

Submission on notified proposal for plan change



About preparing a submission on a proposed plan change

You must use the prescribed form

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

Your submission and contact details will be made publicly available

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

Reasons why a submission may be struck out

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

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

To Kāpiti Coast District Council

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

Submitter details

Full name of submitter: Hayden Mihaila-Milburn

Contact person (name and designation, if applicable):

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

64 Killalea Place, Paraparaumu, 5032

Telephone: 0273154148

Electronic address for service of submitter (i.e. email): hayden_milburn@windowslive.com

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



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



Scope of submission

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

I wish to submit on the following aspects of the Proposed Plan Change 4 (Private)

- Zoning change from Rural Lifestyle Zone to General Residential Zone
- Private plan change of zoning to area as opposed to Council directed plan change
- Zoning of localised area located entirely within another zone
- Suitability of Civil design solution for extent of proposed area
- Localised stormwater solution not allowing for incorporation with area wide stormwater net work

Continue on a separate sheet if necessary

Submission

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

Refer submission attached

Continue on a separate sheet if necessary

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

I seek the Kapiti Coast District Council to not approve the Proposed Plan change PC4 (Private) on the grounds;

- that this area is not currently required to be rezoned to General Residential Zone to support growth within the area

and

- that a private plan change of a development of this size relative to the adjacent land is not in the best interest of the community and instead any potential re zoning should be undertaken under a district plan review to ensure resources are adequately managed.

Continue on a separate sheet if necessary

Hearing Submissions [select appropriate box]

I wish to be heard in support of my submission.	☒
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.	☒
If others make a similar submission, I will not consider presenting a joint case with them at a hearing.	☐



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

1st July 2025

Date

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

Trade Competition [select the appropriate wording]

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

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

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

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

(a) adversely affects the environment; and

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

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

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

For office use only

Submission No:

S14

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Submission on Publicly Notified Proposal

Proposed Plan Change 4 (Private) – Welhom Developments Ltd

Name of Submitter: Hayden Mihaila-Milburn

Date : 1st July 2025

Background

My submission is in relation to private plan change request from Welhom Developments Ltd ("the requestor") to change the District Plan in relation to part of 65 and 73 Ratanui Road, Otaihanga ("the site"). On p.1 of its request, the requestor states that the purpose of the private plan change is;

"...to rezone the Site from its current Rural Lifestyle Zone to General Residential Zone under the District Plan with a Development Area and associated Structure Plan, policies and rules.

The Request will enable the residential development of the Site, with specific provision for uses associated with a retirement village."

Submission

I do not support the Proposed Plan Change 4 (Private) to rezone part of 65 and 73 Ratanui Road, Otaihanga from **Rural Lifestyle Zone (RLZ)** to **General Residential Zone (GRZ)**.

I have read the proposed application that has been prepared by Incite on behalf of Welhom Developments Limited

The proposed request is primarily reliant on the following arguments;

1. The Site was identified by Kapiti Coast District Council's 2022 Growth Strategy - Te Tupu Pai as a "Medium-priority greenfield growth area" and therefore is earmarked to be rezoned in the future.
2. Kapiti Coast District's forecasted population growth requires additional general residential zoned land to meet increased demand of regional future growth
3. Further to point 2, the population growth identified will require additional retirement units to support future growth of the region

I disagree with all of the reasons presented on the following basis;

1. Under the 2022 growth strategy the site has only been identified as part of a much wider area as a medium-priority. There are other high-priority areas not yet being developed. This raises two points; firstly, is this land required to meet the current population growth or growth in the near future and secondly should a rezone be completed in an unsystematic fashion by private developers or as part of a considered area wide re-zoning exercise directed by the Kapiti Coast District Council.

I note that Kapiti Coast District Council (KCDC), by its own assessment & actions during PC2, has not determined this land is required for growth. Otherwise the "high-priority" land would have already been rezoned to meet the initial demand. The logical conclusion to this is that there is currently sufficient General Residential zoned or higher density zoned land around centres within the region to accommodate the current population and growth in the near future. This is further supported by the extent of development already occurring. Examples of this are 240 Kapiti Road, 160 Mazengarb Road, Manu Park & Waikanae North. These developments among many others are already in the process of providing over 1,000 additional dwellings within the existing residential zoned land. In addition to the significant number of additional dwellings already being provided there are large areas of land located within general residential or high density zonings that is still able to be developed. Examples of this are the hectares of land located to the east of Raumati/Raumati south as well as the 28 hectare site at 109 Kapiti road. While this site on Ratanui road may be required, along with the other land identified as medium priority, for more intensive development sometime in the future it is not currently required and therefore does not necessitate a private plan change of a localised site within a Rural Lifestyle zone.

2. The Housing Business Analysis (HBA) report predicts population growth over the next 30 years for the Kapiti Coast District Council and this information is updated regularly. The Economic Assessment prepared by Property Economics is used as justification that additional **GRZ** land is required and it states that;

"The most up-to-date growth projections suggest that the Kāpiti Coast District's population could increase by approximately 23,120 people (a +40% rise) by 2054, based on the 50th Percentile (Median) scenario, starting from the current population of 57,800 in 2024. A more optimistic 75th Percentile (High) scenario, the population growth could reach around 34,200 people, or about 60%, over the next 30 years."

This is quite misleading given that the median predicted growth rates have dropped from 32,000 forecast in 2021 (80% growth) to 25,100 forecast in 2023 (44% growth) and then again to 23,120 people as the quoted most up to date information (40% growth). It therefore seems entirely unreasonable to quote the optimistic 75th percentile scenario when the pessimistic 25th percentile scenario would appear be more appropriate with a forecast population growth of 11,076 (20% growth).

Further to point 1 the HBA report outlined theoretical development capacity within the region following the MDRS with capacity for 300,996 additional dwellings identified within the land as currently zoned. This is a combination of infill/redevelopment as well as existing greenfield land. While

this is theoretical and intensification of this level would be very unlikely the projected median additional dwellings required by 2051 as stated in the HBA report is only 7,321 which is only 2.4% of the theoretical value. This level of intensification is easily achievable and is likely extremely conservative. This further points to the fact that there is sufficient appropriately zoned land without the need to rezone the proposed site under this private plan change.

3. The Economic Assessment report is again used for justification here and states;

“Property Economics utilised the Sense Partners projections, which estimate an increase of 10,250 people and 12,160 people aged 65+ years over the next 30 years, under the 50th and 75th Percentile scenario, respectively. Using an existing retirement village penetration rate of around 23% for those aged 75 and over, along with an assumed rate of 2-3% for those aged 65-74, it is estimated that the district will need around 2,750 retirement units over the next 30 years, under the 50th Percentile scenario. This demand figure increases to around 2,920 units if the 75th Percentile scenario is considered. At present, the district has about 1,380 privately owned retirement units, with potential growth to 1,490 units in the short term and 1,730 units in the medium to long term as the Arvida Waikanae Beach and Summerset Waikanae villages complete development.”

Again this is somewhat misleading. The quoted rate of 23% penetration, which is significantly higher than the national average of 14.3%, comes from the Retirement Village Associations (RVA) submission on PC2 where at the time of submission there were 1588 residents within the existing 9 villages and the current population over 75 was 6912 which is 23%. The property economics report then goes on to arbitrarily add in 2-3% penetration rate for 65–74-year-olds over and above the 23% penetration rate. This is effectively double dipping as the RVA quoted rate took all residents within the villages, so the higher penetration rate is likely partially attributed to some residents between 65-74 already being included. Therefore, projections based on population growth should use only the 23% infiltration rate based on the 75+ population figures and not add include the unsubstantiated 2-3% for 65-74 population.

Further to this the report again goes on to quote median and 75% percentile values. Whereas trends through the latest reports have shown overestimations in recent years and a continued drop in estimation values. Therefore the 25% percentile value would be more appropriate than the 75% percentile values.

Based on the projected median growth values which are likely high and the 23% infiltration rate the projected population in retirement villages would be 2413 in medium term and 3,228 in the long term. This would require a total of 1850 & 2480 units respectively based on the national average of 1.3 people per unit in retirement villages. As noted in the Economic Assessment report there are 1730 units that will be completed in the short term with these values not including the proposed Metlife care extension and any of KCDC older persons housing portfolio. Based on the above the demand in the retirement village space is in the long term growth. Therefore, rezoning land within an existing zone under a private plan change is unnecessary to meet the current & medium growth demands. Further to this if growth was deemed to be required in the short term there are other sites within the current zoning available that could accommodate a retirement village. The report has stated that of the land available the sites are limited by either size being less than 8 hectares or geotechnical considerations. I would argue that there are many sites available within the current zoned land that are in excess of 8 hectare size. Some of these sites will require ground improvement works to mitigate

geotechnical issues, however a large-scale developer such as a national retirement village provider are in a better position to be able to apply site wide solutions and therefore the existing zoned sites are a more preferred location for them to develop.

I would also note that retirement villages are typically located in close proximity to town centres to allow ease of access for elderly to access shops, healthcare facilities and other essential services. This location is more critical as many elderly lose the ability to drive and therefore rely on public transport to travel longer distances and walking and motorised scooter transport for short trips. I would therefore question the appropriateness of the site for this type of development as public transport services are limited in the rural area and there are no essential services within close proximity which may isolate the residents. In contrast the sites listed above are closer to these services and would be more appropriate for this type of development.

In addition to the above points raised there are a number of issues that effect the surrounding area that have not been suitably addressed and would likely lead to adverse effects.

Landscape and visual amenity effects

Adjacent properties and public spaces have been addressed by the Incite application where their justification is that the current RLZ allows for buildings up to 10m therefore the visual impact is the same as GRZ. This is a relatively flimsy argument as while this is true the intensification of the buildings that will be of this height present a significant visual impact on both the adjacent properties and the public spaces.

Furthermore, there is significant potential for reverse sensitivity issues for the adjoining properties that will remain as RLZ in adjoining a GRZ. These properties have been purchased adjoining RLZ and while eventual development should be expected the isolated nature of this plan change by a private applicant does not suitably address the potential for these effects. A council directed plan change of the area would provide a more suitable approach as this would also provide these effected properties the ability to act within the GRZ whereas the current proposal restricts what owners can do on these properties while removing their benefit of the RLZ. The effects on these properties have not been addressed as part of the application.

Civil Design

Finally, I have some concerns regarding the civil design provided as part of the application. I understand the design is high level however the indicative proposal does not deal with a couple of stormwater issues within the area. The area downstream of the proposed development is tidal with a low gradient stream that is prone to flooding in large rainfall events. While attenuation systems may be appropriate for infill developments a large-scale intensive development as proposed will only offset a peak flow from the event and likely prolong the flooding or intensify it due to increased runoff which cannot be

mitigated through attenuation systems. As such on site storage and offset with controlled flows is likely a more appropriate solution. Additionally, the proposal design indicated E1 soak pits for the individual units. These E1 solutions are typically outdated and not accepted under resource consents by many councils across the country with best practice being design for a nested storm events in accordance with the Auckland GD07 document. This higher level of design particularly around stormwater should be imposed on development of this scale to ensure any adverse effects are suitably mitigated.

Conclusion

As noted above I disagree with the reasons provided above for the proposed plan change PC4 (private) and do not think that this RLZ land should be rezoned to GRZ in singularity by a private developer or at this time. Rezoning of this land should be undertaken when it is actually needed and should be completed on an area wide basis by KCDC under a district plan review.