

**BEFORE THE HEARING PANEL
APPOINTED BY KAPITI COAST DISTRICT COUNCIL**

IN THE MATTER OF | I TE TAKE O the Resource Management Act 1991
AND | ME

IN THE MATTER OF | I TE TAKE O Proposed Plan Change 5 (Private):
100 and 110 Te Moana Road,
Waikanae, Kāpiti Coast District

**STATEMENT OF EVIDENCE OF
SUSAN OLIVIA JONES
ON BEHALF OF ERIC, VINCE AND RAECHEL OSBORNE**

Dated 3 September 2026

Introduction

1. My full name is Susan Olivia Jones.
2. I have prepared this Statement of Evidence regarding Private Plan Change 5 (**PC5**) to the Kāpiti Coast District Plan, in relation to Planning matters.

Qualifications and experience

3. I am currently employed as a senior consultant planner with the firm Mitchell Daysh Limited an EMM Global Company ('MDL'), which practices as a resource management consultancy throughout New Zealand and internationally.
4. I hold a Bachelor of Resource and Environmental Planning with Honours from Massey University, obtained in 2007, and hold full membership with the New Zealand Planning Institute. In total, I have 16 years' experience as a practicing planner in New Zealand.
5. My professional experience includes resource management advice to a wide range of clients in relation to regional and district plans. In my roles within local government and private consultancies, I have prepared plan change documentation and environmental effects assessments for large and small scale urban and rural developments and subdivisions. I worked as a planner in the Wellington Region for ten years and during that time was involved in the planning application for the MacKays to Peka Peka ('**M2PP**') Road of National Significance through Kāpiti. More recently, my experience includes preparing Fast Track applications for large scale infrastructure projects including water storage schemes and renewable electricity generation projects.

Code of Conduct

6. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and confirm that I have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, except where I have indicated that I am relying on others' opinions. I have not omitted material facts known to me that might alter or detract from my evidence.

Scope of Evidence

7. This scope of this evidence covers:
 - a) Summary of work completed;
 - b) Summary of opinion;
 - c) Analysis of issues raised by submissions;
 - d) Response to matters raised by the KCDC officer's report; and

e) Conclusion.

Summary of work completed

8. I prepared the 'Proposed Plan Change to the Kāpiti Coast District plan and Section 32 Assessment' dated 6 May 2025 on behalf of the Osborne's ("**Plan Change Request**"). That private plan change request is now known as "**PC5**". The statutory assessment and conclusions reached are all as set out in that report.
9. I have also prepared, along with others, a response to the 4 June 2025 Request for Further Information ('**RFI**') made by Kāpiti Coast District Council ('**KCDC**') and this is titled RFI response – Planning, dated 9 July 2025.
10. In preparing this evidence, I have also reviewed the following material:
 - a) The various supporting documents to the Plan Change Request and RFI Responses;
 - b) The submissions and further submissions on PC5;
 - c) The section 42A report ('**officer's report**') on behalf of KCDC, including supporting technical statements of evidence; and
 - d) Briefs of evidence by the relevant technical experts prepared on behalf of the Osborne's.

Summary of opinion

11. Except as otherwise modified or updated as stated in this evidence, I adopt the Plan Change Request and RFI response – Planning as my opinion for the purpose of this hearing.
12. Having reviewed and considered all of the information and evidence referred to in paragraph 10 above, I confirm that I remain of the opinions recorded in the Plan Change request. Specifically, and for the various reasons recorded in the Plan Change Request, it is my opinion that PC5 would give effect to all relevant national and regional policy instruments and be consistent with the relevant Regional Plan and Strategic Direction provisions of the District Plan. Further, that Option 4 (preferred option, for rezoning both stages 1 and 2) would be the most appropriate (efficient and effective) option in terms of section 32 of the RMA.
13. In addition to the specific points made in the body of my evidence below regarding issues raised in submissions and the officer's report, I make the following general points in support of this summary of my opinion.

14. With respect to many of the issues raised in submissions, the RFI and officer's report, it is important to understand that PC5 seeks a straight residential rezoning which will preserve the ability for all relevant effects resulting from the rezoning to be further tested at the site-specific level on future subdivision and development of the site. That future consent process will enable and require further detailed assessment of a range of effects including transportation, stormwater and flood management, infrastructure capacity, erosion and water quality issues, ecology, urban design and amenity, as well as adoption of the mitigation measures recommended in the technical reports submitted in support of PC5, and in the technical evidence now before the Panel. To demonstrate this point, I have prepared a table of the relevant consent triggers and assessment matters that are likely to be applied in the future consent process as **Appendix 1** of this evidence.
15. Should PC5 be approved, a resource consent to subdivide and develop this site is likely to fall into the category of a Discretionary Activity under the District Plan as a result of a residual flow path overlay mapping (albeit that this mapping is now considerably out of date, as explained in Mr Martell's evidence). Under that activity status, KCDC would be able to consider any and all effects and can grant or decline the application. If granted, conditions of consent could be imposed.
16. Even putting that consent trigger aside, subdivision in the requested General Residential Zone would be a controlled activity (or Discretionary if performance standards are not met), enabling KCDC to impose conditions on this same range of matters, and subject to a requirement for every vacant allotment to have a flood free building area above the estimated 1% AEP flood event. A full transport assessment would be required for any development generating more than 100 vehicles per day ('vpd'). The wetland feature on the Plan Change site would be subject to the protections and consent requirements of the National Environmental Standards for Freshwater (**NES-F**).
17. Furthermore, regional consents are likely to be necessary from Greater Wellington Regional Council in relation to bulk earthworks and freshwater management.
18. I make this point to highlight that, in my opinion, what is required at the Plan Change request stage of the overall RMA process is a relatively high level 'feasibility' assessment meeting the section 32 requirements, rather than more forensic assessment of potential effects at the level of detail appropriate to a consent process (as appears to be sought in submissions, and aspects of the RFI).

19. I have also now considered the recent amendments to, and new, national direction as relevant to PC5 in **Appendix 2** of this evidence. In relation to consistency with the amended provisions of the NPS-HPL (and in particular Policy 5) I defer to the legal submissions of Mr Williams. Similarly, I have completed an updated assessment against recent changes to the Regional Policy Statement provisions in **Appendix 3**, noting that at the time the Plan Change Request was lodged, Change 1 to the RPS was still subject to hearings and appeals.
20. For the avoidance of doubt, my opinion remains as stated at paragraph 12 above with reference to the assessment in Appendices 2 and 3, i.e. that PC5 would give effect to all relevant national and regional policy instruments, including as amended.

Submission from NZTA

21. In its submission, NZTA raised a matter relating to vegetation protection within and adjacent to Designation NZTA005 (MacKays to Peka Peka Expressway). NZTA sought a reassessment which takes into consideration the potential impacts of PC5 on this vegetation.
22. A portion of the subject site is subject to Designation NZTA-005 as acknowledged in the Plan Change Request. Further discussion has been had with Mr Keenan (Planner acting on behalf of NZTA) who has offered a letter dated 12 August 2026, which I include as **Appendix 4** to this evidence.
23. In this letter, Mr Keenan states that *“Vegetation within Designation NZTA-005 remains subject to the designation and its conditions. Any future subdivision or development works within the designation would need to be considered at that stage, including whether NZTA approval is required under section 176 of the RMA”*. I concur with Mr Keenan on this matter in regard to works within the designation and this will be addressed at future resource consent stage for the development, where necessary.
24. Mr Keenan states *“For the vegetation outside the designation, NZTA has not identified any covenant, encumbrance or other registered requirement for that vegetation to be retained. KCDC has also confirmed that this vegetation was not required to be retained in perpetuity and that its removal by the landowner or developer would not result in NZTA being in breach of the designation conditions or certified landscape documentation...On this basis, NZTA considers the landscaping issue relating to vegetation outside the designation to be resolved.”*
25. On this basis, I consider this submission matter to be resolved.

Submission from the Fairway Oaks Drive Resident's Partnership

26. The submission from Fairway Oaks Drive Resident's Partnership ('FODRP') raises planning related matters which I have grouped into the subheadings that follow.

Strategic Designation as a Rural Buffer

27. The FODRP submission asserts that in addition to being ecologically sensitive and flood prone, the site is "*strategically designated as a rural buffer*".
28. This is simply not correct. The site is not identified in the District Plan as having a zoning, overlay or designation as a 'rural buffer', in any way or form. It has the same current zoning as all other land zoned General Rural in the District, without any 'buffer' overlay or notation of any kind. As I discuss further below, what really sets the site apart from other rural zoned land is that it is surrounded by existing transport infrastructure and housing on three sides. Therefore, I disagree that the site has any identified role as a rural buffer through the relevant statutory documents.
29. Mr Martell and Mr Ussher comment on flooding and ecological issues as raised by FODRP on this point, specifically.

Coastal Hazard Risk

30. The FODRP submission raises coastal hazards issues stating that there is inconsistency with Objective 5 of the New Zealand Coastal Policy Statement.
31. Objective 5 relates to coastal hazard risks and locating new development away from areas prone to such risks. The site is 1km from the coastline and not identified within a coastal hazard overlay of the District Plan.
32. Tsunami evacuation zone maps were updated in 2018 by Greater Wellington Regional Council, working with GNS Science. The purpose of these maps was to identify tsunami evacuation zones, to direct people to head inland and get out of all zones after a long or strong earthquake.
33. I refer to my findings on page 28 of the Plan Change Request in this regard, along with my assessment of the relevant provisions of the NZCPS on page 52-54 of the Plan Change Request.

Lack of Meaningful Iwi Engagement

34. The FODRP submission asserts that PC5 has been advanced without meaningful engagement with mana whenua.

35. This is also incorrect. Engagement with mana whenua commenced at the outset of my consideration of this plan change in 2024.
36. I refer to Appendix 11 of the plan change documentation for the letter from Mr McAuliffe (Kairuruku Taiao) which states *"We wish to commend you on your respectful engagement with Ātiawa ki Whakarongotai. Your responsiveness to our concerns and commitment to maintaining good relations has been greatly appreciated."*
37. Before the preparation and issue of his letter, Mr McAuliffe consulted with Takamore Trust.
38. The archaeology authority as recommended by Ms O'Keeffe in her Archaeological Assessment and the resource consenting stage will provide further opportunities for mana whenua to be engaged.

Site Constraints and Rezoning Attempts

39. The FODRP submission suggests that the site has been the subject of previous 'rezoning attempts' which are said to have failed (referencing Plan Change 2 ('PC2') and the Long-Term Plan ('LTP') specifically), with climate risk, ecological degradation, and infrastructure pressures said to have increased since that time. I address this point in relation to the allegation of site constraints increasing, below.
40. For context however, PC2 to the District Plan was made Operative in September 2023 to respond to Government requirements to change the District Plan to accommodate more residents, businesses and community services in Kāpiti, through adoption of the Medium Density Residential Standards. As part of this Plan Change, some areas of the District were rezoned to General Residential. The Osborne's made a submission on PC2 to be included in that rezoning.
41. In the summary of feedback that formed part of the Section 32 Evaluation Report on PC2 it was stated that *"The site is located in an area that was given consideration as part of the preparation of PC2. It was found that the area is subject to a range of constraints, resulting in an area of sufficient complexity that it would be more appropriate to address the zoning of the site through a future plan change process. The submission identifies that further investigation is required to address these constraints."*
42. Te Tupu Pai Growing Well - Growth Strategy (2022), hereon referred to as Te Tupu Pai, was supported by the Kāpiti Coast Urban Development Greenfield Assessment 2021, prepared by Boffa Miskell. This document did identify the site as an area with *"potential for medium or long-term urban development"*, however noted that there were *'several constraints to overcome that may*

require significant strategic decision-making". It is assumed that the site was not identified for greenfield growth in Te Tupu Pai as a result of these constraints.

43. It is my opinion that PC5 provides the "appropriate" process signalled in the PC 2 Section 32 evaluation for potential site constraints to be examined in more detail. A suite of site-specific technical assessments and evidence has been prepared and provided which outlines the potential effects of rezoning the land and where relevant, any avoidance, remediation or mitigation available to address the previously identified site constraints appropriately at the future resource consent stage. PC2 or the Greenfield Assessment did not undertake this same level of site-specific investigation or technical rigour.
44. I note that the Osborne's submission on the LTP was not a 'rezoning request' and as such this point has not been considered further. To be clear though there has never been any decision by KCDC not to rezone the site on the basis of any specific finding that site constraints are unable to be addressed or managed, as asserted by FODRP.

Alignment with strategic documents for growth

45. The FODRA submission also states that "*Kāpiti District has a 30-year surplus of zoned residential capacity and that ad hoc rezoning outside planned growth boundaries would erode urban containment and set a damaging precedent*".
46. Management of growth in Kāpiti is achieved through a complex layering of documents ranging from the high-level National Policy Statement on Urban Development 2020 ('NPS-UD') to the more localised Te Tupu Pai.
47. In my view, PC5 would align with the higher order document relating to urban growth which is the NPS-UD. The key reasons for this alignment are set out in the paragraphs which follow.
48. Policy 2 of the NPS-UD requires that Tier 1 local authorities (KCDC in this instance) provide '*at least*' sufficient development capacity to meet expected demand for housing and for business land over the short, medium and long terms. That is, there is no requirement to supply '*just enough*' development capacity.
49. Policy 8 of the NPS-UD allows private plan changes like this to be considered where land has not been identified for urban development in the District Plan i.e. they are 'unanticipated by an RMA planning document', or 'out-of-sequence' with planned land release.
50. Direction in terms of the application of Policy 8 is found within the NPS-UD at Subpart 2 – Responsive Planning, Clause 3.8 which states:

'Unanticipated or out of sequence developments' sets out that:

- (1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.*
- (2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:
 - a) would contribute to a well-functioning urban environment; and*
 - b) is well-connected along transport corridors; and*
 - c) meets the criteria set under subclause (3).**
- (3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.'*

- 51. I consider the site, once rezoned as proposed, would contribute to and form part of a *'well-functioning urban environment'* and adopt my assessment against Policies 1, 2 and 8 of the NPS-UD in Part 6 of the Plan Change Request in this respect (refer to page 45-46).
- 52. Plan Change 1 to the Regional Policy Statement has sought to give effect to the NPS-UD (as assessed further in Appendix 3). Policy UD.5 of the September 2025 Appeals Version (being the most recent version) of the Regional Policy Statement (**'RPS'**), articulates what contributing to well-functioning urban areas means specifically in the Wellington Region. I consider PC5 to be consistent with Policy UD.5 and address the reasons for this in Appendix 3 of this evidence.
- 53. I concur with the Traffic Assessment Report prepared by Mr Benner in that the site is well connected along transport corridors and located in proximity to public transport networks. In my view, there are not many instances where a 'spot zoning' is as well connected to transport infrastructure.
- 54. I have also given consideration to the criteria of Policy UD.3 of the RPS which give effect to NPS-UD Clause 3.8(3) as set out above (within Appendix 3 of this evidence). Through application of the MDRS, this plan change would align with UD.3 by providing for an observed shortfall in housing choice and affordability in Kāpiti. I refer to paragraph 12.13 of the officer's report which states:

"Mr McGillivray sets out the growth projections over the last five years, grounded in the Housing and Business Capacity Assessments (HBA) and subsequent updates over this period. This confirms that there is sufficient realisable, plan-enabled capacity to meet demand over the next 30 years. However, Mr McGillivray also notes that while the HBA identifies a market preference into the

future for larger standalone houses in Kāpiti, current development and market observations suggest an increased demand for smaller houses and medium density developments as the population ages. Therefore, housing choice and affordability remains an issue within the district."

55. I also refer to the Kāpiti Coast Economic Development Strategy 2025-2028 which also identifies housing affordability as an ongoing challenge of the District.
56. I acknowledge the evidence provided by Mr McGillivray that there is ongoing work as part of 'Vision Kāpiti' to explore and identify how the District achieves outcomes for growing well. This work includes the development of a supporting blueprint and will also support the review of the Council's Growth Strategy Te Tupu Pai, Growing Well which is currently planned for 2028. The consistency of PC5 with the current version of Te Tupu Pai is addressed on page 79-80 of the Plan Change request and my conclusions stand.
57. It is my view that there is no imposed maximum limit on planning for future growth in this District. Furthermore, areas that are identified for future growth through Te Tupu Pai may never eventuate, whether that be due to a lack of commercial viability, environmental constraints or a lack of landowner aspiration.
58. I therefore consider the site is appropriate for urban development, contributes to a 'well-functioning urban environment', and that the additional housing choice and affordability options provided by PC5 is needed in this District, contrary to the assertion in the FODRA submission.

Precedent Effects

59. The submission of FODRA states that approving PC5 *"would set a damaging precedent for ad hoc rezonings on rural and flood-prone land"*.
60. This site is uniquely situated in a location in that it is sandwiched between residential development and a four-lane expressway. The site is 5.5ha in area, contains a QEII covenant wetland and is not part of a wider block that could be easily amalgamated for productive rural use. As outlined in the evidence of Mr Grant, the site has significant long term or permanent constraints for any productive use of the site, that cannot practicably be addressed.
61. The site has specific characteristics which have been considered through the technical assessments and evidence provided with the Plan Change Request and, if approved, would be considered again through the resource consent process.

62. I concur with the evidence of Mr Martell around the level of flood risk relating to the site. KCDC's flood mapping is considerably out of date and Mr Martell's evidence confirms the level of risk following implementation of the M2PP expressway can be readily accommodated with on-site works to ensure that building platforms are above the 1% AEP level, development would not create or increase significant natural hazard risk on other sites, and the effective functioning of residual flow paths are maintained.
63. I therefore disagree that allowing this plan change would set a precedent for ad hoc zoning on rural land and flood-prone land.

Section 42A Report

64. I have read the officer's report prepared by Ms Pascall (dated 24 August 2026) and supporting technical evidence.
65. Overall, Ms Pascall recommends that the Plan Change Request be accepted in part by the Panel, such that only Lot 2 is rezoned from General Rural Zone to General Residential Zone. However, she notes that this recommendation is subject to the amendments recommended in her report and the provision of additional information relating to (in summary):
- a) An assessment of rural productivity of the site that satisfies clause 3.10 of the NPS-HPL;
 - b) Further detail about groundwater conditions, soakage performance, flood conveyance requirements and compensatory flood storage for Lot 1; and
 - c) A structure plan map.
66. As noted above, I prepared the Plan Change Request that was submitted and stand by the assessment that the entire site should be rezoned from General Rural Zone to General Residential Zone. Rather than repeating that evaluation, I comment on the assessment provided in the officer's report, focussing on the key areas of disagreement and in some cases agreement.
67. To assist the Panel, I have set out my evidence in the following sections based on the topic-based report structure.

Relevant Policy Framework

68. I agree with paragraph 11.4 and 11.6 of the officer's report that the new and amended national policy of most relevance to PC5 is the NPS-HPL and NPS-NH. An assessment of those documents is set out in Appendix 2 of my evidence.

69. I concur with Ms Pascall in that Objective 1 of the NZCPS is relevant, however note that this relevance is limited to the dunes on site. Dune landscapes will be appropriately protected by the existing earthwork provisions (refer to Appendix 1 of this evidence) where (as Mr Button notes in his evidence) limitations are placed on the extent of vertical cut. As such, I consider that consistency will be achieved with Objective 1 of the NZCPS.
70. Paragraph 11.24 of the officer's report outlines other provisions of the RPS Appeals Version September 2025 that should be assessed. Appendix 3 of my evidence provides an assessment of those additional provisions identified by Ms Pascall. In addition to those listed, I have assessed UD.3 and Policy 55. For the reasons set out in Appendix 3, I consider that general consistency has been achieved with these provisions of the RPS.
71. Paragraph 11.28 of the officer's report sets out additional objectives and policies of the Natural Resources Plan ("**NRP**") that Ms Pascall considers relevant to the consideration of this plan change. I do not consider Objective O7 to be relevant given the site is private land, with no identified recreational values. All other Objectives and Policies have been addressed in Appendix 3 of this evidence. For the reasons set out in Appendix 3, I consider that general consistency has been achieved with these provisions of the NRP.
72. Paragraph 11.30 of the officer's report identifies three additional provisions of the District Plan of relevance to PC5. I have also considered these provisions in Appendix 3 of this evidence. For the reasons set out in Appendix 3, I consider that general consistency has been achieved with these provisions of the District Plan.
73. If approved, the consistency of any future development on this site against the statutory context will be reconsidered at the time of resource consent, to the additional level of detail required for considering a specific proposal.

Urban Form and Alignment with Strategic Planning Documents

74. For the reasons set out in Paragraph 45 to 57 and Appendix 2 of my evidence, I concur with the key findings of Ms Pascall at paragraph 12.13 – 12.17, these being:
- a) *"housing choice and affordability remains an issue within the District"* (para. 12.13);
 - b) HBA growth projections *"do not preclude consideration of rezoning requests that result in greater capacity"* (para. 12.14);
 - c) *"the rezoning will support a well-functioning urban environment"* (para 12.15); and

- d) *“there is the ability to provide more capacity than is necessarily required to meet demand”* (para. 12.17);
 - e) If rezoned *“it will generally contribute to enabling a variety of housing types through the application of the MDRS to the site and a general increase in supply which supports housing affordability”* (para. 12.16);
 - f) *“The location of the site adjacent to the existing residential area provides for effective and efficient provision of infrastructure to the site”* (para. 12.16).
75. I concur with Ms Pascall that the *“rezoning of the site from General Rural Zone to General Residential Zone is appropriate in principle”* (para. 12.21).

Assessment of Environmental Effects

76. The paragraphs below address specific planning related matters raised through pages 25-50 of the officer's report. All other matters have been addressed through the evidence of other technical experts.

Traffic and Roading Effects

77. It is stated in para. 12.30 of the officer's report that a Fast Track Approvals Process has been lodged, but is not consented, for Waikanae North. I defer to the legal submissions of Mr Williams in relation to the relevance of this development on the consideration of PC5.
78. The officer's report highlights the existing provisions of the District Plan as they relate to traffic in paragraphs 12.39 and 12.41. I agree that these are the key provisions of relevance.
79. The future comprehensive subdivision and land use development of this site would likely be a Discretionary Activity as stated above at paragraph 15. As a Discretionary Activity, it would be expected that a Traffic Assessment Report would be prepared as part of the resource consent application in order for KCDC to assess a proposal against those identified traffic provisions. Site specific conditions could be imposed if consent was granted. Regardless, as also noted above (and in the officer's report), a full transport assessment would be required for any development on the PC5 site generating more than 100vpd.
80. It is my view that the existing plan provisions will provide sufficient surety around the consideration and management of traffic related effects once the level of development and configuration of the site is determined at the resource consent stage. While not necessary in this instance, I agree that the additional transport policy proposed for new GRZ-P29 by Ms Pascall in Appendix 7 of the officer's report, could better guide the requirements of that future traffic assessment at the time of resource consent.

81. I do not disagree with the provisions proposed by Ms Pascall in relation to traffic.

Landscape and Visual Effects

82. I refer to paragraph 12.43 of the officer's report in relation to the recommendation of a Landscape Development Framework.
83. I consider that any future resource consent for a subdivision and development of this site would incorporate a 'landscape development framework' or 'landscape plan' in any event to demonstrate consistency with the Residential Design Guide in Appendix 24 of the District Plan and demonstrate the required MDRS standard to provide at least 20% of the developed site with landscaping (this being grass or plants). I do not consider a landscape development framework or landscape plan to be required for the approval of this plan change.
84. I refer to Mr Ormsby's evidence advising that the Landscape Development Framework referred to in the LVA filed in support of PC 5 is not necessary, given the focus of that Framework on protecting the natural character of the dunes in the southern part of the site, which is already covered under existing District Plan controls and provisions regarding earthworks.
85. Paragraph 12.49 of the officer's report states that *"Mr Button generally agrees with the findings of the LVA [provided by Wayfinder] that the rezoning will result in low adverse visual amenity effects"*. However, Mr Button *"disagrees with the Requestor's LVA conclusions regarding the potential level of effect on properties immediately adjacent/neighbouring the site on the western boundary"*.
86. I disagree with Ms Pascall's view in paragraph 12.53 of the officer's report in relation to the need for a development setback that is specific to the PC5 site, to address the concern raised by Mr Button about potential amenity effects on adjacent/neighbouring properties on the western boundary.
87. I confirm that, as Mr Ormsby also states in his evidence, the existing properties along the western boundary would have the same General Residential Zoning as this site if PC 5 is approved. That is, the MDRS provisions apply to that neighbouring land as well, including providing for buildings up to 11m high at 1m off the shared boundary (subject to recession planes being met). PC5 would therefore be consistent with the amenity expectations for development of the neighbouring land. For both areas (either side of the boundary) where land is mapped within a flood hazard overlay, the natural hazard rules and standards of the District Plan would apply to address the qualifying matter.

88. I therefore concur with the evidence of Mr Ormsby that no specific setback or planting in relation to the western boundary is necessary in relation to the management of landscape and amenity effects.
89. I also note that the General Residential Zone has a range of existing provisions (refer to Appendix 1) to manage residential amenity effects between sites. These include yard setbacks, height limits, recession planes and maximum site coverage. Compliance with these standards would be assessed as part of any future resource consent.
90. Under Section 95 of the RMA, limited notification would be considered if adverse effects were minor or more than minor on adjoining neighbours. With these safeguards under the RMA, there is no necessity to include site specific setbacks to this site as part of this plan change.
91. Applying a setback as recommended by Ms Pascall in Appendix 7 of the officer's report could reduce the efficiency and effectiveness of the development potential across the site and in my view is more appropriately considered at the resource consent stage.

Natural Character

92. I concur with Mr Button (at paragraph 3.5 of his evidence) that the existing earthwork rules of the District Plan adequately protect the sand dunes in the southern part of the site and support Ms Pascall's view in paragraph 12.61, that "natural character will be sufficiently managed through existing plan provisions".

Land Use Capability Effects

93. I have considered Mr Grant's evidence and revised report including additional assessment of clause 3.10 of the NPS-HPL. In light of this evidence, I consider that the benefits of rezoning the land for residential purposes will outweigh the costs of the loss of 1.87 ha of highly productive land present within the site under the NZLRI mapping. Mr Grant's revised report and evidence confirms that there are significant long term or permanent constraints to any productive use of the full 1.87ha of highly productive land present within the site, and that all of the requirements for an exemption under clause 3.10 are met.
94. In my opinion this evidence comprehensively responds to the first bullet point at paragraphs 1.12 and 13.3 of the officer's report.

Ecological Effects

95. Ms Pascall identified that a number of measures to avoid or mitigate ecological effects would be applicable at the resource consent stage and would for the

most part be related to matters within the NRP and NES-F which are administered by Greater Wellington Regional Council ('GWRC') (paragraph 12.73). I concur with this statement and note that GWRC have been consulted on PC5 but were not a submitter.

96. Regulation 45C of the NES-F requires consent as a Restricted Discretionary Activity if earthworks, land disturbance or vegetation clearance for the purpose of constructing urban development is required within a 10m setback of natural inland wetlands. I note that planting of setbacks from natural inland wetlands is not a specified requirement of the NES-F.
97. I concur with the evidence provided by Mr Ussher in that the resource consenting stage is the most appropriate time to consider planting within the 10m setback. It is during the consent process that a detailed consideration of ecological effects associated with the proposed site development would be undertaken. Should ecological effects be identified which require planting within the 10m setback as a form of mitigation, this would be considered and potentially included within the conditions of consent.

Stormwater and Flooding

98. I defer to the evidence of Mr Martell and Mr Taylor which address the stormwater and flooding matters raised in the evidence of Mr Oakley.
99. The NPS-NH risk matrix has been considered through the evidence of Mr Martell. His findings conclude that the flood risk is low to medium across the site. In Appendix 2 of my evidence, I conclude that PC5 remains consistent with the provisions of the NPS-NH on this basis.
100. Low to medium risks from flooding can be managed proportionately through detailed site design and will ensure consistency with the provisions of the relevant statutory documents that guide the consideration of Natural Hazards (including the RMA, NPS-NH, RPS and District Plan). The resource consent process will ensure this.
101. I concur with Ms Pascall in her statement in para 11.16 of the officer's report that the District Plan takes a risk-based approach to natural hazards currently. By way of a recent statutory update, I append a recent consent order to my evidence at Appendix 5. This order relates to Objective 19 and Policy 29 and 51 of the RPS Change 1 Natural Hazards. This order gives effect to the NPS-NH by applying a "proportionate approach" to the Natural Hazards provisions within the RPS.
102. I consider that PC5 is consistent with the higher order provisions of the NPS-NH and that the low to medium risk of flood hazard would be proportionately

managed through site design and the consideration of planning provisions at the resource consent stage. On the basis of Mr Martell's evidence, there is no policy direction under the NPS-NH that would require avoidance of future development on this site and any future development would remain consistent with section 6(h) and 106 and 106A of the RMA.

103. Having regard to the evidence of Mr Martell, Mr Taylor and Mr Ussher, I consider that all of the outstanding information referred to at the second bullet point of paragraphs 1.12 and 13.3 of the officer's report has now been provided, and there is no impediment to the preferred option as sought in the Plan Change request being approved, i.e. covering both Lots 1 and 2.

Wastewater and Water Supply

104. I concur with the findings of Ms Pascall that water supply constraints can be sufficiently addressed at the resource consent stage (paragraph 12.116).
105. Ms Pascall has considered it appropriate to include a site-specific policy direction (GRZ-P29) requiring the necessary water supply network upgrades to occur prior to development occurring and that the development does not compromise capacity for existing and recently consented developments.
106. I agree with the evidence of Mr Taylor who considers this recommendation further and concludes that there is a practicable pathway to maintain the required levels of service within the Waikanae catchment as development occurs, and that this matter is covered by the existing District Plan provisions he refers to.
107. On the basis of the evidence of Mr Taylor, and the existing and planned level of water supply infrastructure upgrades referred to in Mr Pillai's evidence, I do not consider that there is a need for the policy direction recommended by Ms Pascall.

Provision of a Structure Plan

108. In paragraph 1.12 and 13.3 of the officer's report, Ms Pascall has recommended the need for a structure plan and what she recommends that structure plan to include.
109. I disagree with the need to provide a structure plan for this plan change. In my view, a structure plan adds value when there is a large area of land involved, (often with multiple land holdings). A structure plan is a formal, regulatory planning framework integrated into a district plan that ensures development over multiple properties is integrated in achieving the structure plan outcomes,

whereas a concept plan is an informal, indicative design layout used to show how a specific site could be developed.

110. The concept plan provided for the preferred option under the Plan Change Request is sufficient for the consideration of PC5, given the sole landownership of the relatively small area of land. The concept plan identifies the site access and the extent of the 'Osborne's Swamp'.
111. For the reasons set out in paragraphs 95-97 of my evidence, there is no requirement for a 10m planted buffer around wetlands under the NES-F, as part of this plan change.
112. For the reasons set out in paragraphs 86-91 of my evidence, I do not consider there to be a need for any specified setback or planting in relation to the northwestern boundary.
113. It is my understanding that that Applicant has no intention to remove the Pohutukawa trees along the front boundary of the site. Should the Panel need assurance that these trees will be retained, these trees can be included within the Concept Plan provided and identified as trees to be retained.
114. I note that an indicative road layout is shown on the Concept Plan. If the Plan Change is approved, the location of the internal road layout will be considered through the scheme plan development prior to lodging resource consent for a future subdivision.
115. Identifying safe and direct walking routes within the site to the bus stops on Te Moana Road is more appropriately considered through the resource consent stage, when design of the site and subdivision layout is prepared.

Recommended District Plan Provisions

116. Based on the evidence above I respectfully consider that the Panel could include points 3, 4 and 5 of GRZ-P29 if more surety is preferred around what would be considered within a Traffic Assessment for this site at the time of resource consent.
117. As considered through my evidence, I do not consider there is a need for point 1 based on the evidence of Mr Ormsby (nor for the proposed new Rules GRZ-R42-43), point 2 based on the evidence of Mr Ussher, point 6 based on the evidence of Mr Martell and point 7 based on the evidence of Mr Taylor.
118. For the reasons set out in paragraphs 108-115, I do not consider that there is a need for a structure plan as specified in GRZ-R42 or GRZ-R43.

Conclusions

119. Overall, I conclude that:

- a) PC5 appropriately seeks to rezone the entire site at 100 and 110 Te Moana Road for residential purposes;
- b) The environmental effects of a future subdivision and development on this site can be appropriately addressed and mitigated through the resource consent stage under the current provisions of the District Plan (alongside Regional Consents where required). Should the Panel consider additional traffic policies are needed, I consider these would be effective at guiding a Traffic Assessment at the time of resource consent.
- c) A Concept Plan is suitable for this plan change, rather than the preparation of a Structure Plan. Should the Panel consider the need to identify and protect Pohutukawa trees along the front boundary, this can be incorporated into the Concept Plan.
- d) PC5 is generally consistent with all relevant statutory requirements; and
- e) PC5 ultimately accords with the purpose of the RMA and the preferred option under the Plan Change request can be confirmed accordingly.

Susan Olivia Jones

3 September 2026