



Further Submission on Proposed Plan Change 2 to the Kāpiti Coast Operative District Plan by Kāinga Ora – Homes and Communities

Clause 8 of Schedule 1 to the Resource Management Act 1991

To: Kāpiti Coast District Council

175 Rimu Road Paraparaumu 5032

Submitted via email to: district.planning@kapiticoast.govt.nz

Name of Further Submitter: Kāinga Ora – Homes and Communities

- 1. **Kāinga Ora Homes and Communities** ("**Kāinga Ora**") makes this further submission on the Proposed Plan Change 2 to the Operative District Plan ("**PC2**") in support of/in opposition to original submissions to PC2.
- Kāinga Ora has an interest in PC2 that is greater than the interest the general public has, being an original submitter on PC2 with respect to its interests as Crown entity responsible for the provision of public housing, and its housing portfolio in the Kāpiti Coast District.
- 3. Kāinga Ora makes this further submission in respect of submissions by third parties to PC2.

Reasons for further submission

- 4. The submissions that Kāinga Ora supports or opposes are set out in the table attached as **Appendix A** to this further submission.
- 5. The reasons for this further submission are:
 - (a) The reasons set out in the Kāinga Ora primary submission on PC2.





- (b) In the case of the Primary Submissions that are opposed:
 - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 ("RMA");
 - (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA:
 - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief; and
 - (iv) The Primary Submissions are inconsistent with the policy intent of the Kāinga Ora primary submission.
- (c) In the case of Primary Submissions that are supported:
 - (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
 - (ii) The reasons set out in the Primary Submissions; and
 - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
- 6. Without limiting the generality of the above, the specific relief in respect of each Primary Submission that is supported or opposed is set out in **Appendix A**.
- 7. Kāinga Ora wishes to be heard in support of its further submission.
- 8. If others make a similar submission, Kāinga Ora will consider presenting a joint case with them at a hearing.

DATED 24 November 2022





Kāinga Ora - Homes and Communities

Brendon Liggett

Manager – Development Planning

ADDRESS FOR SERVICE:

Kāinga Ora – Homes and Communities PO Box 74598

Greenlane, Auckland

Attention: Development Planning Team

Email: developmentplanning@kaingaora.govt.nz





Appendix A – Further Submission Table

Submission number	Submitter Point Number	Submitter Name	Topic	Specific provision / matter	Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
S053	S053.15	Waka Kotahi	Financial Contributions	FC-Table x2	Support in part	Amend FC-Table x2 - Financial Contribution payable provisions to allow financial contributions to be collected for access to or provision for alternative transport modes such as walking, cycling and public transport.	Oppose	Kāinga Ora supports the promotion of alternative transport modes but opposes the relief sought as it does not consider situations where Council may not have any plans for alternative transport modes to be provided.	Disallow
S076	S076.02	Transpower New Zealand Limited	Qualifying Matters (General)	Definitions	Oppose	Add a definition of "Qualifying Matter" as follows: QUALIFYING MATTER has the same meaning as in section 2 of the RMA:	Oppose	Kāinga Ora opposes this request, as it considers that it is not required to aid in interpretation or implementation of the Plan.	Disallow
S076	S076.03	Transpower New Zealand Limited	Qualifying Matters (General)	DO-O3	Support in part	Amend Objective DO-O3 as follows: 3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment: a. that are in or near a Centre Zone or other area with many employment opportunities; or b. that are well serviced by existing or planned public transport; or c. where there is high demand for housing or for business land relative to other areas within the urban environment; d. that are not qualifying matter areas.	Oppose	Kāinga Ora opposes this request, as it considers that it is not required to aid in interpretation or implementation of the Plan.	Disallow
S076	S076.09	Transpower New Zealand Limited	Qualifying Matters (General)	UFD-P1	Support in part	Amend Policy UFD-P1 as follows: New urban development for residential activities will only be located within existing urban areas and identified growth areas, and will be undertaken in a manner which: 1. supports the District's consolidated urban form; 2. maintains the integrity of the urban edge north of Waikanae and Ōtaki; 3. manages residential densities by:	Oppose	Kāinga Ora opposes this request, as the relief sought is not required to aid in interpretation or implementation of the Plan. Kāinga Ora also opposes the use of the word 'avoid' in a policy that seeks to enable urban development. It is also noted that the proposed amendment refers to qualifying matters in general, whereas not all qualifying matters seek to limit height and density.	Disallow





Submission number	Submitter Point Number	Submitter Name	Topic	Specific provision / matter	Position	Summary of Decision Requested (Decision Sought)	Kāinga Ora response (support or oppose)	Kāinga Ora reasons	Decision(s) sought (allow or disallow)
						a. providing for a variety of housing types and densities in the General Residential Zone; b. enabling increased housing densities: i. in, and within a walkable catchment of the Metropolitan Centre Zone; ii. within a walkable catchment			
						of the train stations at Paekākāriki, Paraparaumu and Waikanae; and iii. in and adjacent to the Town Centre Zone and Local Centre Zone;			
						 c. avoiding inappropriate locations, heights and densities in qualifying matter areas 			
S076	S076.16	Transpower New Zealand Limited	Qualifying Matters (General)	GRZ-Px1	Support in part	Amend policy GRZ-Px1 as follows: Enable a variety of housing typologies with a mix of densities within the Zone, including 3-storey attached and detached dwellings, and low-rise apartments while avoiding inappropriate locations, heights and densities of buildings and development within qualifying matter areas as specified by the relevant qualifying area provisions.	Oppose	Kāinga Ora opposes this request, as the relief sought is not required to aid in interpretation or implementation of the Plan. Kāinga Ora also opposes the use of the word 'avoid' in a policy that seeks to enable urban development. It is also noted that the proposed amendment refers to qualifying matters in general, whereas not all qualifying matters seek to limit height and density.	Disallow
S089	S089.07	Fire and Emergency New Zealand	MDRS & NPS-UD	GRZ-R6	Support in part	Amend height standards for GRZ-R6 as follows: Exclude emergency service facilities up to 9m and hose drying towers up to 15m from height and height in relation to boundary standards.	Oppose	Kāinga Ora opposes the exclusion of hose drying towers from height in relation to boundary rules and standards, noting that 15m is significantly higher than the maximum permitted building height in the GRZ. It is unclear why these structures cannot be located away from boundaries in the GRZ.	Disallow
6089	S089.09	Fire and Emergency New Zealand	MDRS & NPS-UD	GRZ-Rx1	Support in part	Amend height standards for GRZ-Rx1 as follows: Exclude hose drying towers up to 15m from height and height in relation to boundary standards.	Oppose	Kāinga Ora opposes the exclusion of hose drying towers from height in relation to boundary rules and standards, noting that 15m is significantly higher than the maximum permitted building height in the GRZ. It is unclear why these structures cannot be located away from boundaries in the GRZ.	Disallow
5089	S089.11	Fire and Emergency	MDRS & NPS-UD	GRZ-Rx2	Support in part	Amend height standards for GRZ-Rx2 as follows:	Oppose	Kāinga Ora opposes the exclusion of hose drying towers from height in relation to boundary rules and standards, noting that	Disallow





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		New Zealand				Exclude hose drying towers up to 15m from height and height in relation to boundary standards.		15m is significantly higher than the maximum permitted building height in the GRZ. It is unclear why these structures cannot be located away from boundaries in the GRZ.	
S089	S089.13	Fire and Emergency New Zealand	MDRS & NPS-UD	GRZ-Rx3	Support in part	Amend height standards for GRZ-Rx3 as follows: Exclude emergency service facilities up to 9m and hose drying towers up to 15m from height and height in relation to boundary standards.	Oppose	Kāinga Ora opposes the exclusion of hose drying towers from height in relation to boundary rules and standards, noting that 15m is significantly higher than the maximum permitted building height in the GRZ. It is unclear why these structures cannot be located away from boundaries in the GRZ.	Disallow
S094	S094.01	KiwiRail	MDRS & NPS-UD	GRZ-Rx1	Not specified	Add a new setback standard to GRZ-Rx1: x. Buildings and structures must not be located within a 5m setback from a boundary with a rail corridor.	Oppose	Kāinga Ora opposes the relief sought, noting that this is not a Qualifying Matter. Kāinga Ora considers the 1.5m front yard and 1m side/rear yard setbacks, as required in the MDRS, is sufficient as this provides adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners.	Disallow
S094	S094.02	KiwiRail	MDRS & NPS-UD	General Residential Zone - Restricted Discretionary Activity rules	Not specified	Add a new provision to Restricted discretionary activity rules in the GRZ: Matters of discretion [] x. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.	Oppose	Kāinga Ora opposes the relief sought, noting that this is not a Qualifying Matter. Kāinga Ora considers the 1.5m front yard and 1m side/rear yard setbacks, as required in the MDRS, is sufficient as this provides adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners.	Disallow
S094	S094.03	KiwiRail	MDRS & NPS-UD	Metropolitan Centre Zone, Town Centre Zone, Local Centre Zone	Not specified	Add a new permitted activity performance standard to MCZ, TCZ, and LCZ: x. Buildings and structures must not be located within a 5m setback from a boundary with a rail corridor.	Oppose	Kāinga Ora opposes the relief sought, noting that this is not a Qualifying Matter. Kāinga Ora considers the 1.5m front yard and 1m side/rear yard setbacks, as required in the MDRS, is sufficient as this provides adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners.	Disallow
S094	S094.04	KiwiRail	MDRS & NPS-UD	Metropolitan Centre Zone, Town Centre Zone, Local Centre Zone	Not specified	Add a new matter of discretion to MCZ, TCZ, and LCZ: Matters of discretion [] x. The location and design of the building as it relates to the ability to safely use, access and maintain buildings without requiring access on, above or over the rail corridor.	Oppose	Kāinga Ora opposes the relief sought, noting that this is not a Qualifying Matter. Kāinga Ora considers the 1.5m front yard and 1m side/rear yard setbacks, as required in the MDRS, is sufficient as this provides adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and	Disallow





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								effective operation of the rail infrastructure while balancing the cost on landowners.	
S094	S094.05	KiwiRail	MDRS & NPS-UD	NOISE-R14	Not specified	Amend Noise-R14: 1. Any new or altered habitable room within a building that houses any noise sensitive activity (including rooms used for hospital recovery; but excluding rooms used for visitor accommodation, which is not temporary residential rental accommodation, outside of residential zones) on a subject site within any of the following: [] e. within 40m 100m of the boundary of a designation for rail corridor purposes; and	Oppose	Kāinga Ora opposes the relief sought, noting that no evidence has been provided to justify why a 100m setback for habitable buildings from the boundary of a rail designation is necessary.	Disallow
S094	S094.06	KiwiRail	MDRS & NPS-UD	Noise Chapter - Vibration	Not specified	Add a new permitted activity rule to NOISE: Indoor railway vibration 1. Any new buildings or alterations to existing buildings containing a noise sensitive activity, within 60 metres of the boundary of any railway network, must be protected from vibration arising from the nearby rail corridor. 2. Compliance with standard 1 above shall be achieved by a report submitted to the council demonstrating compliance with the following matters: (a) the new building or alteration or an existing building is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or the new building or alteration to an existing building is a single-storey framed residential building with: i. a constant level floor slab on a full surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and	Oppose	Kāinga Ora opposes the relief sought as indoor railway vibration is not identified as a Qualifying Matter under the RM Amendment Act.	Disallow





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						ii. vibration isolation separating the sides of the floor slab from the ground; and iii. no rigid connections between the building and the ground.			
S094	S094.07	KiwiRail	MDRS & NPS-UD	Noise Chapter - Vibration	Not specified	Add a restricted discretionary activity rule to NOISE (where the permitted activity standards outlined in S094.06 are not met) with the following matters of discretion: Matters of discretion (a) location of the building; (b) the effects of any non-compliance with the activity specific standards; (c) special topographical, building features or ground conditions which will mitigate vibration impacts; (c) the outcome of any consultation with KiwiRail.	Oppose	Kāinga Ora opposes the relief sought as indoor railway vibration is not identified as a Qualifying Matter under the RM Amendment Act.	Disallow
S097	S097.15	Greater Wellington Regional Council	Qualifying Matters (General)	Natural Hazards	Support in part	Amend existing provisions or insert new provisions in the Natural Hazards chapter to have regard to Proposed RPS Change 1 Policies 29, 51 and 52 and Objectives 19 and 20	Oppose	Kāinga Ora supports a risk-based approach to managing hazards. However, the natural hazard risk-based provisions as drafted can appropriately manage development in areas prone to hazard.	Disallow
S097	S097.21	Greater Wellington Regional Council	Rezoning	Waikanae	Oppose in part	Remove river corridors from General Residential Zone, and amend to a more appropriate zoning, such as open space.	Oppose	Kāinga Ora supports a risk-based approach to managing hazards. However, the natural hazard risk-based provisions can appropriately manage development in areas prone to hazard, rather than altering the underlying zone.	Disallow
S097	S097.22	Greater Wellington Regional Council	Qualifying Matters (General)	Flood Hazard Overlays	Support in part	Ensure the most recent flood hazard maps are used as qualifying matters in the District Plan.	Oppose	Kāinga Ora opposes flood hazard maps being included within the District Plan. Kāinga Ora remain of the view that the flood hazard mapping should sit outside of the Plan as a non-statutory layer.	Disallow
S101	S101.01	Toka Tū Ake EQC	Qualifying Matters (General)	Definition: Qualifying Matter Areas	Not specified	Amend the definition of "Qualifying matter areas" to include liquefaction hazard.	Oppose	Kāinga Ora supports a risk-based approach to managing effects from natural hazards but opposes this submission seeking inclusion of liquefaction hazard maps and associated provisions as a Qualifying Matter. Kāinga Ora considers that if the evidence supports a managed approach to this hazard, then this should be a matter considered outside of the IPI process.	Disallow
S101	S101.02	Toka Tū	Qualifying Matters	District Plan	Not	Add district planning maps to	Oppose	Kāinga Ora supports a risk-based approach	Disallow





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		Ake EQC	(General)	Maps - Hazards and Risks	specified	include Greater Wellington liquefaction hazard maps as a district overlay.		to managing effects from natural hazards but opposes this submission seeking inclusion of liquefaction hazard maps and associated provisions. Kāinga Ora considers that if the evidence supports a managed approach to this hazard, then this should be a matter considered outside of the IPI process.	
3101	S101.03	Toka Tū Ake EQC	Qualifying Matters (General)	Tsunami	Not specified	Add provisions to the District Plan to restrict Buildings of Importance Category (BIC) or higher in areas at highest risk of tsunami inundation and in those areas which are more difficult to evacuate.	Oppose	Kāinga Ora supports a risk-based approach to managing effects from natural hazards but opposes this submission seeking inclusion of liquefaction hazard maps and associated provisions. Kāinga Ora considers that if the evidence supports a managed approach to this hazard, then this should be a matter considered outside of the IPI process.	Disallow
3111	S111.01	Ara Poutama Aotearoa, The Department of Corrections	MDRS & NPS-UD	Definitions	Oppose	Add definition of "Community Corrections Activity" as follows: Community Corrections Activity: means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.	Support	Kāinga Ora supports Ara Poutama Aotearoa's submission, particularly as it relates to enabling and providing a consent pathway for community corrections activities within the urban environment.	Allow
111	S111.02	Ara Poutama Aotearoa, The Department of Corrections	MDRS & NPS-UD	Definitions	Oppose	Replace the existing definition of "Household" with the following: Household: means a person or group of people who live together as a unit whether or not: a. any or all of them are members of the same family; or b. one or more members of the group (whether or not they are paid) provides day-to-day care, support and supervision to any other member(s) of the group.	Oppose	Kāinga Ora supports Ara Poutama Aotearoa's submission, where it seeks to recognise the differing types of households within the urban environment, however Kāinga Ora consider that the existing definition provides for this as well as other forms of households as currently drafted.	Disallow
3111	S111.03	Ara Poutama Aotearoa, The Department of	MDRS & NPS-UD	DO-Ox2	Support in part	Amend Objective DO-Ox2 as follows: DO-Ox2 – Housing in Relevant Residential Zones	Support	Kāinga Ora supports Ara Poutama Aotearoa's submission, particularly as it recognises the differing types of households within the urban environment.	Allow





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		Corrections				Relevant residential zones provide for a variety of housing types, households, and sizes that respond to: 1. housing needs and demands: and the neighbourhood's planned urban built character, including 3-storey buildings.			
S111	S111.04	Ara Poutama Aotearoa, The Department of Corrections	MDRS & NPS-UD	GRZ-Px1	Support in part	Amend policy GRZ-Px1 as follows: GRZ-Px1 Enable a variety of housing typologies and households with a mix of densities within the zone, including 3-storey attached and detached dwellings, and low-rise apartments.	Support	Kāinga Ora supports Ara Poutama Aotearoa's submission, particularly as it recognises the differing types of households within the urban environment.	Allow
S111	S111.05	Ara Poutama Aotearoa, The Department of Corrections	MDRS & NPS-UD	MCZ, TCZ, MUZ - Policies and rules	Oppose	 Amend the following policies to enable Community Corrections Activities: Metropolitan Centre Zone Policy MCZ-P1, MCZ-P2, and MCZ-P3. Town Centre Zone Policy TCZ-P1. Mixed Use Zone Policy MUZ-P1, and MUZ-P2. 2. Amend the rules in the following zones to enable Community Corrections Activity to be undertaken as permitted activities: Metropolitan Centre Zone. Town Centre Zone. Mixed Use Zone. 	Support	Kāinga Ora supports Ara Poutama Aotearoa's submission, particularly as it relates to enabling and providing a consent pathway for community corrections activities within the urban environment.	Allow
S111	S111.06	Ara Poutama Aotearoa, The Department of Corrections	MDRS & NPS-UD	GIZ-P1, GIZ-P2 and GIZ rules	Oppose	Amend General Industrial Zone Policies GIZ-P1, and GIZ-P2 to enable Community Corrections Activities. Amend the rules of the General Industrial Zone to enable Community Corrections Activity to be undertaken as a permitted activity.	Support	Kāinga Ora supports Ara Poutama Aotearoa's submission, particularly as it relates to enabling and providing a consent pathway for community corrections activities within the urban environment.	Allow





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S112	S112.01 Ministry of Education Te Tāhuhu o Te Mātauranga	Education Te Tāhuhu o Te	MDRS & NPS-UD	DO-O3	Support in part	Amend DO-O3 as follows: Development Management To maintain a consolidated urban form within existing urban areas and a limited number of identified growth areas, which and to provide for the development of new urban areas where these can be efficiently serviced and integrated with existing townships, delivering:	Oppose	Kāinga Ora oppose the relief sought, as the additional wording as sought is not needed as integration with infrastructure is already considered in clause 1. It is also unclear what the definition of 'additional infrastructure' would be.	Disallow
				1. urban areas which maximise the efficient end use of energy and integration with infrastructure; 2. a variety of living and working areas in a manner which reinforces the function and vitality of centres; 3. an urban environment that enables more people to live in, and more businesses and community services to be located in, parts of the urban environment: a.that are in or near a Centre Zone					
					or other area with many employment opportunities; or b.that are well serviced by existing or planned public transport; or c. where there is high demand for housing or for business land relative to other areas within the urban environment; d. where there is sufficient capacity within the existing or planned infrastructure network (including additional infrastructure) to service the growth.				
						Add a definition of 'additional infrastructure' to the definitions chapter under the NPS-UD.			
3112	S112.02	Ministry of Education Te Tāhuhu o Te Mātauranga	MDRS & NPS-UD	UFD-P1	Support in part	Amend UFD-P1 as follows: 4. avoids urban expansion that would compromise the distinctiveness of existing settlements and unique character	Oppose	Kāinga Ora oppose the relief sought, as the additional wording as sought is not needed as integration with infrastructure is already considered in clause 1.	Disallow





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S112	S112.03	Ministry of Education Te Tāhuhu o Te Mātauranga	MDRS & NPS-UD	UFD-P4	Support in part	values in the rural environment between and around settlements; 5. can be sustained within and makes efficient use of existing capacity of public services and strategic infrastructure, or is integrated with the planned capacity of public services, and infrastructure and additional infrastructure; and promotes the efficient use of energy and water. Amend UFD-P4 as follows: The density of subdivision and development will be managed through an area-specific approach to achieve an appropriate range of housing types across the District, as set out below: 5. in areas where infrastructure constraints exist (such as water, wastewater or roading), densities will reflect those constraints residential densities will be integrated with existing or planned infrastructure (including additional infrastructure) capacity.	Oppose	Kāinga Ora oppose the relief sought, as the additional wording as sought is not needed as integration with infrastructure is already considered in clause 1.	Disallow



From: Lezel Botha Mailbox - District Planning

Subject: RE: Re: Kāinga Ora – Further Submission on PC2 - Kāpiti Coast District Council

Monday, 28 November 2022 5:17:42 pm Date:

Attachments: 20221124 KCDC PC2 Further Submission vSIGNED.pdf

Kia ora,

Apologies, I note the copy that I sent last week did not have a signature on it. Could you please accept the attached and replace the previous.

Kind Regards,



Lezel Botha MNZPL BPlan(Hons)

Principal Development Planner **Development Planning** Urban Planning and Design

Mobile: 021 428 055

Email: <u>lezel.botha@kaingaora.govt.nz</u>

Freephone: 0800 801 601 | Mainline: (021) 428 055 | Kāinga Ora - Homes and Communities P.O.BOX 2628, WELLINGTON, 6140 | New Zealand Government | www.kaingaora.govt.nz

From: Lezel Botha

Sent: Thursday, 24 November 2022 10:26 PM To: district.planning@kapiticoast.govt.nz

 $\textbf{Cc:}\ development planning < development planning @ kainga or a.govt.nz >; Brendon Liggett < Brendon. Liggett @ kainga or a.govt.nz >; Brendon Liggett < Brendon. Liggett @ kainga or a.govt.nz >; Brendon Liggett < Brendon. Liggett < Brend$

Subject: Re: Kāinga Ora – Further Submission on PC2 - Kāpiti Coast District Council

Kia ora,

Please see attached Kāinga Ora – Homes and Communities further submission on Plan Change 2.

Please confirm receipt of further submission. If you require the word document version, let me know.

Mobile: 021 428 055

Any questions, please get in touch.

Ngā mihi,



Lezel Botha MNZPI, BPlan(Hons)

Principal Development Planner Development Planning

Freephone: 0800 801 601 | Mainline: (021) 428 055 | Kāinga Ora - Homes and Communities P.O.BOX 2628, WELLINGTON, 6140 | New Zealand Government | www.kaingaora.govt.nz

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