹⁸ Oral evidence of Mark Georgeson, 16 February 2026.

⁹⁹ Primary Evidence of Mark Georgeson, 16 January 2026, at [2.1]-[2.4].

167. We are satisfied that the PC4 provisions in conjunction with the District Plan transportation provisions will enable a safe and efficient transport solution for the Site at the Resource Consent stage. Therefore, we do not consider that transportation or traffic effects are an impediment to approving PC4.

5.7 Landscape, Natural Character, Visual Amenity and Urban Design

5.7.1 Introduction

168. Landscape, natural character, visual amenity and urban design effects are assessed in the Landscape Effects Assessment prepared by Ms Gardiner, a Senior Landscape Architect at Boffa Miskell (Appendix D to the Notified PC4 Application). Ms Gardiner also provided a written response to a s.92 Request for further information from KCDC.
169. The Landscape Effects Assessment provided a series of recommendations to manage the potential landscape effects of the Plan Change including the provision of a Landscape Plan at the resource consent stage which encompasses the following:¹⁰⁰
- Street tree, structure and amenity planting, including proposed vegetated buffer and appropriate landscape buffers along the northern, eastern and partial southern boundaries of the Site (as shown on the Structure Plan) should be implemented to soften the rural lifestyle/general residential interface as well as providing adequate and appropriate screening for existing neighbouring residential dwellings.
 - Planting species, species mixes, and planting arrangement should reflect the location of the Site;
 - indigenous species which are typical of the coastal area.
 - In the southern extent of the Site, boundary planting arrangements should reflect the more 'wooded' character of the rural residential properties along Ratanui Road;
 - Sensitive earthworks designed to ensure that the development platforms are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges; Reserves/open space design;
 - Connection to the transport network (roads, pedestrian and cycle links); and
 - Stormwater basin and swale design to reflect the coastal location of the site, seeking to restore areas of natural character across the Site.
170. The Landscape Effects Assessment found that development of the PC4 Site in a manner consistent with the relevant provisions and the structure plan would lead to the following level of effects:¹⁰¹
- a) **neutral** effects on **natural character**, given the existing low level of natural character;
 - b) **low-moderate** effects on **landscape character**, reducing to **very low** as landscape planting becomes established;

¹⁰⁰ Landscape Effects Assessment (Appendix D to PC4 as notified), Boffa Miskell, 27 November 2024, at p.34.

¹⁰¹ Landscape Effects Assessment, Boffa Miskell, 27 November 2024, pages 34-35.

- c) **low** (or less) **visual effects** on the surrounding area (beyond 100 – 200m);
 - d) **low visual effects** on views from Rātānui Road;
 - e) **low to very low visual effects** on views from Ōtaihangā Road; and
 - f) **low visual effects** on the views from the lookout at Kōtuku Park.
171. The effects ratings were stated as being contingent on the successful implementation of the landscape recommendations contained in the Landscape Effects Assessment.

5.7.2 Submissions and Evidence

172. Several submitters raised landscape and visual effect concerns.¹⁰² These related to the following themes:
- a) visual effects on neighbouring properties;
 - b) loss of rural character and amenity; and
 - c) delivery of proposed mitigation measures.
173. The submission of Mr Coggan [s15] pointed out the requirement under s.6(a) of the RMA to ‘protect the natural character of wetlands and streams’.
174. The submission of Mr Kelly [s11] requested that the northern dune be retained and planted with indigenous vegetation that is typical of the coastal environment.
175. Several submitters raised concerns in relation to the location, extent, width and implementation of vegetated and landscape buffers on their property boundaries.¹⁰³
176. All of the submitters that raised landscape and visual concerns are either immediate neighbours of the Site or live close to it. Many have direct views from their properties into the PC4 Site.

Section 42A Report

177. The landscape and visual effects were reviewed for KCDC by Ms McArthur from Eco-Landscapes & Design Ltd. Urban Design Effects were reviewed by Ms Popova from Urban Perspectives Ltd. Both Ms McArthur and Ms Popova provided reports to support the s.42A Report.
178. We note that there was some crossover between Ms McArthur’s review and Ms Popova’s, given that both reviews responded to the Landscape Effects Assessment

¹⁰² Stephen Alexander and Linda Parsons [s6], Derek and Helen Foo [s7], Sarah and Dane Coles [s8], Montcalm Family Trust [s10], Allan Kelly [s11], Hayden Milburn [s14], and Paul Coggan [s15].

¹⁰³ Stephen Alexander and Linda Parsons [s6], Derek and Helen Foo [s7], Montcalm Family Trust [10], Alan Kelly [s11], and Paul Coggan [s15].

prepared by Ms Gardiner, albeit that they had a slightly different focus. Ms McArthur and Ms Popova also provided updated reports,¹⁰⁴ and appeared at the hearing.

Applicant evidence

179. Ms Gardiner provided a statement of evidence which supplemented the Landscape Effects Assessment provided with the notified Plan Change.¹⁰⁵
180. At the hearing Ms Gardiner confirmed that she had undertaken an assessment of the visual effects of PC4 on the surrounding properties using the photographs from within the Site and the viewpoint photographs, however she did not assess the effects of overlooking from the PC4 Site on adjacent properties due to the lack of detail at the Plan Change stage.¹⁰⁶

Outstanding issues

181. By the time of the hearing, the issues that were not agreed between the landscape and urban design experts were:
 - a) natural character and naturalness – low versus moderate (latter due to dune system);
 - b) treatment of northern dunes; and
 - c) perimeter buffer – location and extent.

182. We address each of these matters in turn below.

Natural character and naturalness

183. As summarised above, Ms Gardiner assessed the existing natural character values of the Site as low, due to the long-term use of the Site for agricultural purposes and its highly modified condition. Ms McArthur disagreed that the PC4 Site has a low level of natural character and instead considered it to have a moderate level of naturalness, largely due to the intact landform of the dune system.¹⁰⁷
184. Ms Gardiner assessed the effects of PC4 on the low levels of natural character of the Site as neutral. Ms McArthur agreed with Ms Gardiner in relation to the natural character levels and effects in her evidence, which appears to partly contradict her previous disagreement with Ms Gardiner's assessment of the level of natural character values on the PC4 Site.¹⁰⁸

Northern dunes

¹⁰⁴ Memorandum Urban Design Report (Section 42A Addendum, Appendix 7), Deyana Popova, 31 January 2026; and Natural Character and Visual Amenity Report, (Section 42A Addendum, Appendix 4) Angela McArthur, 30 January 2026.

¹⁰⁵ Primary Evidence of Alex Gardiner, 16 January 2026.

¹⁰⁶ Oral Evidence of Alex Gardiner, 16 February 2026.

¹⁰⁷ Updated Landscape, Natural Character and Visual Amenity Report (Section 42A Addendum, Appendix 4), Angela McArthur, 30 January 2026, at [29].

¹⁰⁸ Section 42A Addendum, Appendix 4 – Updated Landscape, Natural Character and Visual Amenity Report, at [59].

185. The treatment of the northern dunes on the PC4 Site was assessed by Ms Gardiner, Ms McArthur and Ms Popova.
186. Ms Gardiner considered that earthworks should be designed to ensure that the development platforms are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges.¹⁰⁹ At the hearing, Ms Gardiner responded that retaining the northern dune would be a 'good outcome'.¹¹⁰
187. Ms McArthur recommended wording in the earthworks provisions of PC4 that would manage effects on the northern dunes in her statement of evidence.¹¹¹ At the hearing Ms McArthur commented that the natural values of the northern dunes are worth protecting.¹¹²
188. Ms Popova recommended that the retention of the northern dune and its' integration into the development should be ensured via site-specific provisions.¹¹³ At the hearing, Ms Popova stated that the tall northern dunes should be retained to integrate the development into the features of the Site and indicated that the dunes have value from a place-making perspective.¹¹⁴
189. In the Closing Legal Submissions for the Applicant, Mr Minhinnick highlighted the treatment of the northern dunes, and the extent to which they should be retained, as one of the remaining outstanding issues between the Applicant and KCDC. Mr Minhinnick noted that this had resulted in the planning witnesses for the Applicant and KCDC advocating for different wording for Policy 1(6)(d) as follows:¹¹⁵

3.15 Mr McDonnell seeks the following wording (which reflects the notified wording):

development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters, where practicable); and

3.16 Ms Sweetman seeks that the policy should instead read:

development platforms that are sensitively and effectively integrated into the existing terrain along the edges of the Site, particularly at the northern and eastern edges (retaining walls will be minimised in favour of natural batters and consideration will be given to retaining and enhancing natural landforms, where practicable); and

[Our underlining emphasis]

Perimeter buffer

¹⁰⁹ Primary Evidence of Alex Gardiner, 16 January 2026, at [5.2(d)].

¹¹⁰ Oral Evidence of Alex Gardiner, 16 February 2026.

¹¹¹ Section 42A Addendum, Appendix 5 – Updated Landscape, Natural Character and Visual Amenity Report, at [53]-[56].

¹¹² Oral Evidence of Angela McArthur, 17 February 2026.

¹¹³ Section 42A Addendum, Appendix 7 – Addendum Urban Design Report, at [50].

¹¹⁴ Oral Evidence of Deyana Popova, 17 February 2026.

¹¹⁵ Applicant Closing Legal Submissions, 4 March 2026, at [3.15]-[3.16].

190. The location and width of the vegetated and landscape buffers around the boundary of the PC4 Site was assessed by Ms Gardiner, Ms McArthur and Ms Popova.
191. Ms Gardiner recommended that vegetated and landscape buffers should be incorporated into a Landscape Plan for the PC4 Site and determined at the resource consent stage.¹¹⁶ In her view, there is insufficient detail at the PC4 Application stage to require a consistent buffer around the entire Site or to stipulate a minimum width for a vegetated or landscape buffer.¹¹⁷
192. Ms McArthur took a different view, and recommended that the vegetated and landscape buffers be set within the Plan Change, that they be a minimum of 5m wide and that they extend around the entire PC4 boundary.¹¹⁸ On further questioning, Ms McArthur conceded that while a 5m buffer would be a suitable depth based on building set-backs and height in relation to boundary (**HIRB**) controls, some flexibility could be included. Ms McArthur clarified that least 2-3m of planting should be required, depending on whether there was a solid fence at the boundary.
193. Ms Popova's position was similar to Ms McArthur's in that she agreed that buffers should be required around the entire boundary of the PC4 Site as part of this Plan Change. She agreed that a 5m width was a good starting point, although she acknowledged that buffers could be narrower in some locations.¹¹⁹ Ms Popova concluded that the fallback position from a buffer would be the minimum building setback for the GRZ zone of 1.5m (GRZ-R6.10), which would be insufficient for taller or bulkier buildings.¹²⁰
194. Helpfully, Ms Popova provided a summary of the building setbacks that would be required by HIRB controls for up to three storey buildings, as follows:
- a) 1-storey building: 4.5m tall - 1.2m setback (inside the minimum 1.5m setback);
 - b) 2-storey building: 8m tall - 2.3m setback; and
 - c) 3-storey building: 11m tall - 4m setback.
195. Ms Popova pointed out that without a buffer in place, the effects of taller and bulkier buildings on the boundary of the PC4 Site could not be mitigated through meaningful separation. Ms Popova confirmed her view that buffers are the primary method for managing the rural / residential interface at the edges of zones.¹²¹

¹¹⁶ Primary Evidence of Alex Gardiner, 16 January 2026, at [5.2(a)].

¹¹⁷ Oral Evidence of Alex Gardiner, 16 February 2026.

¹¹⁸ Section 42A Addendum, Appendix 4 – Updated Landscape, Natural Character and Visual Amenity Report, at [47] and Oral Evidence of Angela McArthur, 17 February 2026.

¹¹⁹ Section 42A Addendum, Appendix 7 – Updated Urban Design Report, at [47]-[48] and Oral Evidence of Deyana Popova, 17 February 2026.

¹²⁰ Oral Evidence of Deyana Popova, 17 February 2026.

¹²¹ Oral Evidence of Deyana Popova, 17 February 2026.

196. Ms Sweetman carefully considered the recommendations from Ms McArthur and Ms Popova in relation to whether a continuous buffer with a minimum width of 5m should be required around the boundary of the PC4 Site. Ms Sweetman's view was that while a buffer should be provided around the boundary of the PC4 Site, a minimum width should not be stipulated.¹²² This was because the MDRS standards would require a qualifying matter¹²³ to be in play if there was to be such a restriction on the development of the PC4 Site for residential purposes.
197. Mr Minhinnick, in his Closing Legal Submissions for the Applicant, agreed with Ms Sweetman regarding the effect of the MDRS restrictions. He concluded that the reframing of Policy 1 as agreed by Ms Sweetman and Mr McDonnell can be relied upon to manage the treatment of all interfaces at the boundary.¹²⁴

5.7.3 Evaluation and Findings

198. As set out above, the matters of disagreement between the landscape and urban design experts, Ms Gardiner, Ms McArthur and Ms Popova, are relatively narrow. All of these experts have concluded that PC4 can be granted, with appropriate consideration to the structure plan and provisions to manage natural character, landscape and visual effects.

Natural character and naturalness

199. We find that the difference of opinion between Ms Gardiner and Ms McArthur as to the existing levels of natural character on the Site do not make a material difference as to whether PC4 is an appropriate outcome for the Site. We agree that existing natural character values of the Site are at the lower to mid-range of the scale used by Ms Gardiner and Ms McArthur to assess them. The PC4 Site has been cleared of any indigenous vegetation, domesticated with farm fences and structures, and is covered in grazed pasture with a series of (potentially) natural and constructed wetlands. The surrounding area is an evolving rural lifestyle and residential environment which provides some context for the PC4 Site. Ultimately any adverse effects of PC4 on the natural character of the Site will be of a low order, with potential for improvements over time.

Northern dunes

200. We find that the matter of the treatment and/or retention of the tall dunes on the northern boundary of the PC4 Site is a matter that should be considered at the resource consent stage, once the detailed layout and design of a retirement village or residential subdivision is known.

¹²² Oral Evidence of Gina Sweetman, 18 February 2026.

¹²³ For example, a matter of national importance, such as an Outstanding Natural Feature or Landscape or areas of Outstanding Natural Character.

¹²⁴ Applicant Closing Legal Submissions, 4 March 2026, at [3.3]-[3.10].

201. We agree with Mr Minhinnick that the difference in the drafting of policy DEV3-P1.6.d. is subtle. The slightly more restrictive wording suggested by Ms Sweetman does not require the retention of the northern dunes, but leaves the matter open to be considered under Policy DEV3-P1.6.d. at the resource consent stage.
202. We find that the inclusion of Ms Sweetman's proposed addition in Policy DEV3-P1.6.d. does not inappropriately constrain the efficient development of the PC4 Site given the very limited area of the Site that is affected by the taller dunes. A requirement to consider such integration is appropriate given the potential cross boundary effects that could eventuate from earthworks on the dunes.
203. For the above reasons, we find the wording proposed by Ms Sweetman for Policy DEV3-P1.6.d. to be the most appropriate, and have included that in our recommended provisions.

Perimeter buffer

204. We agree that the provision of a buffer around the boundary of the PC4 Site is an appropriate way to manage effects at the interface of a GRZ and RLZ boundary. We are satisfied that whether the future development of the PC4 Site takes the form of a retirement village or a residential subdivision, a buffer is an appropriate method to manage effects, particularly on adjacent properties.
205. The detailed setback figures provided by Ms Popova (noted above) illustrate the difficulty of setting a continuous and/or minimum width buffer around the entire boundary of the Site when the layout and detail of a development is not known. Such an approach risks imposing an overly cautious approach to setting a mitigation requirement in PC4 which can then not be easily altered if the design of a development does not lead to the anticipated effects on the boundary.
206. We are also cognisant of and agree with the evidence and submissions of Ms Sweetman and Mr Minhinnick on the need to comply with the MDRS. Importantly, there is no evidence before us that such a buffer would constitute a qualifying matter.
207. Accordingly, we agree with the final position reached between the planners for the Applicant and KCDC which includes a policy requiring consideration of a vegetated / landscape buffer around the Site, with the precise locations, width and detail to be determined at the resource consent stage.

Overall finding on natural character, visual and landscape effects

208. Overall, based on our consideration of the natural character, visual and landscape effects of PC4, we do not consider such effects to be an impediment to approving the Plan Change.

5.8 Ecology

5.8.1 Introduction

209. The ecological effects are assessed in the Ecological Values, Constraints and Opportunities Report prepared by Blue Green Ecology (Appendix E to the Notified PC4 Application). The Ecological Assessment concluded that there are no indigenous terrestrial ecological values at the Site of note, nor any that could meet the significance criteria in Policy 23 of the RPS.¹²⁵ Fourteen small natural inland wetlands were identified on the Site amounting to a total area of 621m². The wetlands were found to contain largely exotic vegetation assemblages in currently grazed pasture, with low ecological value and function.
210. The waterway bisecting the Site was found to have low aquatic value and often runs dry. Overall, the Site was found to have few ecological constraints but reasonable opportunities to improve the state of the natural wetlands by amalgamating those associated with the existing waterway and implementing an indigenous dominant community.¹²⁶

5.8.2 Submissions and Evidence

211. Four submitters¹²⁷ cited ecological constraints or effects as a reason to decline, defer or condition PC4. The submissions that mention ecological constraints and effects are general in nature and do not mention any specific matters or reasons in support of ecological effects, other than the GWRC submission [s12]. The GWRC submission noted that the intent of the proposed provisions was consistent with the RPS and RPS Change 1, but sought a few minor amendments to ensure alignment.
212. The Ecological Assessment Report and submissions were reviewed by Dr Dijkgraaf for KCDC. Dr Dijkgraaf provided an Ecological Report to support the s.42A Report as well as an Updated Ecological Report.¹²⁸ Dr Dijkgraaf noted that the wording changes suggested by GWRC are consistent with the NES-F requirements and would therefore be an appropriate modification to the PC4 provisions. In relation to the submissions, Dr Dijkgraaf ultimately found that none of the matters raised by submitters were of sufficient concern to decline the Plan Change on ecological grounds.¹²⁹
213. Dr Keesing from Blue Green Ecology prepared a statement of evidence in support of PC4.¹³⁰ Dr Keesing found that none of the submissions, other than the GWRC submission, raised specific ecological concerns or effects. He noted that GWRC were

¹²⁵ Ecological Values, Constraints and Opportunities (Appendix E to PC4 as notified), BlueGreen, 28 November 2024, Executive Summary.

¹²⁶ Ecological Values, Constraints and Opportunities, BlueGreen, 28 November 2024, Executive Summary.

¹²⁷ Stephen Alexander and Linda Parsons [s6], Derek and Helen Foo [s7], GWRC [s12] and Paul Coggan [s15].

¹²⁸ Ecological Assessment Response (Appendix 13 to Section 42A Report), Dr Astrid Dijkgraaf for KCDC, 24 September 2025; Primary evidence of Dr Astrid Dijkgraaf for KCDC, 1 February 2026.

¹²⁹ Section 42A Report, Appendix 13- Ecology Report, at p.10.

¹³⁰ Primary Evidence of Dr Vaughan Keesing, 16 January 2026.

generally supportive of PC4 and sought retention or edits to specific provision wording relating to biodiversity outcomes.¹³¹

214. Both Dr Keesing and Dr Dijkgraaf found that the ecological values of the Site are 'low' or 'generally low' and that the Plan Change presents an opportunity to achieve net ecological gain through the implementation of the Site development.¹³² At the hearing, Dr Keesing confirmed that the Site and buffer planting within the PC4 area would not provide much ecological value or function,¹³³ however Dr Dijkgraaf noted that research shows that where indigenous trees are planted densely, they tend to attract more indigenous birds and animals.¹³⁴

5.8.3 Evaluation and Findings

215. We agree with the technical ecological evidence presented by Dr Keesing and Dr Dijkgraaf that the Site has low ecological value which can be improved by the implementation of the Plan Change provisions. The Plan Change includes provisions that would lead to the amalgamation and enhancement of the wetland ecological values within the Site and the planting of indigenous vegetation that would result in improved terrestrial ecology.
216. As a result, we find that consideration of ecological effects do not impede, and likely weigh in favour of approving the Plan Change.

5.9 Construction

5.9.1 Introduction

217. Construction effects arise not as a direct result of the proposed change in zoning, but as a result of the development enabled by the change in zoning. Construction effects include noise and vibration, earthworks, vehicle movements, dust, lighting, erosion and sediment runoff.
218. PC4 does not propose any new or amended provisions relating to construction effects and instead relies on the existing provisions in the District Plan. Not all of the construction effects are within the jurisdiction of the District Council - some, such as discharges to land and earthworks over an area greater than 3,000m², will be managed through the NRP.

5.9.2 Submissions and Evidence

219. Submitters raised a number of concerns regarding construction, including:
- a) Property protection and boundary integrity:
 - i) risk of earthworks undermining existing boundary fences;

¹³² Primary Evidence of Dr Vaughan Keesing, 16 January 2026; Ecological Assessment Response (Appendix 6 to Section 42A Addendum Report), Dr Astrid Dijkgraaf for KCDC, 24 September 2025, at p.11.

¹³³ Oral Evidence of Dr Vaughan Keesing, 16 February 2026.

¹³⁴ Oral Evidence of Dr Astrid Dijkgraaf, 17 February 2026.

- ii) concern that earthworks will damage the roots of existing trees on or near the boundary;
 - iii) requests for the safe removal of large pine and gum trees on the boundary; and
 - iv) concern that earthworks and piling will damage existing dwellings on the adjacent sites.
- b) Construction management:
- i) effective methods for controlling dust, and remediation of dust that would settle on nearby dwellings;
 - ii) hours for construction;
 - iii) management of pests (namely rabbits) that would be displaced by earthworks;
 - iv) acceptable noise levels;
 - v) parking of vehicles associated with construction to be accommodated on-site; and
 - vi) stockpiling of dirt and construction materials.
- c) Infrastructure:
- i) potential for damage through water runoff.
- d) Communication:
- i) need for pre-construction consultation with all adjacent property owners; and
 - ii) clear processes for reparation should any damage occur to fences, driveways, or plantings during the earthworks phase.

220. Many of the submitters emphasised these issues at the hearing. The Lang Family Trust spoke to their concerns about dust and disruption. Mr Alexander and Ms Parsons spoke to their concerns that earthworks may undermine trees and fences. Mr and Mrs Foo explained that they grow their own produce and were concerned about dust not only in terms of the produce, but also their ability to open windows and the potential reduced efficiency of their solar panels. Ms Cohen also expressed concern about dust and the effect on her solar panels.

221. Technical evidence on this matter was provided by Mr Thomson of behalf of the Applicant. He considered that construction-phase effects (earthworks, noise, vibration, dust, and sediment), can be appropriately mitigated by standard management plans required at the resource-consent stage.¹³⁵ The management plans would comprise a certified Construction Management Plan and Erosion and Sediment Control Plan in accordance with GWRC and KDCDC guidelines. He explained that the District Plan and the KDCDC Land Development Minimum Requirements document include standard mechanisms to require developers to address earthworks and construction effects.

¹³⁵ Primary Evidence of Mark Thomson, 16 January 2026, at [2.4].

222. In terms of noise, he considered that construction noise would be required to comply with NZS 6803:1999 Acoustics – Construction Noise, as set out in permitted activity Rule NOISE-R10 of the District Plan and the KCDC Land Development Minimum Requirements document. NZS 6803 sets out standardised thresholds for construction noise, and the times / weeks in which specific noise levels are permissible. Any exceedance of or non-compliance with this rule would trigger a Discretionary Activity under Rule NOISE-R21.
223. The KCDC Land Development Minimum Requirements document imposes requirements on a developer to control any dust nuisance and take appropriate mitigation measures. Mr Thomson considered that a Dust Management Plan would be the key document for setting out the details for how dust would be managed. This could include measures such as dust fences, watering of earthworks, undertaking earthworks during appropriate periods, and progressively stabilising open ground.
224. Similarly, an Erosion and Sediment Control Plan is required to be prepared as part of an Earthworks Management Plan. Mr Thomson explained this would be compiled in accordance with the "Erosion and sediment control guide for land disturbing activities in the Wellington region". Methods that could be adopted to manage erosion and sediment are staging the construction, sediment retention ponds, irrigation, and progressive re-stabilisation of the Site with topsoil and grass / planting, or hardfill.
225. Mr Thomson considered that setting the duration and hours of construction was premature for a plan change process, but opined that the scale of bulk earthworks required is not onerous and could readily be undertaken by a competent contractor over the course of a construction season (approximately 6 months).¹³⁶
226. In response to the concerns of submitters about retaining vegetation, Mr Thomson accepted that existing vegetation and remnant tree stumps along the common boundary with 81 Rātānui Road would need to be removed to facilitate the proposed construction on the Site. However, existing root systems and vegetation on the submitters' site would be left in place unless there was a side agreement that outlined a different approach.¹³⁷
227. In its Closing Legal Submissions, the Applicant confirmed its view that all construction related effects can be appropriately dealt with through existing provisions and at the resource consent stage.¹³⁸

5.9.3 Evaluation and Findings

228. We understand the concerns expressed by the submitters and acknowledge that construction can be disruptive. We do not consider the potential construction effects

¹³⁶ Primary Evidence of Mark Thomson, 16 January 2026, at [7.12].

¹³⁷ Primary Evidence of Mark Thomson, 16 January 2026, at [7.14].

¹³⁸ Applicant Closing Legal Submissions, 4 March 2026, at [4.14].

to be unusual or to be of a scale or nature such that bespoke provisions are required. Instead, we agree with the Applicant that construction effects can be appropriately managed by the existing regulatory framework.

229. Based on the evidence before us, we agree with Ms Sweetman that effects resulting from construction can be appropriately managed through specific assessment at the time of subdivision or land use consent through existing mechanisms – be that the control of noise through the New Zealand Standard for construction noise, management of dust through requirements under the District Plan and NRP, or through subdivision or land use consent conditions relating to the construction phase.¹³⁹
230. Accordingly, we find that construction effects are not a barrier to PC4 being approved.

5.10 Reverse sensitivity and incompatibility of activities

5.10.1 Introduction

231. Several submissions (particularly from submitters whose land adjoin the Site) raised concerns about the effects that a sensitive residential development would have on the lawful activities that they currently undertake. These kinds of effects are termed “reverse sensitivity” effects. Reverse sensitivity is defined in the District Plan as:

means the susceptibility of an existing lawfully established activity to objection or complaint from new activities in the vicinity that are sensitive to adverse environmental *effects* that may be generated by the lawfully established activity, creating the potential for the lawful operation of the existing activity to be constrained or compromised.

5.10.2 Submissions and Evidence

232. The concerns raised by submitters are that the residents in the future retirement village would complain about activities that the neighbouring properties currently undertake, such as:
- a) noise and odour from the keeping of livestock, poultry and other rural animals;
 - b) the use of loud outdoor equipment to maintain the property such as chainsaws and tractors;
 - c) pest control, including shooting rabbits and possums;
 - d) the ongoing storage of silage and other materials that may create unpleasant smells or pose fire risk;
 - e) burning of vegetation; and

¹³⁹ Section 42A Report, at [306].

- f) hours of operation and intrusive lighting associated with farming such as baling hay late into the night.
233. The Lang Family Trust spoke to their concerns that there is a risk of dogs from the PC4 Site worrying or attacking stock, and that their lifestyle will be changed by the future development. They also explained that horses are ridden on the roads. Similarly, Mr Alexander and Ms Parsons explained that a lot of the activities they undertake on their site are noisy, such as the use of tools, and are likely to disturb future residents.
234. The Montcalm Family Trust felt that not enough consideration, analysis or planning had been undertaken to examine the effects on the neighbouring properties or surrounding community.
235. As a solution, Mr Coggan [s15.7] suggested in his submission that a covenant could be placed on the PC4 Site preventing occupants or owners of the Site from complaining or taking action about activity in the surrounding zone that are normal RLZ activities.
236. Ms Sweetman addressed these concerns in her s.42A Report and noted that the rezoning of the PC4 Site to GRZ would not change the noise rules that apply to activities within the RLZ.¹⁴⁰ She also pointed out that under NOISE-R2(4), in rural zones, livestock noise, mobile sources associated with primary production activities and temporary activities required by normal agricultural and horticultural practice, such as cropping and harvesting, are exempt from the noise standards.
237. She explained that matters relating to odours and smoke are already regulated under the NRP, and the general permitted activity condition “shall not cause noxious, dangerous, offensive or objectionable odour, dust, particulate, smoke, vapours, droplets or ash beyond the boundary of the property” or similar.
238. Mr McDonnell addressed this matter in his evidence. He acknowledged that PC4 will lead to a change in character and amenity, but considered this to be appropriate for the following reasons:¹⁴¹
- a) while the Site is notably rural in character, the landscape assessment considers it is influenced by residential development along its boundaries and views from within the Site;
 - b) the Site has been identified within a "Medium-priority greenfield growth area" in the Growth Strategy;
 - c) the structure plan proposes boundary treatments to soften the transition between rural and residential; and

¹⁴⁰ Section 42A Report, at [319].

¹⁴¹ Primary Evidence of Torrey McDonnell, 16 January 2026, at [7.93].

- d) the net positive effects including increased residential capacity, and restoration of degraded waterbodies.

5.10.3 Evaluation and Findings

- 239. We acknowledge that the concerns of the submitters are genuine, and that there is the potential for incompatible activities between the boundary of a residential zone with a rural zone. However, as identified by Ms Sweetman there are already mechanisms in the District Plan and the NRP to help manage the interface between zones. We agree with the Applicant's Closing Legal Submissions that the District Plan and Plan Change provisions, as well other regulatory means, will appropriately manage any potential reverse sensitivity effects.¹⁴² We consider that the boundary treatment proposed will also go some way towards minimising the risk of potential reverse sensitivity effects arising.
- 240. As a result, we find that the potential for reverse sensitivity effects does not warrant PC4 being rejected.

5.11 Summary of Effects

- 241. The Plan Change itself does not give rise to effects per se, instead it is the consequential development that the Plan Change enables, which may give rise to effects.
- 242. Having considered all the potential effects, there are some clear positive as well as adverse effects. One of the most significant positive effects is that the Plan Change will create additional residential opportunities for the older sector of the community, and in doing so will free up other housing stock. From the evidence, we are satisfied that there is (and will continue to be) a shortfall in suitable housing for the elderly. From a social perspective, we consider it is important that older people have the opportunity to remain within and connected to their communities as they age. The development will also create additional employment opportunities – not only during the initial construction phase, but also enduring jobs associated with the operation and support of the retirement village.
- 243. We are aware that should the Site be developed for general residential purposes, some of these positive effects fall away such as additional housing for the elderly and the on-going employment opportunities. Mr Heath described the economic benefits as being not as great for general residential when compared with the development of a retirement village. However development for general residential purposes would still provide additional housing stock for Kāpiti Coast, and enable a variety of homes in a central location with good connectivity adjoining the existing urban area. It is presumably for this reason that the Site is identified as being a medium-priority greenfield growth area in the Growth Strategy.

¹⁴² Applicant Closing Legal Submissions, 4 March 2026, at [4.12].

244. Given the proximity to the urban area, servicing this Site for wastewater and water supply is readily available and KCDC has confirmed that there is sufficient capacity in the network. Turning to stormwater, we are satisfied that the principle of hydraulic neutrality can be adopted for development of the Site. There is sufficient national and district level guidance and control of the stormwater system design to ensure that any effects can be adequately managed.
245. While the development of the Site for a retirement village (or a general residential development) is likely to be classified as a 'major traffic activity', the evidence confirmed that the proposed site-access and the adjacent road network can safely and efficiently accommodate the predicted traffic flows. Some of the submitters commented on the absence of formed footpaths and development of the Site may well present an opportunity to extend the walking network. We accept that development of the Site will lead to a change in the character of the traffic conditions on Rātānui Road, however we are satisfied that it will not adversely affect the safe and efficient operation of the transport network.
246. PC4 will unavoidably change the amenity and natural character of the Site. The Site has a low level of natural character currently due to its use for agriculture. Ultimately any adverse effects of PC4 on the natural character of the Site will be of a low order, with potential for improvements over time. We consider that the treatment of the interface between the Site and the adjoining properties will be critical to reducing the visual effects. The precise locations, width and detail of the vegetated and landscape buffer(s) is a matter to be determined at the resource consent stage, however, the PC4 provisions create a framework for ensuring it will be addressed.
247. PC4 creates an opportunity to significantly improve the ecological values of what is an ecologically degraded site. PC4 enables positive ecological outcomes through the restoration of degraded waterways and the creation of a centralised indigenous marsh wetland as part of the hydrological management of the Site. The planting of indigenous vegetation would lead to improved terrestrial ecology, attracting more indigenous birds and animals.
248. Any construction has the potential to create adverse effects including noise and vibration, earthworks, vehicle movements, dust, lighting, erosion and sediment runoff. These are likely to occur during the construction phase, however all construction related effects can be appropriately dealt with through existing provisions and at the resource consent stage. There are well accepted methods for managing these adverse effects that will be set out in detail in construction management plans. We consider that the effects resulting from construction can be appropriately managed through specific assessment at the time of subdivision or land use consent through existing mechanisms in the District Plan, New Zealand Standards and the NRP.
249. There is the potential for incompatible activities between the boundary of a residential zone with a rural zone and for reverse sensitivity effects to arise. However

the existing provisions in the District Plan and the NRP and the boundary treatment proposed will reduce this potential effect.

250. Having worked through all the potential adverse effects on the environment as a result of PC4, we consider these can be appropriately managed through the existing national, regional and local RMA regulatory framework, along with the proposed provisions for the Site.
251. There are no matters identified that preclude the proposed rezoning of the Site for residential purposes, including the potential for a retirement village.

6 Statutory Assessment and Provisions | Aromatawai ā-Ture me Ngā Herenga

6.1 RMA Statutory Policy and Plan Assessment

252. A summary of the relevant RMA requirements was set out earlier in the Statutory Provisions and Requirements section (Section 3) above.
253. The s.42A Report undertook a comprehensive assessment of those requirements and concluded that PC4:¹⁴³
- a) gives effect to the NPS-UD, NPS-IB, NZCPS, and NPS-FM to the extent relevant to a plan change;
 - b) gives effect to the NPStds;
 - c) gives effect to the RPS and has regard to PC1 – RPS;
 - d) is not inconsistent with the NRP;
 - e) has appropriately taken into account the relevant iwi management plans;
 - f) does not give rise to any relevant consistency issues with adjacent territorial authorities;
 - g) has had regard to the emissions reduction plan and national adaption plan via consideration of PC1- RPS;
 - h) meets the all the relevant tests in ss.74 and 75 of the RMA; and
 - i) is fully consistent with the functions of a territorial authority under s.31 of the RMA.
254. In terms of Part 2, the s.42A Report author noted she agreed with the evaluation in s.4.1 of the PC4 request, but considered that the amendments she recommended would better:¹⁴⁴

¹⁴³ Section 42A Report, at [334]-[337].

¹⁴⁴ Section 42A Report, at [347].

- a) recognise and provide for the natural character of the coastal environment; and
 - b) have regard to the maintenance and enhancement of amenity values of the surrounding environment (s.7(c)) and the quality of the environment (s.7(f)).
255. With her amendments, the s.42A Report author considered PC4 to be consistent with achieving the purpose and principles of the RMA.¹⁴⁵
256. Mr McDonnell largely agreed with the s.42A Report assessment of the relevant statutory instruments, but disagreed in a few discrete respects as to what plan provisions were required to give effect to those statutory instruments.¹⁴⁶ He also reviewed the new and amended national direction instruments and concluded that none of them impact on the consideration of PC4.¹⁴⁷ The s.42A Addendum Report agreed with that conclusion.¹⁴⁸
257. No submitter called or provided evidence on the relevant statutory provisions or plans.

6.1.1 Evaluation and findings

258. We accept the uncontested expert planning evidence for the Applicant and KCDC (as summarised by us at paragraphs [253]-[256] above) that rezoning of the Site is appropriate and consistent with the relevant statutory provisions, policies and plans. In particular, we note, as we have in other parts of this Recommendation Report, the alignment of this proposal with key national direction instruments like the NPS-UD, and with Part 2 of the RMA, in terms of providing for people's wellbeing.
259. While by the end of the hearing, we note that there remained two discrete areas of disagreement between the planners (relating to activity status and the northern dune provisions), this did not impact the planners' overall conclusion that the plan change warranted approval.
260. We agree, and recommend accordingly. We address those two remaining areas of disagreement in the sections that follow.

6.2 PC4 Approach and Provisions

Section 32

261. The s.32 Report which formed part of PC4 as notified contained a detailed assessment of the s.32 matters which concluded that in order to facilitate residential development of the Site in an integrated manner with surrounding urban areas, the

¹⁴⁵ Section 42A Report, at [348].

¹⁴⁶ Primary Evidence of Torrey McDonnell, 16 January 2026, Section 6.

¹⁴⁷ Primary Evidence of Torrey McDonnell, 16 January 2026, at [5.12]-[5.14].

¹⁴⁸ Section 42A Addendum Report, at [61].

use of GRZ in conjunction with a Development Area and Structure Plan is the most appropriate option. This was on the basis that:¹⁴⁹

- a) The overall scale and significance of the Plan Change is moderate.
- b) Specific quantification of the s.32 benefits and costs is not necessary, beneficial or practicable.
- c) Providing detailed policies is consistent with the approach for other Development Areas in the District Plan.
- d) A CON activity status is appropriate for a retirement village given:
 - i) the externalities are well understood;
 - ii) the technical material demonstrates the proposed location and level of effects are appropriate;
 - iii) the proposed Development Area provisions provide a level of control;
 - iv) no factors have been identified which would warrant decline of consent;
 - v) the Plan Change has provided an opportunity for neighbours and the community to have a say; and
 - vi) a more onerous status is not required.
- e) An RDIS activity status is appropriate for residential activity as there is less certainty about the final form of development.
- f) PC4 as proposed is the most appropriate way to achieve the PC4 objectives as:
 - i) it enables increased development capacity for residential/retirement units;
 - ii) the proposed policies provide clear direction as to how development on the Site should be managed;
 - iii) the proposed new rules and existing rule framework reflect the amenity anticipated in the GRZ;
 - iv) the zone standards are aligned with the anticipated nature and scale of built development in the GRZ; and
 - v) the provisions and definitions align with the NPStds and will allow appropriate activities to establish and operate in the GRZ.

Section 42A Report

¹⁴⁹ PC4 as notified, Section 5.

262. The s.42A Report recorded general agreement with the Applicant's s.32 evaluation with the following exceptions:¹⁵⁰

- a) Activity status: RDIS was considered more appropriate for retirement villages.
- b) Further policy direction: This was considered to be required in relation to landscape buffers, the placement of taller buildings, and the retention and enhancement of natural landforms.

Evidence

263. Both Mr McDonnell and Ms Sweetman provided further evidence in support of their positions.¹⁵¹

264. By the time the Applicant filed its Closing Legal Submissions, it had reached agreement with KCDC on all but two of the provisions (activity status and northern dune).

265. The key (agreed) changes to provisions from the notified version are (in summary):

- a) combining the policy for retirement villages and residential use into one policy (DEV3-P1) rather than having two separate policies;
- b) amending DEV3-P1 to include:
 - i) reference to providing access to adjacent sites where residential subdivision and development is proposed;
 - ii) provide for three waters, underground power and telecommunications which meets KCDC's Land Development Minimum Requirements;
 - iii) a requirement for at least a net gain in indigenous biodiversity outcomes in offset areas;
 - iv) a requirement that planting species also be naturally occurring in the local area;
 - v) direction around appropriate boundary treatments for the entire perimeter of the Site (other than where access is provided to adjacent sites) and removal of notes relating to buildings within buffers;
- c) a requirement for compliance with standards 2 to 11 of GRZ-R33 in DEV3-R1;
- d) a new rule (DEV3-R4) providing an RDIS activity status for activities that do not comply with standards 2 to 11 of GRZ-R33; and
- e) amendment to the NC rule to clarify that it applies to any activity which does not comply with DEV3-R1.2, DEV3-R2.1 or DEV3-R3.1 (all of which require the

¹⁵⁰ Section 42A Report, at [342]; and Section 42A Addendum Report, Sections 4-6.

¹⁵¹ Summary Statement of Torrey McDonnell, 13 February 2026; and Speaking Notes of Gina Sweetman, 17 February 2026.

submission of a Landscape and Earthworks Plan prepared by a landscape expert which includes certain information).

266. In terms of the two remaining areas of disagreement:¹⁵²

- a) The Applicant considered a CON activity status to be more appropriate (for the reasons it had outlined in its Opening Legal Submissions) and did not consider it necessary or appropriate to refer to retaining and enhancing natural landforms.
- b) The s.42A Report author disagreed and considered an RDIS activity status to be more appropriate (for the reasons set out in her s.42A Report and Addendum) and that the text regarding retaining and enhancing natural landforms should be included, as the addition of the words “where practicable” meant that while it needed to be considered, it was not necessarily required in all cases.

Section 32AA

267. To support the changes Mr McDonnell provided a s.32AA evaluation. In short, he concluded that all of the changes (he had recommended to the notified version of PC4) more appropriately gave effect to the provisions in the RPS and the District Plan as:¹⁵³

(a) The amended provisions are more effective than the notified provisions with regard to the ability of decision-makers to consider visual and amenity effects associated with breaches of bulk and location standards; and

(b) The controlled activity status is retained which provides regulatory certainty that a retirement village is an appropriate land use on this Site subject to being in general accordance with a Structure Plan and bulk and location standards.

268. Ms Sweetman took no issue with Mr McDonnell’s s.32AA evaluation other than the activity status and natural landform matters noted above.

6.3 Evaluation and Findings

269. Having considered all of the evidence, submissions, legal advice, and relevant background documents, we are satisfied that:

- a) there is scope for the changes made and agreed between the parties; and
- b) they are supported by an appropriate s.32AA assessment.

270. In terms of the two outstanding issues we set out our findings and reasoning below. We also briefly note the other minor changes we have made to the provisions along with our reasons.

Activity status

¹⁵² Applicant Closing Legal Submissions, 4 March 2026, at [3.12], and Appendix A.

¹⁵³ Summary Statement of Torrey McDonnell, 13 February 2026, at [3.15].

271. Having considered the options for activity status, we favour RDIS although we acknowledge that it is finely balanced. In terms of a CON activity we accept that it provides the Applicant with the greatest level of certainty that the resource consent will be granted. However, having heard from Ms Sweetman, we understand that KCDC are very unlikely to decline an RDIS application for a retirement village on this Site, unless the Applicant departs significantly from the permitted bulk and scale standards. In such a situation and depending on the adverse effects, a decline decision may be appropriate.
272. Mr McDonnell has said that there would be sufficient discretion through the earthworks, flood and transport RDIS activity rules. We do not agree. Instead we agree with Ms Sweetman that the matters of discretion from these other rules do not extend to matters such as the visual amenity and reverse sensitivity effects from built development on the Site.¹⁵⁴ We also agree with Ms Sweetman that the different reasons for consent may not be bundled into an RDIS activity overall, and as a result KCDC would remain limited to assessing a retirement village as a CON activity.
273. We accept the Closing Legal Submissions of the Applicant that it is well established that where the RMA's purpose and objectives of a plan can be met by a less restrictive regime, then that regime should be adopted.¹⁵⁵ However, what the most appropriate regime is in any particular case is context dependent. We acknowledge that CON activity status has been granted for retirement village activities in another recent plan change in Waimakariri. However, that case does not bind us to find likewise, and we find it is open to us to reach a different conclusion, given the different context that exists in this case. Consequently, while we have taken the Waimakariri case into account, we have not put much weight on it.¹⁵⁶
274. We understand from Ms Sweetman that in the GRZ, the activity status for a retirement village is RDIS by way of GRZ-R41. We note too that four or more residential units is RDIS. While internal consistency within a district plan is desirable, this has not been determinative of our findings on the most appropriate activity status. What we find more persuasive is the level of detail in the structure plan. If the structure plan contained more detail and was more prescriptive we would have been more inclined towards a CON activity. However the structure plan accompanying PC4 is skeletal at best and does not provide the certainty that we consider is necessary for a CON activity status.
275. Mr McDonnell stated that an RDIS activity status is appropriate for residential activity as there is less certainty about the final form of development. Given the absence of detail in the structure plan, we consider there is a similar level of uncertainty about the final form of development for a retirement village.

¹⁵⁴ Speaking notes of Gina Sweetman, 17 February 2026, at p.2.

¹⁵⁵ Applicant Closing Legal Submissions, 6 March 2026, at [3.12(a)].

¹⁵⁶ Applicant Closing Legal Submissions, 6 March 2026, at [3.12(h)].

276. A retirement village of this size is a significant development for this location and community. We consider that a RDIS activity status is the most appropriate for considering the design, layout and all the matters in DEV3-P1 and GRZ-R41 through the resource consent process.

Retaining and enhancing natural landforms

277. In relation to this issue, we find that it is appropriate to include the text regarding retaining and enhancing natural landforms where practicable for the reasons given by the s.42A Report author. Given the taller northern dune system is one of the few distinguishing features of the Site, it is appropriate that consideration be given to whether and to what extent it could be retained and enhanced. Such an approach is also consistent with the policy direction in the District Plan regarding recognising and managing effects on coastal landforms (EW-P1 and CE-P1) and protecting and enhancing natural dune systems (CE-P7).
278. Further, the wording suggested by the s.42A Report author and which we have adopted, makes it clear that while retention and enhancement must be “considered”, it is not required where it is not practicable. We find that strikes an appropriate balance between recognising the dune feature and not unreasonably constraining development of the Site.

Other minor changes

279. We note that while there was agreement between the planners to delete DEV3-P2, in the final set of provisions presented to us, there remained references to it in DEV3-R2.1 and DEV3-R3.1. We have corrected these to the equivalent clause in DEV3-P1.
280. We also made one other minor change to DEV3-P1.6(c)(iv) to clarify that boundary treatments (i.e. a buffer) does not apply for accesses to the Site or adjoining sites.
281. We are satisfied that the changes we have made to the Applicant’s final provisions are either covered by the s.32AA assessment provided by the Applicant/KCDC or are consequential and minor in nature such that they can be made pursuant to cl.16(2) of Sch.1 of the RMA, with no further s.32AA assessment being necessary.
282. Overall, we find that the PC4 provisions we have imposed appropriately address the relevant statutory provisions, plans and policies, and are adequately supported by the s.32 and s.32AA assessments.

7 Recommendations on Submissions | Ngā Kupu Whakatau mō Ngā Tāpaetanga

283. Clause 10 of Sch.1 requires that this Recommendations Report include reasons for accepting or rejecting the submissions (original and further) made to PC4.¹⁵⁷ It

¹⁵⁷ Clause 29(1) of Part 2 of Sch.1 confirms that clauses in Part 1 of Sch.1 apply “with all necessary modifications” to any private plan change request.

permits submissions to be addressed by grouping them according to the proposed plan provisions or by the matters (i.e., topics) to which they relate. Clause 10(3) of Sch.1 also states: “To avoid doubt, the local authority is not required to give a decision that addresses each submission individually.”

284. Given the nature of PC4 - a rezoning proposal with discrete changes to provisions - we have grouped all of the submissions in terms of the topics set out (above) in this Recommendations Report. We emphasize that while all individual submissions and submission points may not be expressly referred to, all submissions and submission points have nevertheless been taken into account when making our recommendations.
285. The s.42A Report author’s recommendations on submissions is set out in Appendix 3 of that report. The s.42A Report author confirmed in her s.42A Addendum Report that following review of the Applicant’s expert evidence she had not changed her recommendations in relation to submissions.¹⁵⁸ We adopt that Appendix to the extent it reflects the recommendations we have made in this Recommendations Report.
286. Our recommendations for decisions on submissions are therefore as follows:
- a) **accept** or **accept-in-part** those submissions that supported PC4, or supported it in part subject to the modifications sought, and where we have recommended accepting the modification(s) to PC4 as set out in the submission;
 - b) **accept-in-part** those submissions that supported or supported in part PC4 where we have recommended modifying it as a result of other submissions, or have only partially agreed to modifications as sought in the submission; and
 - c) **reject** those submissions that fully opposed PC4 (i.e., reject the entire Plan Change), or sought modifications to it which we have not recommended to be made, again for the reasons set out in this Recommendations Report.
287. With respect to further submissions, as these can only support or oppose an initial submission, our recommendations on those submissions reflect our recommendations on the initial submissions.

8 Recommendations | Ngā Kupu Whakatau

288. Having considered all of the submissions, presentations, evidence and legal submissions before us, and for the reasons we have set out above, we recommend that PC4 be **APPROVED** on the terms set out in **Appendix 1**.
289. The reasons for our recommendations are (in summary) that PC4:

¹⁵⁸ Section 42A Addendum Report, at [9].

- a) will assist KCDC in achieving the purpose of and implementing its functions under the RMA;
- b) is consistent with the provisions of Part 2 of the RMA;
- c) will give effect to the relevant NPSs, and the RPS;
- d) is supported by the necessary evaluation in accordance with s.32;
- e) is supported by appropriate technical evidence; and
- f) accords with s.18A of the RMA.



Vicki Morrison-Shaw
Chairperson

7 April 2026



Carolyn Wratt
Commissioner



Brad Coombs
Commissioner

Appendix 1 – PC4 Provisions | Āpitianga 1- Ngā Whakaritenga o tō Panoni Hoahoa Tūmataiti 4

Appendix 2 – Glossary of Abbreviations | Āpitihanga 1- Kuputaka o ngā Whakapotonga

AEE means assessment of environmental effects.

Applicant or **Welhom** means Welhom Developments Limited.

cl. means clause.

CON means controlled (activity status).

Development Area means an area identified under the District Plan for Development with specific provisions applying to that area.

DIS means discretionary (activity status).

District means the Kāpiti Coast District.

District Plan means the Kāpiti Coast Operative District Plan 2021.

FDS means the Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054.

Growth Strategy means Te Tupu Pai Growth Strategy 2022.

GRZ means General Residential Zone.

GWRC means the Greater Wellington Regional Council.

ha means hectares.

HAIL site means a site included in the hazardous activities and industries list.

HBA means the Wellington Regional Housing and Business Development Capacity Assessment 2023.

Hearing Panel or **Panel** means the Hearing Panel appointed by KCDC to hear and make recommendations on PC4.

IMP means Iwi Management Plan.

ITA means an Integrated Transport Assessment.

KCDC means the Kāpiti Coast District Council.

MDRS means the medium density residential standards.

NC means non-complying (activity status).

NES-CS means the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

NES-F means the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, as amended in December 2025.

NPS means National Policy Statement.

NPS-FM means the National Policy Statement for Freshwater Management 2020 as amended in December 2025.

NPS-HPL means the National Policy Statement for Highly Productive Land as amended in December 2025.

NPS-I means the National Policy Statement for Infrastructure 2025.

NPS-IB means the National Policy Statement for Indigenous Biodiversity 2023 as amended in December 2025.

NPS-NH means the National Policy Statement for Natural Hazards 2025.

NPS-UD means the National Policy Statement for Urban Development 2020 as amended in December 2025.

NPStds means the National Planning Standards 2019.

NRP means the Natural Resources Plan for the Wellington Region 2023.

NZCPS means the New Zealand Coastal Policy Statement 2010.

NZTA means New Zealand Transport Agency Waka Kotahi.

ONL means outstanding natural landscape.

p. or pp. means page or pages respectively.

Panel means the Hearing Panel appointed by KCDC and comprising Vicki Morrison-Shaw (Chair), Carolyn Wratt and Brad Coombs.

PC1 – NRP means proposed plan change 1 to the Natural Resources Plan.

PC1 - RPS means proposed change 1 to the Regional Policy Statement.

PC2 means proposed plan change 2 to the Kāpiti Coast District Plan.

PC4 or Plan Change means proposed Plan Change 4 to the Kāpiti Coast District Plan by Welhom Developments Ltd.

Recommendations Report means this report and its appendices.

RDIS means restricted discretionary (activity status).

RLZ means Rural Lifestyle Zone.

RMA means Resource Management Act 1991.

RPS means the Regional Policy Statement for the Wellington Region 2013.

s. or ss. means section or sections respectively.

s.32 Report means the evaluation contained within Section 5 the Application for PC4 prepared by the Applicant to fulfil their obligations under s.32 of the RMA.

s.42A Report or **Section 42A Report** means the report prepared by Ms Gina Sweetman pursuant to s.42A of the RMA for PC4, 5 December 2025.

Sch. means Schedule.

Site means part of 65 and 73 Rātānui Road with a combined area of 12.65 ha, and as shown outlined in red on Figure 1 of this Recommendations Report.

SNAs means significant natural areas.

Structure Plan means a framework to guide the development or redevelopment of a particular area by defining the future development and land use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features for managing the effects of development. The contents of structure plans are as set out in the General Approach chapter of the District Plan.

Appendix 3- List of Appearances | Āpitianga – Ko te Rārangi o ngā Tāngata i Tae Atu Ai

Organisation	Represented by:
16 February 2026 16 o Pēpuere 2026	
Panel (Karakia tīmatanga)	
Applicant	<u>Representatives appearing:</u> ▪ Daniel Minhinnick / Anna Riddle (Legal) ▪ Aaron Smail (Corporate) ▪ Mark Thomson (Civil Engineering) ▪ Mark Georgeson (Transport) ▪ Vaughan Keesing (Ecology) ▪ Tim Heath (Economics) - Remote ▪ Alex Gardiner (Landscape and Visual) ▪ Torrey McDonnell (Planning) <u>Witnesses excused from attending:</u> ▪ Brett Black (Geotechnical) ▪ Marcus Herrmann (Contamination) ▪ Ellen Cameron (Archaeology)
17 February 2026 17 o Pēpuere 2026	
Further submitter ¹⁵⁹	Katherine Corich and Alison Corich (FS#1)
Submitter	Lang Family Trust (Karen Lang) (S#1)
Submitter	Steve Alexander and Linda Parsons (S#6)
Submitter	Helen Foo (S#7)
Submitter	Montcalm Family Trust (Ellen Cohen) (S#10)
Submitter	Alex Metcalfe (S#13, and FS#2)
Submitter	John Le Harivel (S#16)
KCDC	<u>Representatives appearing:</u> ▪ Rita O’Brien (Stormwater / Flood Hazard Management) ▪ Brian Robinson (Wastewater) - Remote ▪ Colin Shields (Transport) - Remote ▪ Dr Kirdan Lees (Economics) - Remote ▪ Deyana Popova (Urban Design) ▪ Angela McArthur (Landscape and Visual) ▪ Astrid Dijkgraaf (Ecology) – Remote ▪ Gina Sweetman (s.42A Report Author) <u>Witnesses excused from attending:</u> ▪ Charles McDermott (Geotechnical) ▪ Kate Waterland (Water) ▪ Hamish McGillivray (Urban Planning)

¹⁵⁹ Refer to the discussion in section 2.2 for a discussion on the procedural issue with this submission.

Organisation	Represented by:
18 February 2026 18 Pēpuere 2026	
Applicant's (oral) reply	Daniel Minhinnick / Anna Riddle (legal)
Panel (Karakia whakakapi)	