# Submission on notified proposal for plan change

Kāpiti Coast DISTRICT COUNCIL
Me Huri Whakamuri, Ka Titiro Whakamua

**About preparing a submission on a proposed plan change**

**You must use the prescribed form**

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

**Your submission and contact details will be made publicly available**

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

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

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

## To Kāpiti Coast District Council

Submission on Proposed Plan Change 5 (Private) to the Operative Kapiti Coast District Plan 2021

**Submitter details**

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|---|---|
| **I would like my address for service to be my email** *[select box if applicable]* ***YES*** | ☐ |
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## Scope of submission

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

The Fairway Oaks Drive Residents' Partnership strongly opposes the Proposed Plan change (PC5) rezoning of approximately 5.5 ha of land at 100 & 110 Te Moana Road, Waikanae, from General Rural Zone to General Residential Zone.

This site is ecologically sensitive, flood-prone, and strategically designated as a rural buffer. It functions as an integral part of the Te Moana floodway and wetland corridor, providing essential hydrological storage, ecological connectivity, and cultural landscape values.

Previous rezoning attempts via Plan Change 2 (2022/23) and the Long-Term Plan (2024) were rejected due to unresolved flood hazards, lack of servicing capacity, and misalignment with strategic growth planning. Those constraints not only remain but have intensified due to increased climate risk, ecological degradation, and infrastructure pressures.

Recent national research by Earth Sciences New Zealand (ESNZ) confirms that flood hazards across Aotearoa are intensifying well beyond current district plan assumptions.

The Earth Science New Zealand (ESNZ) Nationwide Flood Exposure and Climate Risk Assessment (October 2025) found that more than 750,000 New Zealanders already live in flood-prone areas, a figure projected to exceed 900,000 under a +3 °C warming scenario. It also identified $235 billion in existing built assets at risk, rising to $288 billion under climate change. These findings underscore that what was once considered a "one-in-100-year" event will become increasingly frequent.

This national evidence reinforces the local hydrological case set out in this submission that the 100-110 Te Moana Road site functions as a critical flood-storage and conveyance zone, and confirms that rezoning flood-prone land now would be scientifically unsound and strategically indefensible.

The proposal is fundamentally inconsistent with the purpose and principles of key legislative and policy instruments, including:

- **Resource Management Act 1991 (RMA)** - fails to promote sustainable management, protect wetlands and indigenous biodiversity (ss 6–7), uphold the precautionary principle, and give effect to Te Tiriti o Waitangi principles (s 8).
- **National Policy Statement for Indigenous Biodiversity 2023** - undermines ecological corridors and biodiversity values without transparent ecological assessment.
- **New Zealand Coastal Policy Statement 2010** - contravenes Objective 5, which directs new development away from hazard-prone areas.
- **Local Government Act 2002** and the Kapiti Coast District Plan (KCDC) - conflicts with strategic planning instruments, including Te Tupu Pai – Growing Well, which identifies no need for additional residential capacity outside planned growth areas.
- **Te Tiriti o Waitangi Commitments** - fails to involve tangata whenua meaningfully or uphold kaitiakitanga and mahinga kai values.

**Key Inconsistencies and Risks**

- **Environmental and Ecological** - **t**he site supports wetland and stream corridor functions. Rezoning would fragment habitat, degrade water quality, and exacerbate the cumulative loss of native biodiversity.

- **Flood Hazard and Climate Exposure** - the site remains mapped as 1% Annual Exceedance Probability (AEP) flood hazard land with multiple overlays. Tidal groundwater influence inland of the expressway further compounds flood risk. Development would disrupt flood conveyance, increasing downstream hazard exposure.
- **Cultural and Treaty Obligations** - lack of meaningful iwi engagement undermines Treaty commitments. Ecological degradation threatens taonga species and cultural values.
- **Infrastructure and Financial** - no clear evidence demonstrates adequate capacity in water, wastewater, stormwater, or transport networks. Development would likely transfer significant costs and flood risks to ratepayers.
- **Strategic Planning Integrity** - Kāpiti District has a 30-year surplus of zoned residential capacity. Ad hoc rezoning outside planned growth boundaries would erode urban containment and set a damaging precedent.
- **Policy and Legal Alignment** – Official Information Act (OIA) responses from both KCDC and Greater Wellington Regional Council (GWRC) confirm the site's intended role as a rural buffer, contradicting the PC5 proposal.

PC5 is strategically unsound, environmentally risky, and legally inconsistent. Approving it would contradict the RMA's sustainable management purpose, national biodiversity and coastal hazard policy, Treaty commitments, and local planning strategy.

Rezoning would accelerate environmental degradation undermine rural amenity, and set a dangerous precedent for piecemeal urban expansion outside identified/planned growth areas. It would also set a precedent for further ad hoc rezonings of flood-prone rural land, shifting environmental and financial burdens onto the community.

For these reasons, the Fairway Oaks Drive Residents' Partnership submits that Proposed Plan Change 5 be declined in perpetuity to safeguard environmental integrity, uphold strategic planning principles, and protect the wellbeing of current and future residents.

## Submission Rationale and Evidence

The submission is presented and evidenced based on the following critical factors:

1. Previous Rezoning Attempts and Reasons for Failure
2. Ecological and Biodiversity Concerns
3. Documented Environmental Degradation
4. Tangata Whenua, Iwi Values and Kaitiakitanga
5. Rural Amenity and Character
6. Infrastructure and Servicing Pressures
7. Strategic Growth and Planning Integrity
8. Flood Hazard and Hydrological Risks
9. Escalating Flood Risk Under Climate Change – National Evidence Reinforcing Local Hazard
10. Flood Hazard, Hydrology, and Groundwater Dynamics
11. Flood Conveyance Function and Expressway Planning
12. Wetland and QEII Site Considerations
13. Climate Change, Coastal Hazards, and Groundwater Rise
14. Policy and Planning Implications
15. Financial and Infrastructure Risks to Ratepayers/Residents
16. OIA Requests and KCDC Transparency
17. OIA Requests and GWRC Position
18. Precedent Effects and Strategic Risk

## Submission

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

**Previous Rezoning Attempts and Reasons for Failure**

***Attempt via Plan Change 2 (PC2) - 2022/23 (intensification instrument)***

In September 2022, the landowners lodged a submission asking KCDC to extend PC2's intensification maps to include 100–110 Te Moana Road and rezone it residential, arguing alignment with National Policy Statement on Urban Development 2020, (NPS-UD) Policies 1-3:

- **Policy 1 - Well-functioning urban environments:**
  Requires councils to plan for urban environments that support housing choice and affordability, good access to jobs and services, resilience to climate change and natural hazards, and support for Māori and iwi aspirations.
- **Policy 2 - Responsiveness:**
  Councils must be responsive to proposals that would add significant development capacity, including by changing plan provisions or zoning where it would contribute to a well-functioning urban environment.
- **Policy 3 - Intensification in key areas:**
  Requires councils to enable increased building heights and density in city centres, metropolitan centres, and areas with good access to employment, public transport, and services. This includes the Medium Density Residential Standards (MDRS) in many urban areas.

Council proceeded to hearings and decisions on PC2 in 2023, but did not rezone the site. The public notice of decisions confirms PC2 proceeded without adding this rural parcel to the residential intensification overlays, and KCDC's current planning map still shows the site as General Rural, outside the urban service pattern.

Technically, this outcome reflected PC2's purpose (implement MDRS and targeted intensification primarily within existing urban environments) and the site's constraints; multiple flood-hazard overlays (stream corridor, ponding, residual ponding/overflow) and its function within the Te Moana floodway/overflow path, which sits uneasily with the risk-avoidance approach in the district plan and supporting hydrology evidence for the Expressway works.

In short, the site failed the "intensify where it's already urban and safe to do so" test that framed PC2. EPA+4Kāpiti Coast District Council+4Policy Commons+4

***Attempt via the 2024–34 Long-Term Plan (LTP) 2024 (infrastructure/service-area lever)***

A second pathway sought to shift the servicing logic. A submission to the LTP asked Council to include 100-110 Te Moana Road in Waikanae's Service Area provisions (the precursor to future zoning moves).

Council adopted the LTP in mid-2024 without making that change. The adopted LTP and its submissions summary do not extend service-area infrastructure to this rural, hazard-mapped block, consistent with KCDC's growth strategy (Te Tupu Pai - grow within existing centres and planned greenfields) and with the Housing and Business Development Capacity Assessment (HBA) evidence that the district already has ample zoned capacity.

Without an LTP commitment to service the area and given the unresolved flood/hydrology risks, there was no strategic or fiscal basis to reclassify or pre-service the land, so the rezoning push via the LTP route also failed. Wellington Regional Leadership Committee+3Policy Commons+3Kāpiti Coast District Council+3

Both attempts ran up against the same fundamentals:

1. The site sits outside the planned urban form and service footprint.
2. It carries mapped flood hazards and a documented flood-conveyance/storage role (Te Moana floodway/overflow to Waimeha Stream).
3. KCDC's strategic documents (PC2 scope, LTP budgets, Te Tupu Pai/HBA) prioritise capacity inside existing centres and identified growth areas rather than ad-hoc rural rezonings with high hazard and infrastructure risk.

**No Material Change in Circumstances - And a Worsening Risk Profile**
The fundamental planning, environmental, and infrastructure constraints that led to the failure of earlier rezoning attempts at 100-110 Te Moana Road remain firmly in place. In fact, the situation has deteriorated, meaning the case for rezoning is now weaker than it was during the previous attempts.

When KCDC considered rezoning during PC2 2022/23, and again through the 2024–34 Long Term Plan, it found the site was flood-prone, outside the urban service boundary, and inconsistent with the district's growth strategy.

None of those constraints have been resolved. The land remains mapped with 1% Annual Exceedance Probability flood hazard overlays, including stream corridor, ponding, residual ponding, and overflow, and it still functions as an integral part of the Te Moana floodway, which the M2PP Expressway hydrology design relies upon to manage Waikanae River overflows. No new flood protection infrastructure or verified mitigation measures have been delivered in the intervening years.

More critically, the hazard profile has intensified. Since 2022, flood modelling and national climate projections have shown increased frequency and intensity of extreme rainfall events, which raise the probability of overland flow and flood storage failure in areas like Te Moana Road.

At the same time, tidal groundwater influence inland of the Expressway has been confirmed through monitoring by GWRC, increasing the compound risk of surface flooding during high tide and storm events. What was already high hazard land in 2022, is now facing greater climate exposure, not less.

On the infrastructure side, Waikanae's core networks are under more pressure now than when PC2 was considered. KCDC's most recent infrastructure reporting notes limited capacity in water, wastewater, and stormwater systems and highlights the cost of retrofitting network upgrades in flood-prone areas. No service extension has been committed through the LTP or capital works programme, and stormwater management issues in Waikanae have only become more acute with intensification elsewhere.

Environmental conditions have also worsened. Since the earlier applications, the wetland buffer has been physically breached through vegetation clearance along the lagoon edge at 100-110 Te Moana Road, directly contravening the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. These actions have increased ecological vulnerability and further reduced the resilience of the site's wetland systems. The lagoon remains a functioning wetland and swan nesting area, but its ecological health is now more precarious.

Strategically, nothing has shifted to support rezoning. The KCDC Te Tupu Pai – Growing Well Strategy remains in force, and the Housing and Business Development Capacity Assessment continues to confirm a large surplus of zoned residential capacity. In fact, the surplus has increased as planned growth areas are now being developed and intensification provisions have taken effect. This means there is even less justification to rezone flood-prone rural land now than there was in 2022 or 2024.

Put simply, the constraints that caused the previous rezoning attempts to fail have not changed. However, the risks have grown clearer, the environmental condition has deteriorated, and the infrastructure pressure has intensified. PC5 is a weaker proposal than its predecessors, not a stronger one. Reversing Council's past decisions in the face of mounting evidence would be strategically unsound, environmentally reckless, and legally risky.

**Ecological and Biodiversity Concerns**
This landscape performs an important ecological function. It is part of a living corridor that connects native vegetation, birdlife habitats, hydrological systems, and wetland areas that sustain the wider Waikanae environment.

Re-zoning this land would bring vegetation clearance, compaction of soils, hydrological disruption, and a dramatic increase in impervious surfaces. These changes are proven to fragment habitat, degrade waterways, and push native species toward local collapse.

There has been no transparent, publicly available ecological impact assessment. Making a rezoning decision in the absence of baseline ecological evidence is contrary to the precautionary principle, and to both the Neighbourhood Parks and Open Spaces (NPS) Industrial Business (IB) and the RMA sustainable management purpose.

There is clear local precedent on the Kāpiti Coast where Council has recognised the critical ecological function of connected landscapes and acted to protect them.

During Plan Change 79 (Ngarara Zone), Council required comprehensive ecological evidence and iwi engagement before rezoning was considered. As a result, large areas were retained in ecological corridors, consistent with the RMA's sustainable management purpose.

Similarly, in the Waikanae North Wetlands case, rezoning was not approved in the absence of transparent ecological impact assessment, with Council applying the precautionary principle to protect hydrological and habitat connectivity.

PC5 proposes rezoning land that performs the same ecological function as part of a living corridor connecting native vegetation, bird habitats, hydrological systems, and wetlands. Making this decision without baseline ecological evidence would be inconsistent with these local precedents and contrary to the RMA's sustainable management purpose.

**Documented Environmental Degradation**
This is not a hypothetical risk, it is a pattern that has already played out on the Kāpiti Coast.

Over the past decade, residents have witnessed and documented steady ecological decline in this area. Vegetation cover has reduced. Wetland features have been altered. Birdlife, including kererū, tūī, pīwakawaka, and riroriro has noticeably diminished. The chorus of native birds that once characterised this part of Waikanae has grown quieter, year after year.

This local knowledge aligns with ecological science - incremental loss of habitat leads to cumulative and often irreversible decline. PC5 would accelerate that decline beyond repair.

In the case of Plan Change 79 (Ngarara Dunes), KCDC intervened with strong ecological assessment and corridor protection, and ecological function was sustained. In contrast, incremental rezoning and subdivision on the Paraparaumu–Waikanae urban edge proceeded without similar safeguards, resulting in long-term ecological loss.

PC5, as currently proposed, would accelerate this decline beyond repair, repeating a pattern KCDC has already acknowledged in its own planning history.

**Tangata Whenua, Iwi Values and Kaitiakitanga**
The proposal has advanced without meaningful engagement with mana whenua, including Te Ātiawa ki Whakarongotai and Ngāti Raukawa ki te Tonga.

Tangata whenua are Treaty partners, not optional consultees. This whenua carries cultural and historical significance, and ecological degradation directly undermines mahinga kai, taonga species, and kaitiakitanga.

Other plan changes have demonstrated that authentic iwi involvement leads to better ecological and cultural outcomes. PC5 falls well short of those expectations and of the Council's Treaty commitments.

A local precedent already exists on the Kāpiti Coast that demonstrates the tangible benefits of authentic iwi involvement. The Waikanae River Environmental Strategy developed in partnership with Te Āti Awa ki Whakarongotai, GWRC, and KCDC led to measurable improvements in ecological health, flood resilience, and cultural heritage protection.

By embedding iwi values and mātauranga Māori from the outset, the planning process delivered outcomes that earlier council-led approaches failed to achieve. This is precisely the kind of iwi partnership model that PC5 should be aspiring to.

PC5, in its current form, does not reflect this local best practice or the Council's Treaty commitments. Incorporating an iwi co-design process would align the plan with established and successful Kāpiti examples.

**Rural Amenity and Character**
The Te Moana landscape retains a distinctive rural character - open, low-density, green edges. Rezoning this land to General Residential would permanently erase that character.

Urbanisation brings intensified traffic, noise, lighting, and building mass. The rural-urban threshold, once crossed, cannot be restored. This change would diminish the sense of place valued by residents and tangata whenua alike. The Waikanae North (PC79) and Waikanae East subdivisions provide clear evidence of how urbanisation permanently alters rural landscapes - increasing traffic, lighting, noise, and building intensity, while erasing sense of place.

These changes are not theoretical. They are documented and experienced by Waikanae residents and tangata whenua. Repeating this pattern at Te Moana Road would accelerate the same irreversible urbanisation and ecological fragmentation that has already occurred elsewhere in Waikanae.

**Infrastructure and Servicing Pressures**
No clear evidence has been presented showing that water supply, wastewater, stormwater, and roading networks can support additional residential development here without environmental degradation or cost transfer to ratepayers.

Stormwater is a critical concern. Runoff from new impervious surfaces would flow directly into sensitive wetland and stream systems, further compounding existing ecological and hydrological stress.

Infrastructure pressures are not theoretical in Waikanae - they are well documented in KCDC's own infrastructure strategies and past planning decisions.

During Plan Change 79 (Waikanae North), Council identified stormwater and wastewater capacity constraints that required retrofitted mitigation measures, which increased costs and only partially reduced environmental impacts.

KCDC infrastructure reports have consistently noted that Waikanae's water, wastewater, stormwater, and transport systems are at or near capacity, particularly in wet-weather events. Additional rezoning in the Te Moana landscape risks further burdening these systems, leading to environmental degradation and cost transfer to ratepayers.
No transparent, publicly available evidence has been provided showing that network capacity exists to support additional residential development here.

Given the proximity to sensitive wetland and stream systems, stormwater runoff from impervious surfaces would exacerbate existing hydrological stress - a problem already observed elsewhere in Waikanae.

Proceeding with PC5 without clear infrastructure evidence is inconsistent with the precautionary principle, the District Plan stormwater objectives, and KCDC's own infrastructure planning history.

**Strategic Growth and Planning Integrity**
The Council's own capacity assessments show that Kāpiti already has surplus residential capacity for the next three decades. There is no strategic planning justification for rezoning rural land at Te Moana Road.

According to the KCDC's Housing and Business Development Capacity Assessment, the District already has sufficient realisable residential capacity to meet forecast demand for the next 30 years with a surplus of approximately 18,785 dwellings.

The growth strategy 'Te Tupu Pai – Growing Well' explicitly directs growth to compact urban centres and a limited number of well-serviced greenfield growth areas, emphasising efficient servicing and consolidation of the urban form.

Rezoning rural land at Te Moana Road falls outside the growth strategy's identified urban containment and planned growth zones. It would undermine the strategy's objectives by enabling development in an area not identified for expansion, thereby increasing the cost and inefficiency of infrastructure provision, and weakening the city-shape outcomes that the Council has adopted.

On this basis, there is no strategic planning justification for rezoning this rural land when the Council's own documents show that the capacity and servicing efficiency criteria are already met within existing and planned urban zones.

This proposal undermines planned growth areas, weakens urban containment, and leads to inefficient and unsustainable infrastructure provision. It directly contradicts the Council's own growth strategy.

**Flood Hazard and Hydrological Risks**
Critical fact - parts of the site remain mapped as 1% AEP 100-year flood hazard land, including overlays for stream corridor, ponding, residual ponding, and residual overflow. These overlays are not arbitrary, they reflect the land's natural hydrological function as part of the wider Waikanae floodplain.

Developing on this land would mean mass earthworks, floodplain recontouring, and engineered drainage systems that would disrupt existing flow paths, increase flood risk downstream, and potentially displace floodwaters onto neighbouring properties.
In at least one recent consent application in Waikanae, the applicant acknowledged that the site was 'shown on the Council's flood hazards maps as being subject to stream corridor, ponding and storage flood hazards'.

These acknowledgements demonstrate that the hazard is real, mapped and significant.
Rezoning land with these overlays to residential, without demonstrating how flood pathways, runoff, compaction and impervious surfaces will be managed, would be inconsistent with the recognition of those hazards and the precautionary approach embedded in the Council's own flood-plain management processes.

It is inconsistent and irresponsible to consider residential zoning on land the Council's own maps acknowledge will flood in a 100-year event, and more frequently in current and expected future climate scenarios. These are known, modelled, mapped hazards.

**Escalating Flood Risk Under Climate Change – National Evidence Reinforcing Local Hazard**
Recent national research released by Earth Sciences New Zealand (ESNZ, October 2025) confirms that the flood hazard risks facing Aotearoa New Zealand are intensifying at a pace far beyond that reflected in current district plan modelling. The five-year ESNZ study,

*"Nationwide Flood Exposure and Climate Risk Assessment,"* found that more than 750,000 New Zealanders currently live in flood-prone areas, and that exposure will rise to over 900,000 people under a +3 °C warming scenario.

The report estimates NZ $235 billion of existing built assets are at risk from rainfall-driven flooding increasing to NZ $288 billion under projected climate change conditions. These figures were corroborated in companion coverage by 1 News (30 October 2025) and *Scoop* (31 October 2025), which highlight that intensifying rainfall and shorter, more extreme storm bursts are already producing greater overland-flow and groundwater-rise hazards across low-lying coastal districts.

This national scientific evidence reinforces the local hydrological findings already set out in this submission: the 100-110 Te Moana Road site is not only mapped as 1 % AEP floodplain but functions as an active flood-storage and conveyance zone within the Te Moana floodway.

The ESNZ analysis demonstrates that what has historically been classified as a “one-in-100-year” event may, within coming decades, become a far more frequent occurrence. In that context, any proposal to urbanise land that already performs a protective hydrological function is strategically reckless and scientifically indefensible.

The ESNZ data provide clear national corroboration for the position advanced here - climate change is converting residual and “low-probability” hazards into regular, high-consequence events. Approving rezoning in such an area would directly contradict both the precautionary principle and the intent of Objective 5 of the New Zealand Coastal Policy Statement 2010, which directs new development away from hazard-prone areas. It would also expose ratepayers and future residents to escalating financial and safety risks that are now well quantified in national climate risk evidence.

The ESNZ report makes plain that this is not simply a local issue of drainage or flood modelling, it is part of a wider national pattern of intensifying flood exposure that demands a conservative, evidence-based planning response.

**Flood Hazard, Hydrology, and Groundwater Dynamics**

A critical flaw in the proposed plan change is its failure to differentiate between the hydrological and flood risk characteristics of the so-called “Stage 1” and “Stage 2” areas of the 100 -110 Te Moana Road site.

Stage 2 in particular sits on well-defined flood risk land that has been recognised in long-term planning by KCDC including during the development of the New Zealand Ministry of Transport’s MacKays to Peka Peka Expressway. That planning explicitly acknowledged the increasing vulnerability of this low-lying land to flooding under climate change scenarios.
https://maps.kapiticoast.govt.nz/LocalMaps/viewer/

Despite this, Option 4 of the PC5 proposes rezoning the entire site to General Residential, ignoring the hydrological reality that Stage 2 acts as a critical flood storage and conveyance zone.

The technical basis for groundwater assessment at the site is also inadequate. The PC5 documentation references hand auger tools and piezometers to determine groundwater levels. These methods are not sufficiently robust for a flood-sensitive site. More advanced techniques, such as Time Domain Reflectometry (TDR), are now standard for accurately characterising soil moisture profiles and groundwater dynamics in vulnerable coastal environments. Observations from residents and surface water ponding after relatively minor rainfall events corroborate the technical evidence - the low-lying north-western corner regularly floods, indicating near-surface saturation.

This persistent surface water presence underscores the site’s role as a functional floodplain reservoir, not merely a low-lying area.

https://maps.kapiticoast.govt.nz/LocalMaps/viewer/
https://nzta.govt.nz/projects/wellington-northern-corridor/mackays-to-peka-peka/environmental-protection-authority-application/technical-reports

**Flood Conveyance Function and Expressway Planning**

Hydrological planning associated with the Expressway reinforces the strategic importance of the Te Moana floodway. Section 3.4.6 of M2PP Technical Report 22 (“Assessment of Hydrology and Stormwater Effects”) details the protected Te Moana Floodway, which is specifically designed to convey floodwaters when the Waikanae River stopbank is overtopped or breached.

The design deliberately relies on the 100-110 Te Moana Road lagoon system to act as a flood storage area before flows are conveyed northward. Both the expressway technical reports and the AWA “Flood Assessment and Stormwater Management Concept Memo” clearly demonstrate that this site forms a critical element of Waikanae’s flood hazard management system. Any proposal to intensify land use here must acknowledge, and protect, this functional floodplain role, rather than treat it as developable real estate.

Moreover, the PC5 documentation’s suggestion that the M2PP Expressway has altered flood pathways in a way that removes residual ponding is inconsistent with these hydrological assessments. In reality, the expressway design

accommodated, rather than eliminated, the Te Moana floodway function. It remains an essential hydrological buffer for protecting Te Moana Road and downstream properties from flood hazard.

**Wetland and QEII Site Considerations**
The PC5's treatment of the wetland areas and QEII site lacks technical rigour and ecological compliance. While the plan notes that "existing ecological values within the QEII site will be retained," it simultaneously downplays the site's natural character and fails to demonstrate how the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, 10 m setback requirement for natural inland wetlands will be met.

Recent vegetation clearance along the lagoon edge has already breached this legal buffer, and there are no proposed measures to restore or protect the setback. This undermines the integrity of both ecological and flood functions at the site.

The site's lagoon functions as a natural wetland system with overland flow recharge. The PC5 statements, that discharge from new development will be "as close to the source as possible" fundamentally misunderstand wetland hydrology. Wetland systems rely on gradual sub-surface flow and groundwater recharge to maintain water quality and ecological function. Altering this balance through increased impervious surfaces and engineered stormwater systems will degrade the lagoon's ecological and flood mitigation capacity.

**Climate Change, Coastal Hazards, and Groundwater Rise**
The flood hazard at Te Moana Road is further compounded by coastal processes and projected sea-level rise.

Nearby groundwater monitoring by GWRC indicates tidal influence inland of the expressway.

As shown in multiple coastal settings across New Zealand, including case studies in Dunedin, the first manifestation of sea-level rise is often a rise in inland groundwater levels, amplifying surface flood risks well before coastal inundation occurs.

The Takutai Kāpiti Coastal Advisory Panel 2024 report, led by James Bolger recommends extensive groundwater monitoring in such areas to support resilient planning. Given statutory requirements under the New Zealand Building Act 2004, for structures to be sustainable for at least 50 years, any development must be assessed against a minimum sea-level rise of 300 mm (and prudently, 500 mm) over that period. The Te Moana Road site clearly does not meet that resilience threshold

**Policy and Planning Implications**
The hydrological and ecological functions of the 100-110 Te Moana Road site are deeply interwoven with regional flood management, coastal hazard adaptation, and wetland protection frameworks.

These factors make the site unsuitable for residential intensification. The PC5's failure to reflect these realities is inconsistent with the New Zealand Coastal Policy Statement 2010, Objective 5 requirement to locate new development away from hazard-prone areas, and with the precautionary principle embedded in both local and national planning instruments.

Given the extensive alternative land available in Kāpiti for new housing, the only technically and strategically defensible approach is to avoid rezoning this site for residential use.

**Financial and Infrastructure Risks to Ratepayers/Residents**
Rezoning at Te Moana Road would expose ratepayers/residents to significant long-term financial and service delivery risks.

The existing water supply, wastewater, stormwater, and roading networks in Waikanae are already under strain, a fact acknowledged in KCDC infrastructure planning documents and capacity assessments. No clear, publicly available evidence has been presented demonstrating that these systems can accommodate additional residential growth in this location without extensive and costly upgrades.

Experience with previous plan changes in the district has shown that retrofitting infrastructure to cope with increased demand, particularly stormwater and wastewater networks, leads to high capital costs, which are frequently transferred to the wider community through rates. Furthermore, intensifying development on flood-prone land compounds the likelihood of future flood damage and emergency response costs, creating downstream liabilities well beyond the development site itself.

An increase in the residential population in this area would also place substantial additional pressure on local amenities and community infrastructure. Roads that are already near or at capacity would face heavier traffic volumes, resulting in increased congestion, elevated maintenance requirements, and heightened road safety risks for pedestrians and cyclists.

Public open spaces and recreational areas would experience greater demand, diminishing the amenity value and accessibility of these assets for existing residents. Community facilities including libraries, sports grounds, healthcare services, and social infrastructure would be required to absorb additional users without corresponding investment, leading to reduced service levels and quality.

These pressures are inconsistent with the Council's own growth management strategy, Te Tupu Pai – Growing Well, which prioritises development within identified urban growth areas where infrastructure and amenities can be efficiently and sustainably provided.

The cumulative effect of these pressures is likely to be a significant cost transfer to ratepayers, both through direct financial contributions to infrastructure upgrades and through a gradual reduction in the quality, accessibility, and reliability of essential services and amenities.

This would erode community wellbeing and place a disproportionate burden on existing residents who receive no direct benefit from the proposed rezoning.

In line with the precautionary principle, approving rezoning in the absence of robust infrastructure evidence and strategic alignment would be an imprudent and high-risk planning decision - one that effectively shifts environmental and financial risk from the developer to the wider community.

**OIA Requests and KCDC Transparency**
Official Information Act (OIA) responses obtained by the Fairway Oaks Drive Residents' Partnership, confirm that this site was not identified as a strategic growth area in Council's own planning documents. It was explicitly intended to remain a rural buffer, protecting both ecological corridors and rural amenity values.

Those same Council responses clearly stated that any future consideration of rezoning would require early iwi engagement, comprehensive ecological assessment, and infrastructure capacity testing before any change could be contemplated.

The notification of the PC5 proposal now directly contradicts these stated positions, advancing rezoning without demonstrable completion of those prerequisite steps. This raises serious questions about procedural integrity, public trust, and the consistency of Council's decision-making with its own strategic planning framework.

**OIA Requests and GWRC Position**
OIA responses from Greater Wellington Regional Council (GWRC), obtained by the Fairway Oaks Drive Residents' Partnership, clearly identify the site's sensitive wetland hydrology and its critical function as a stormwater recharge and flow pathway within the Waimeha Stream catchment.

These responses explicitly reference flood and inundation risks associated with any development on this land, noting that major mitigation works would be required to avoid downstream impacts. This evidence directly contradicts the simplified and minimising narrative presented in the PC5 proposal.

The contrast between the applicant's claims and GWRC's own documented technical assessments reveals a serious misalignment between development rhetoric and regulatory evidence. This raises fundamental concerns about the robustness, accuracy, and integrity of the PC5 assessment process.

**Precedent Effects and Strategic Risk**
Approving PC5 would set a damaging precedent for ad hoc rezonings on rural and flood-prone land.

This would erode the integrity of the District Plan, weaken planned growth boundaries, accelerate ecological loss, and further undermine community trust in Council processes.
Crucially, the Council has not cited any successful precedent of rural land rezoning in flood hazard areas within this district that has demonstrably avoided environmental, hydrological, or infrastructure impacts over time. This absence is not reassuring. It highlights the lack of a proven track record for managing such risks safely.

In this context, approving PC5 in the face of known and mapped hazards - flood risk, ecological connectivity, and amenity impacts - would be a strategically risky and precedent-setting decision, inconsistent with the Council's own growth strategy and infrastructure planning principles.

This absence of a proven local precedent is especially concerning when viewed alongside examples from other councils, where comparable decisions to rezone rural and flood-prone land have led to significant environmental and financial consequences.

Across Aotearoa, cases have demonstrated that ad hoc rezonings in flood hazard areas can trigger long-term problems including increased downstream flooding, expensive retrofitted infrastructure, ecological degradation, and legal disputes over liability.

These outcomes underline why the precautionary principle and strategic growth planning are embedded in modern planning frameworks. Where councils have departed from planned growth boundaries in similar circumstances, communities have borne the consequences both environmentally and financially.

Against that national backdrop, approving PC5 would not only expose Waikanae to similar risks but also signal a regression from established best practice in floodplain and growth management.

**Reinforcing Examples**

- **Edgecumbe (Whakatāne District) - 2017 Rangitāiki River flood**
  The stopbank failure inundated the township, destroying or damaging hundreds of homes across an established floodplain. Independent reviews for the regional and district councils highlight the exposure of settled land in a high-consequence flood area and the systemic risks of relying on engineering alone to make floodplains "safe" for housing. Bay of Plenty Regional Council+2Whakatāne District Council+2

- **Hawke's Bay (Esk Valley) - Cyclone Gabrielle 2023**
  The region's independent flood review notes that despite evident flood risk, the valley was inhabited; subsequent Category-3 retreat/buy-outs were required for the worst-affected residential land. This is a clear cautionary tale about allowing or intensifying housing in flood-exposed valleys. Hawke's Bay Regional Council+1

- **Auckland - New builds in flood zones & rule tightening after 2023 floods**
  Reporting shows **more than 1 in 10** homes consented over a recent year were on floodplains; Auckland Council has since moved to tighten intensification rules in the most flood-vulnerable areas and consider down-zoning. This is an explicit policy pivot away from past settings that enabled building in high-risk places. RNZ+2OurAuckland+2

- **Nelson - August 2022 severe weather (landslides & flooding)**
  Hundreds of properties were red/yellow placarded after widespread slope failures; council-commissioned work has since expanded slope-instability overlays and reviews of hillside development controls. It underlines the danger of urban expansion into hazard-prone landforms without conservative planning. Nelson City Council+2Nelson City Council+2

- **Porirua/Plimmerton - repeated flooding around low-lying coastal catchments**
  Multiple significant floods in recent years prompted a citywide modelling/response programme. Expert evidence to a central fast-track panel emphasised that key open spaces (e.g., Plimmerton Domain) are flood-prone and managed with an expectation of regular inundation—illustrating why intensification near such flood pathways can amplify downstream harm. Wellington Water+2Porirua City+2

**Conclusion**
The proposal to rezone the land at 100-110 Te Moana Road through PC5 is inconsistent with sound planning principles, established statutory frameworks, and the strategic growth direction set by both national and local policy instruments. Based on the available evidence, the site is not appropriate for residential rezoning.

The land in question forms part of the Te Moana floodway and Waimeha Stream catchment, and it is mapped with 1% AEP flood hazard overlays, including stream corridor, ponding, and overflow areas. These hazard classifications are the result of formal hydrological modelling underpinning the district's flood management system. They reflect real, measurable natural processes, not discretionary planning boundaries.

OIA responses from both KCDC and GWRC confirm that the site has historically been identified and managed as a rural buffer, a strategic component of floodplain management, ecological corridor protection, and rural character retention. It has not been earmarked for urban expansion in any adopted planning instrument.

In statutory terms, PC5 is misaligned with the purpose and principles of the RMA. Section 5 requires the sustainable management of natural and physical resources. Sections 6 and 7 require protection of wetlands and indigenous biodiversity, the maintenance of amenity values, and the adoption of a precautionary approach in the face of potential environmental harm. Section 8 requires decision-makers to give effect to the principles of Te Tiriti o Waitangi. The proposed rezoning fails to meet these obligations.

It is also inconsistent with key national directions, including:
- The New Zealand Coastal Policy Statement 2010, Objective 5, which directs development away from hazard-prone areas
- the National Policy Statement for Indigenous Biodiversity 2023, which requires the protection of ecological corridors and indigenous biodiversity
- KCDC's own growth strategy, *Te Tupu Pai – Growing Well*, which provides for compact, strategically planned urban growth within identified service boundaries.

The hazard profile of the site has intensified since previous rezoning attempts, due to updated climate projections and hydrological data confirming more frequent and severe rainfall events, rising groundwater levels, and increased exposure to coastal influences. GWRC monitoring confirms tidal groundwater influence inland of the expressway, compounding surface flood risk. These findings reaffirm the site's role as a functional floodplain. No credible or verified flood mitigation infrastructure has been provided to support its conversion to residential zoning.

There is no demonstrable strategic need to rezone this site. KCDC's Housing and Business Development Capacity Assessment confirms that the district already has a 30-year surplus of zoned residential capacity, approximately 18,785 dwellings, within existing urban and planned growth areas. Therefore there is no policy or capacity-based justification to expand urban development into flood-prone rural land.

Further, there is no evidence to show that the existing water supply, wastewater, stormwater, or transport networks have sufficient capacity to support additional development at Te Moana Road without significant and costly upgrades. Rezoning in these circumstances would likely shift long-term financial, environmental, and service delivery

risks from the developer to the wider community. This is contrary to the principles of sustainable and efficient infrastructure planning.

The rezoning process has not demonstrated meaningful engagement with mana whenua, including Te Ātiawa ki Whakarongotai Charitable Trust and Ngāti Raukawa ki te Tonga. The site holds cultural and historical significance, and ecological degradation would adversely affect mahinga kai and kaitiakitanga values. This approach is inconsistent with section 8 of the RMA and established local best practice, which has shown that iwi co-design processes can achieve significantly better ecological and planning outcomes.

There is no successful local precedent for rezoning flood hazard land of this nature in the district. National precedent, however, provides strong cautionary examples. Esk Valley in Hawke's Bay, Edgecumbe in the Bay of Plenty, and flood-affected areas of West Auckland demonstrate the significant and long-term consequences of enabling residential intensification on floodplains. These events illustrate why contemporary planning frameworks emphasise avoidance of hazard-prone areas, rather than reliance on engineered mitigation.

Approving PC5 would therefore create both a strategic and legal vulnerability. It would expose the Council to potential judicial review, undermine policy coherence, and weaken the credibility of the District Plan. It would also set a precedent for further ad hoc rezoning of floodplain and rural land, undermining urban containment and increasing infrastructure inefficiencies.

Based on the statutory context, technical evidence, and planning precedent, Proposed Plan Change 5 should be declined in perpetuity. This outcome is consistent with the precautionary principle, aligns with the purpose and principles of the RMA, upholds national policy direction, protects critical hydrological and ecological functions, and preserves the integrity of the district's strategic growth framework. It also appropriately manages long-term financial and environmental risk on behalf of the community.

The recent national research by ESNZ provides independent, scientific confirmation of the escalating nature of flood hazards across Aotearoa. The Nationwide Flood Exposure and Climate Risk Assessment found that more than 750,000 New Zealanders currently live in flood-prone areas, a figure projected to exceed 900,000 under a +3 °C warming scenario, with $235 billion in existing assets at risk, rising to $288 billion as climate impacts intensify.

These findings show that events once classed as "one-in-100-year" will occur with increasing frequency, demanding far more conservative planning thresholds. This national evidence reinforces the local hydrological case that the land at 100-110 Te Moana Road functions as an essential flood-storage and conveyance zone within the Te Moana floodway. Approving residential rezoning in such a location would be scientifically indefensible, strategically unsound, and contrary to contemporary national climate science.

This outcome is consistent with the precautionary principle, aligns with the purpose and principles of the RMA, upholds the intent of national policy direction, protects critical hydrological and ecological functions, and preserves the integrity of the district's strategic growth framework. It also appropriately manages long-term financial and environmental risk on behalf of the community.

**Appendix One – Key Risks Associated with Proposed Plan Change**
The attached table summarises the key risks associated with PC5, as identified throughout this submission. These risks are not theoretical. They are foreseeable, documented, and significant, affecting environmental integrity, infrastructure resilience, community wellbeing, and financial sustainability.

Critically, they directly conflict with the Council's own planning instruments, including Te Tupu Pai - Growing Well growth strategy, Greater Wellington Regional Council hydrological and floodplain management frameworks, and the Resource Management Act 1991 (RMA) sustainable management purpose. They also breach the precautionary principle, which requires decision-makers to avoid or mitigate serious or irreversible harm in the face of uncertainty.

Approving PC5 in light of these risks would represent a strategically unsound and legally vulnerable decision, shifting long-term environmental and financial burdens from the developer to the community, and to future generations.

| **I seek the following decision from the Kāpiti Coast District Council:** [*give precise details*] |
| --- |
| Based on the statutory context, technical evidence, and planning precedent, Proposed Plan Change 5 should be declined in perpetuity. This outcome is consistent with the precautionary principle, aligns with the purpose and principles of the RMA, upholds national policy direction, protects critical hydrological and ecological functions, and preserves the integrity of the district's strategic growth framework. It also appropriately manages long-term financial and environmental risk on behalf of the community.<br><br>The evidence presented in this submission supports the decision sought from Council. |

**Hearing Submissions [select appropriate box]**

| | |
|---|---|
| I wish to be heard in support of my submission. **YES** | ☐ |
| I do not wish to be heard in support of my submission. | ☐ |
| If others make a similar submission, I will consider presenting a joint case with them at a hearing. **All persons named in this submission will present as a collective.** | ☐ |
| If others make a similar submission, I will not consider presenting a joint case with them at a hearing. | ☐ |

**18 November 2025**

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

Date

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

**Trade Competition** [*select the appropriate wording*]

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

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

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

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

**(a) adversely affects the environment; and**

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

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

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

| For office use only |
|---|
| Submission No: |
| S1 |

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## Appendix One: Summary of Key Risks Associated with Proposed Plan Change 5 -Te Moana Road Rezoning

| Risk Category | Description of Risk | Potential Impact | Affected Parties | Related Policy / Principle Not Met | Risk Level |
|---|---|---|---|---|---|
| **Ecological & Biodiversity** | Loss of sensitive wetland and ecological corridors; vegetation clearance already observed; breach of legal freshwater setbacks; fragmentation of critical bird and aquatic habitats. | Accelerated and potentially irreversible loss of biodiversity; degradation of wetland and stream systems; further decline of native species including kererū, tūī, pīwakawaka and riroriro; undermines local ecological network. | Local residents, iwi, environment | Resource Management Act 1991 (RMA) s5, National Policy Statement for Indigenous Biodiversity 2023, Resource Management (National Environmental Standards for Freshwater) Regulations 2020, precautionary principle. | Extreme |
| **Hydrological & Flood Hazard** | Development in 1% AEP flood hazard area, mapped stream corridor, ponding and overflow; site functions as critical Te Moana floodway and storage area. Flood and climate risk profile has intensified since earlier rezoning attempts. | Increased upstream and downstream flood risk; displacement of floodwaters onto neighbouring properties; damage to infrastructure; heightened safety risk; conflict with expressway hydrology design. | Residents, Council, downstream communities | KCDC floodplain management objectives, Greater Wellington Regional Council hydrological modelling, precautionary principle, NZ Coastal Policy Statement 2010 (Objective 5). | Extreme |
| **Infrastructure Capacity** | Water, wastewater, and stormwater networks are already at or near capacity in Waikanae; no LTP servicing commitment; retrofitting in flood-prone areas is technically complex and expensive. | Increased risk of network failure, environmental degradation from overflows, costly retrofits, cost transfer to ratepayers. Infrastructure stress has worsened since 2022 due to intensification elsewhere. | Ratepayers, Council, community | KCDC infrastructure strategy, RMA s5, Te Tupu Pai – Growing Well growth strategy. | High |
| **Amenity & Character** | Loss of rural landscape and open green edges; introduction of urban traffic, | Permanent loss of rural amenity and character; cultural landscape | Local residents, iwi | KCDC District Plan rural character objectives, RMA Part 2 amenity and environmental quality values. | High |

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| | noise, and lighting; urbanisation of a sensitive rural–coastal transition zone. | degradation; diminished quality of life for residents and tangata whenua. | | | |
| **Social Infrastructure & Amenities** | Additional population would create pressure on already stretched local amenities (roads, libraries, parks, health services). | Overcrowding, reduced service quality, higher operating costs, reduced community wellbeing. | Residents, Council | Te Tupu Pai – Growing Well, efficient servicing principles. | High |
| **Cultural & Treaty Obligations** | Lack of early and meaningful engagement with tangata whenua; impacts on cultural landscape, mahinga kai, and kaitiakitanga. | Undermines iwi partnership; erodes cultural landscape integrity; diminishes tangata whenua ability to exercise kaitiakitanga; legal and reputational risk to Council. | Tangata whenua, iwi, local community | Te Tiriti o Waitangi obligations, RMA s6(e), KCDC iwi partnership policies. | High |
| **Strategic Planning Integrity** | Rezoning contradicts growth strategy directing development to existing centres and planned greenfield areas. HBA shows surplus capacity — no strategic justification for expansion here. | Undermines urban containment; inefficient infrastructure investment; urban sprawl; loss of public trust in Council planning processes. | Council, community, future generations | Te Tupu Pai – Growing Well, KCDC District Plan, HBA evidence base, RMA sustainable management principles. | High |
| **Financial Burden on Ratepayers** | Cost of network upgrades, flood mitigation, and long-term hazard exposure shifted to the community. | Higher rates, increased flood response costs, reduced service levels, inequitable cost distribution. | Ratepayers, Council | KCDC infrastructure strategy, precautionary principle. | High |
| **Precedent & Legal Risk** | Approval of rezoning in a flood-prone, sensitive area sets damaging precedent for similar future applications. | Weakens integrity of the District Plan; invites legal challenges and judicial review; increased exposure to liability if flooding occurs. | Council, ratepayers, legal frameworks | RMA s32, District Plan integrity, precautionary principle. | High |

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|---|---|---|---|---|---|
| **Climate Resilience & Risk** | Flood risk compounded by sea-level rise and rising groundwater; site has tidal groundwater influence; does not meet resilience thresholds. | Heightened exposure to extreme events; long-term adaptation costs; higher insurance and recovery costs; increased community vulnerability. | Council, residents, future generations | GWRC climate resilience frameworks, KCDC climate adaptation policy, NZCPS Objective 5, precautionary principle, RMA s5. | Extreme |