

Kāpiti Coast District Council Plan Change Hearing

S42A Report on Proposed Private Plan Change 5: 100 and 110 Te Moana Road,
Waikanae Rezoning

Prepared for Kāpiti Coast District Council

24 August 2026



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OFFICER'S REPORT FOR:	Independent Commissioners Dhilum Nightingale, Gina Sweetman, and Christine Foster
SUBJECT:	Proposed Private District Plan Change 5 – Rezoning of land at 100 & 110 Te Moana Road, Waikanae from General Rural Zone to General Residential Zone
PREPARED BY:	Kate Pascall Consultant Planner Boffa Miskell Limited
REVIEWED BY:	Josh Patterson Urban Planning Team Leader Kāpiti Coast District Council Aastha Shrestha Intermediate Policy Planner Kāpiti Coast District Council
REPORT DATE:	24 August 2026
HEARING:	Commencing 21 September 2026

1.0 Executive Summary

Summary of Process

- 1.1 On 7 May 2025, Eric, Vince and Raechel Osborne formally lodged a private plan change request with Kāpiti Coast District Council (KCDC), pursuant to clause 21(1) of the First Schedule of the Resource Management Act 1991 ("the RMA" or "the Act"). Proposed Private Plan Change 5 (PPC5) seeks changes to the zoning of rural land at 100 and 110 Te Moana Road, Waikanae to a General Residential Zoning. No changes to the District Plan provisions are sought as part of the request.
- 1.2 Following receipt of further information, on 18 September 2025, Council determined to accept the proposed private plan change request and to proceed to notify it as a private plan change pursuant to clause 25(2)(b) of the RMA. The

process then follows the private plan change decision-making procedures outlined in Part 2 of the First Schedule of the RMA.

- 1.3 This report considers the request and submissions received by KCDC on PPC5. This report provides recommendations in response to the key issues that have arisen from these submissions, utilising expert advice of Council's technical advisers on transport, landscape and visual amenity, natural character, highly productive land, ecology, stormwater and flooding, geotechnical, and infrastructure servicing.
- 1.4 PPC5 was publicly notified on 22 October 2025, with submissions closing on 20 November 2025. The summary of submissions was notified on 20 February 2026, with further submissions closing on 6 March 2026.
- 1.5 Council received three submissions and one further submission, with two submitters in opposition and one submitter with a neutral stance.
- 1.6 No pre-hearing meetings have been held although there has been some liaison between technical experts for the Requestor and Council on matters of a technical nature.
- 1.7 A hearing of PPC5 is scheduled to commence on 21 September 2026.
- 1.8 The following report contains my overall analysis of PPC5 in terms of:
 - The plan change documentation, including all accompanying expert reports;
 - The submissions and further submission received on the plan change;
 - Expert advice commissioned by the Council
 - The Policy Framework
 - Section 32 of the RMA
 - Part 2 of the RMA.

Primary Issues

- 1.9 From my analysis of the Plan Change Request and the submissions received, the following are the primary issues for determining the Plan Change Request (in no particular order):
 - The appropriateness of rezoning the land
 - Transport
 - Landscape and visual amenity values
 - Land use capability effects
 - Flooding and stormwater
 - Ecological effects
 - Infrastructure servicing (water and wastewater)
- 1.10 Based on technical advice, there are a number of discrete issues that have been identified which will need to be managed either through site-specific

provisions in the District Plan or through future subdivision and land use consent stages.

Recommendations

- 1.11 Overall, based on the information available to date and prior to hearing evidence from the Requestor and submitters, I recommend that PPC 5 as lodged by Eric, Vince and Raechel Osborne be approved in part, such that only Lot 2 (being Part Lot 2 DP 71916 or 110 Te Moana Road) is rezoned from General Rural to General Residential and Lot 1 (being Lot 1 DP 71916 or 100 Te Moana Road) remains as General Rural Zone.
- 1.12 This recommendation is subject to the amendments that I recommend to the Plan Change which are set out in this report and is also subject to the Requestor providing the following information:
- An assessment of rural productivity of the site that satisfies clause 3.10 of the National Policy Statement for Highly Productive Land 2022 (NPS-HPL), and specifically:
 - Evaluates the productive capacity of the full 1.83ha of the site that is identified as highly productive land under the transitional provisions of the NPS-HPL for the next 30 years and
 - Demonstrates permanent or long-term constraints that apply across the full extent of the mapped highly productive land
 - Includes a comprehensive assessment of alternatives to retain productive use of the site.
 - Further detail about groundwater conditions, soakage performance, flood conveyance requirements and compensatory flood storage requirements for Lot 1 that demonstrates how:
 - flood conveyance and floodplain function will be maintained;
 - hydraulic neutrality will be achieved
 - increases in flood hazard on surrounding land will be avoided;
 - groundwater and wetland hydrological functions will be maintained;
 - safe access and egress during flood events will be provided.
 - A structure plan map that identifies:
 - A 10m planting buffer around the QEII protected wetland and pond
 - The area on the northwestern boundary where a development setback with native shrub and tree planting will be required as set out in paragraph 12.50.
 - The location of the Pohutukawa trees on the Te Moana Road boundary that are proposed to be retained.

- The indicative road layout, as shown in the concept plan submitted as part of the Application.
- Safe and direct walking routes within the site to the two closest bus stops on Te Moana Road.

Abbreviations

Acronym	Full wording
Council	Kāpiti Coast District Council
District Plan	Operative Kapiti Coast District Plan
FDS	Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054
GWRC or the Regional Council	Greater Wellington Regional Council
Growth Strategy	Te Tupu Pai Growth Strategy 2022
GRZ	General Residential Zone
GRUZ	General Rural Zone
HBA	Wellington Regional Housing and Business Development Capacity Assessment 2023
IMP	Iwi Management Plan
MDRS	Medium Density Residential Standards
NES-CS	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
NES-F	National Environmental Standards for Freshwater
NPS-FM	National Policy Statement for Freshwater Management
NPS-HPL	National Policy Statement on Highly Productive Land
NPS-IB	National Policy Statement on Indigenous Biodiversity
NPS-NH	National Policy Statement on Natural Hazards
NPS-UD	National Policy Statement on Urban Development
NRP	Natural Resources Plan for the Wellington Region
NZCPS	New Zealand Coastal Policy Statement
NZPI	New Zealand Planning Institute
NZTA	NZ Transport Agency Waka Kotahi
PC1 – NRP	Proposed Plan Change 1 to the Natural Resources Plan
PC1 – RPS	Proposed Change 1 to the Regional Policy Statement
PC2	Plan Change 2 to the Kapiti Coast District Plan
PPC5 or the Plan Change	Proposed Private Plan Change 5
RPS	Regional Policy Statement for the Wellington Region
RMA or the Act	Resource Management Act 1991
The Requestor	Eric, Vince and Raechel Osborne
WRLC	Wellington Regional Leadership Committee

2.0 Purpose of the Report

2.1 The purpose of this report is to:

- a. provide the context and background to Proposed Private Plan Change 5 ("PPC5"), including the statutory framework relevant for considering a request for a private plan change;
- b. consider and summarise the public submission process including submissions and further submissions received on proposed PPC5;
- c. provide an analysis of PPC5 against the statutory framework, including the submissions and further submissions received; and
- d. drawing on expert advice on transportation, landscape, natural character, visual amenity, and urban design, engineering, highly productive land, ecology, and geotechnical to assess the implications of PPC5, and make a recommendation to the Hearing Commissioners on the appropriateness of the plan change.

2.2 Boffa Miskell Limited was engaged by Kāpiti Coast District Council ("KCDC" or "the Council") in March 2026 to assist with the hearings phase of the plan change. In addition, the following advisors have been relied upon in the preparation of this report:

- a. Hamish McGillivray, KCDC – Kāpiti District growth and housing capacity context
- b. Colin Shields, Tonkin and Taylor – transport
- c. Simon Button, Isthmus Group Limited – landscape, natural character, urban design and visual amenity effects
- d. Juliet Chambers, AgFirst – highly productive land
- e. David Pickett, Tonkin and Taylor – ecology
- f. Charles McDermott, Miyamoto – geotechnical
- g. James Oakley, Te Miro Water – stormwater and flood risk
- h. Brian Robinson, Delta Water Planning – wastewater
- i. Kate Waterland, Stantec – water supply
- j. Ramesh Pillai, KCDC – water network planning

2.3 In preparing this report I have:

- a. Visited the site and the surrounding area.
- b. Reviewed the original plan change request, the Request for Further Information ('RFI') and the updated plan change documents received in response.
- c. Read all the submissions received on the plan change request.
- d. Considered the statutory framework and other relevant planning documents.

- e. Reviewed, and where necessary relied on, the peer reviews provided by other technical experts engaged by the Council to assist with the reporting on PPC5, as listed in paragraph 2.2.

3.0 Author

- 3.1 My full name is Kate Louise Pascall and I am a Principal Planner at Boffa Miskell Limited. I hold a Bachelor of Resource and Environmental Planning and a Master of Resource and Environmental Planning, both from Massey University. I am a Full Member of the New Zealand Planning Institute.
- 3.2 I have over 15 years of experience in planning and resource management with the last 11 years based in the Wellington region. Over this time, I have worked in policy planning roles in local government including two full district plan reviews and strategic spatial planning. I have been a consultant planner for three and half years which has included regional planning policy, regional consent preparation, planning and consenting support for a significant Fast Track consenting project, and submission preparation on behalf of clients. Most recently I have assisted Hutt City Council with their Proposed District Plan hearings including the Residential zones topic.
- 3.3 Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.
- 3.4 Other than where I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 3.5 Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinion. Where I have set out opinions in my evidence, I have given reasons for those opinions.

4.0 Background

- 4.1 A request for a private plan change was submitted by Mitchell Daysh on behalf of Eric, Vince and Raechel Osborne on 6 May 2025.
- 4.2 The request was considered by the Council at its meeting on 18 September 2025 as to whether the request should be adopted, accepted, rejected or converted to a resource consent application process¹. Council formally resolved to accept the proposed private plan change as received and commenced the statutory process for the private plan change request.

¹ [Private Plan Change Request](#)

Outline of the Private Plan Change Request

- 4.3 In brief, the private plan change (PPC) request proposes to change the zoning of 100 and 110 Te Moana Road, Waikanae (see Figure 1), from General Rural Zone to General Residential Zone. Apart from the rezoning request, no other changes have been requested to District Plan provisions, including objectives, policies or rules, as part of the Plan Change Request.



Figure 1 Aerial view of the plan change site at 100 and 110 Te Moana Road, Waikanae

- 4.4 The Requestor has proposed rezoning in two stages due to part of the site being defined as 'highly productive land' (HPL) under the transitional provisions of the National Policy Statement for Highly Productive Land (NPS-HPL). These stages are shown in Figure 2. Stage 1 applies to the site that is not defined as HPL, and Stage 2 applies to the areas that are defined as HPL.
- 4.5 On this basis, the Requestor has suggested two options for approving the plan change:
- Option 1 (preferred) is to approve Stages 1 and 2 concurrently through PPC5
 - Option 2 is to approve Stage 1 now and only approve subdivision and development for residential purposes in the Stage 2 area once the HPL classification is removed.



Figure 2 Proposed concept plan for PPC5 (Stage 1 yellow and Stage 2 orange)

5.0 Site and Surroundings

Site Location and context

Site description

5.1 The characteristics and context of the site are described in section 2 of the PPC request. The Landscape and Visual Effects Assessment also provides a detailed description of the site and surrounding environment. In summary, the key characteristics of the site are as follows:

- The site is located to the north of the Mackay's to Peka Peka (M2PP) Expressway and is located approximately 1 km east of the Waikanae coastline
- The site comprises two separate titles and is excess land from the M2PP construction
- While the site is rural in nature it is not in productive use and there are no existing buildings or structures on the site
- There is a protected wetland, known as 'Osborne's Swamp' which is subject to an existing QEII open space covenant which was established in 1993. The area subject to the covenant includes a natural wetland and an artificial pond and is

identified in Schedule 1 of the District Plan as a Natural Feature: Ecological site KO68 (Raupo-harakeke wetland and remnant dune forest)

- Topographically, the site slopes down from the south-west section of 110 Te Moana Road towards the Osborne's Swamp and the rises again moving north towards Fairway Oaks Drive. The site is generally flat at 100 Te Moana Road
- An open channel drain runs across the site from north to south and flows into a culvert under Te Moana Road. The drain was established in the 1950s to drain the land and improve pasture for farming purposes
- Access to the site is via an existing accessway off Te Moana Road
- The site is currently not serviced but public sewer mains, stormwater and potable water supply are located nearby.

5.2 Section 1 and Appendix 1 of the application document sets out information on the legal description and titles, as follows:

- 100 Te Moana Road (Lot 1 DP 71916) with an area of 1.53ha
- 110 Te Moana Road (Part Lot 2 DP 71916) with an area of 3.97ha.

5.3 The total area of the site is approximately 5.5ha.

Immediate environment

5.4 The northern boundary of the site adjoins the existing residential environment along Fairway Oaks Drive. These sites are all zoned General Residential.

5.5 To the west, the adjoining sites are rural in nature and are zoned for this purpose. Some of the sites to the south west are designated for M2PP.

5.1 Takamore Urupā is located approximately 230m to the south of the site and is identified in Schedule 9 of the District Plan as a site of significance to Māori (District Plan ID: W1).

5.2 The Waimea Stream is located to the northeast of the site, on the northern side of Te Moana Road.

5.3 The first stages of the Ngārara Development are located to the northeast of the site, off Te Moana Road.

5.4 Immediately to the south and south-east of the site is rural land held by the Crown and privately. The M2PP Expressway is located further southeast.

Zoning and Other District Plan Notations

Operative District Plan 2021

5.5 The site is currently zoned General Rural. As shown in Figure 3, the site adjoins both General Residential Zone (GRZ) to the north and General Rural Zone (GRUZ) to the west, south and east. There is a small section of the north western boundary that adjoins land zoned Open Space (OSZ) at 72 Te Moana Road. This land is gazetted for water supply infrastructure.

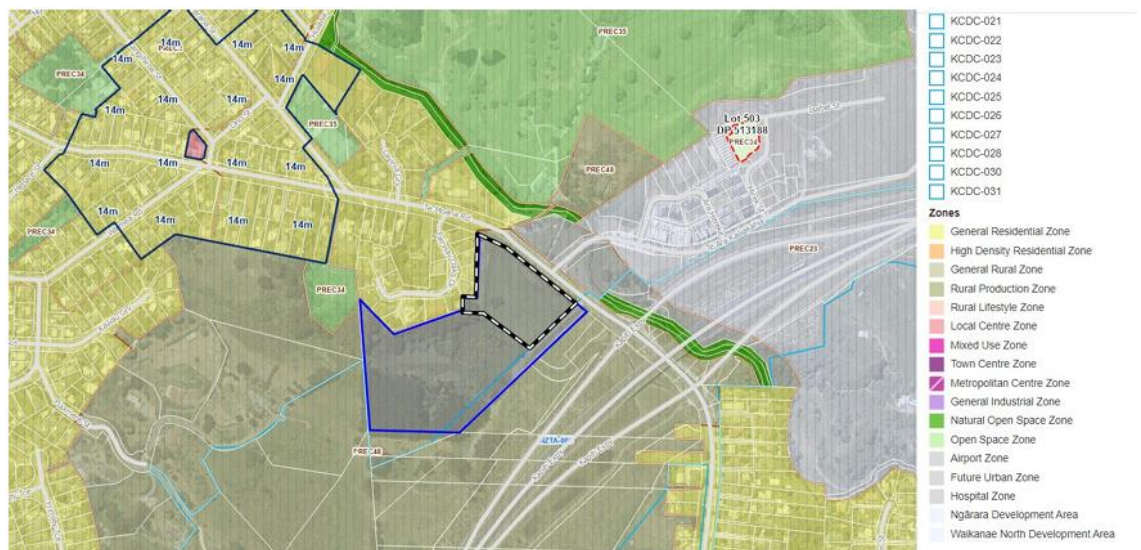


Figure 3 District Plan zoning for the plan change site and surrounding environment (Sourced from PPC5 application)

5.6 There are also several flood hazard overlays that apply across the site (see Figure 4):

- Flood Hazard – Residual Overflow Path
- Flood Hazard – Residual Ponding Area
- Flood Hazard – Stream Corridor
- Flood Hazard – Ponding Area

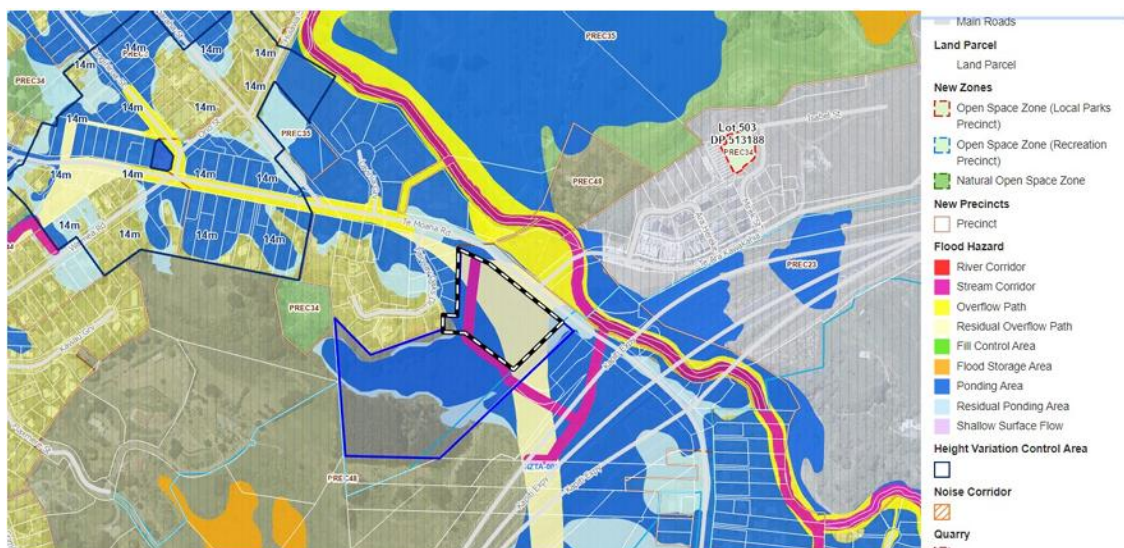


Figure 4 Flood hazard overlay map (Sourced from PPC5 application)

5.7 The site is also subject to the following natural environment overlays and designations (Figure 5):

- Rural Dunes Precinct (PREC048)
- Coastal Environment Overlay
- Natural Features: Ecological Site K068 ('Osbornes' Swamp')
- Designation NZTA-005 (MacKay's to Peka Peka Expressway)

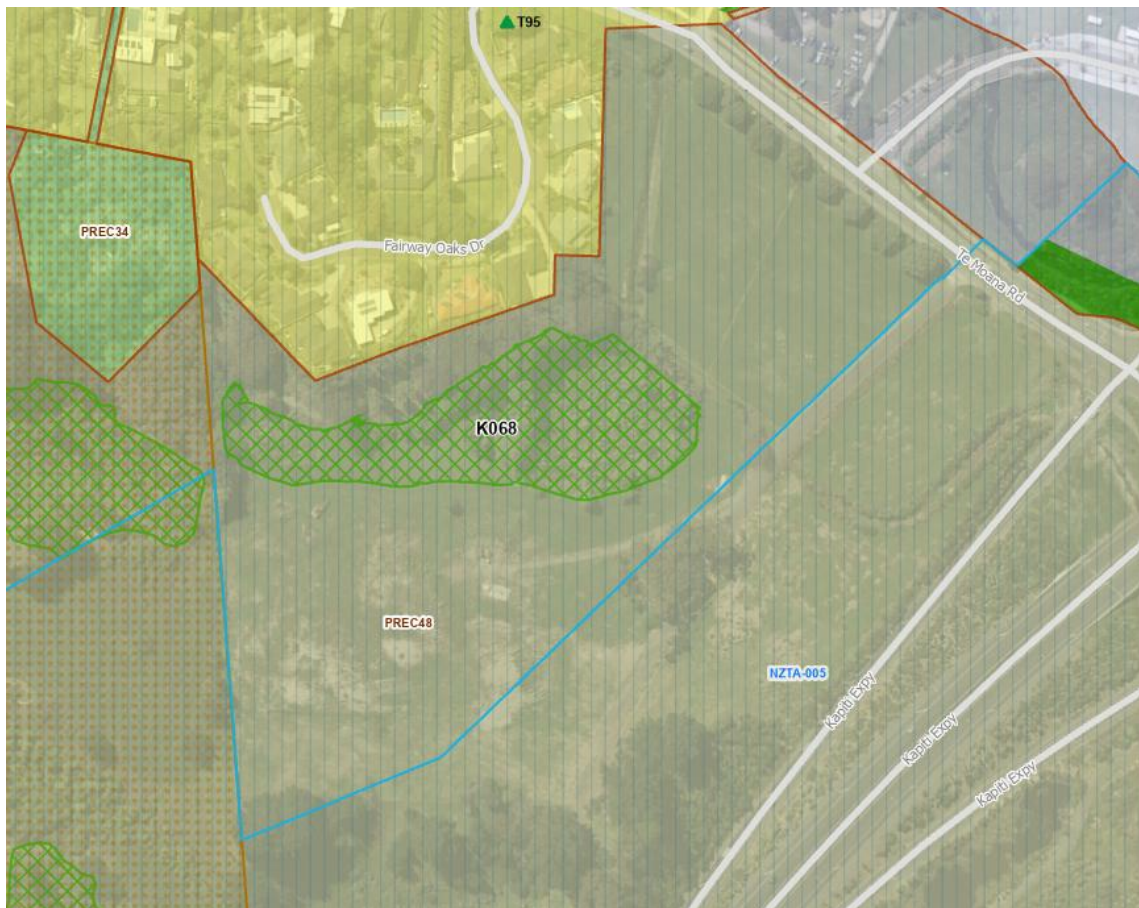


Figure 5 District Plan overlays applying to the site (Source: Kāpiti Coast District Plan ePlan)

6.0 Public Consultation Process

Consultation before request lodged

6.1 In Section 8 of the application, the Requestor confirms pre-notification consultation was undertaken with the following parties:

- Te Ātiawa ki Whakorongotai (including Takamore Trust)
- Waka Kotahi/New Zealand Transport Agency
- Greater Wellington Regional Council

- Kāpiti Coast District Council
- QEII National Trust
- Adjoining landowners
- Electra
- Chorus

6.2 The application document provides a summary of the consultation undertaken with each party and how that consultation has informed the application.

Public Notification of private plan change request

6.3 PPC5 was publicly notified on 22 October 2025, with the submission period closing on 20 November 2025. Three submissions were received from the following parties:

- Jill Bond, Bernadette Doolan, Martin Manning, Anthony George, Vanessa Moore, and Michael Moore ('Jill Bond et al'), opposing PPC5 (Submission S1)
- NZ Transport Agency Waka Kotahi, opposing PPC5 (Submission S2)
- QEII National Trust, neutral on PPC5 (Submission S3)

6.4 These submissions were summarised and publicly notified for further submissions on 20 February 2026 with the period for further submissions closing on 6 March 2026. One further submission was received by that date.

6.5 The further submission from NZ Transport Agency Waka Kotahi (FS1), supports the submission from Jill Bond et al (S1) with regards to infrastructure and servicing pressures (submission point S1.10).

6.6 The submissions, submission summary and further submissions are available on the plan change webpage².

6.7 No late submissions were received.

Submissions

6.8 When assessing a proposed private plan change, while Council has no obligation under Clause 10 of Schedule 1 of the Act to make decisions on individual submissions, it is considered appropriate and necessary to consider the matters raised in submissions. It is noted that under clause 29(6), any person who made a submission has a right of appeal to the Environment Court.

6.9 Various issues were raised in submissions. The issues submitters raised are listed below. It is considered that the matters raised in the submissions encompass all relevant matters for evaluation.

6.10 General themes raised in submissions (in no particular order):

- Appropriateness of Rezoning

² Proposed Private Plan Change 5 webpage: <https://www.kapiticoast.govt.nz/pc5>.

- Flooding risks and climate change effects
- Adequacy of hydrology and groundwater assessment
- Three waters and transport network capacity
- Effects on the ecological and biodiversity values of the site
- Lack of iwi engagement and involvement in the plan change request
- Effects on rural character and landscape values
- Misalignment with KCDC's strategic growth plans
- Transport effects of the rezoning on the state highway network
- Adequacy and accuracy of traffic generation and modelling assumptions and results
- Vegetation within the NZTA-005 designation boundary
- Effects on covenanted QEII wetland area including dewatering required for earthworks and construction
- General acknowledgement and reinforcement of the QEII covenant obligations

Pre-hearing meetings

- 6.11 Clause 8AA of Part 1 of Schedule 1 of the RMA provides for pre-hearing meetings for the purpose of clarifying and/or facilitating the resolution of matters raised by submitters through the formal notification process.
- 6.12 At the time of writing, no pre-hearing meetings have been held.

7.0 Statutory Framework

- 7.1 Once an application for a private plan change has been accepted by the Council under Clause 25(2)(b), Part 2 of the First Schedule applies.
- 7.2 Under this clause, because the plan change is a private request, Council is able to, and is obliged to, consider PPC5 in its entirety and is not restricted to considering just those matters raised in submissions. The reason for this difference from Council initiated plan changes is that a private plan change is not a Council agreed position. There is also no legal requirement for the Council to respond to submissions directly as a result (clause 29(4) vs clause 10) although the submissions received are a relevant matter for the Council to consider as part of the decision-making process.
- 7.3 After reaching a decision, Council must publicly notify the decision. Public notice of Council's decision will be given as soon as practicable, following completion of all administrative tasks.

8.0 Matters to be considered by the Council

- 8.1 Section 74 of the RMA states that the Council shall prepare and change the District Plan in accordance with its functions under s31, the provisions of Part 2 and its duty under s32.
- 8.2 Under s74(2), when preparing or changing a plan, a territorial authority is required to have regard to:
- “(b) any –
- (i) *management plans and strategies prepared under other Acts*”
- 8.3 I consider the following non-statutory documents are relevant strategies prepared under the Local Government Act 2002:
- Te Tupu Pai – Growing Well Growth Strategy (2022)
 - the Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054,
 - the Wellington Regional Housing and Business Capacity Assessment 2023 (HBA).
- 8.4 Under s74 (2A) a territorial authority:
- “must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district”*
- 8.5 For this plan change the following iwi management plans are relevant:
- Nga Korero Kaupapa mo Te Taiao: Policy Statement Manual for Kapakapanui: Te Runanga o Ati Awa ki Whakarongotai 2001
 - Te Haerenga Whakamua – A review of the District Plan Provisions for Māori: A vision to the Future for the Kāpiti Coast District Council District Plan Review 2012
 - Whakarongotai o te moana o te wai Kaitikitunga Plan for Te Ātiawa ki Whakarongotai 2019
- 8.6 Section 75 (3) of the RMA requires that district plans must give effect to –
- “(a) any national policy statement; and
- (b) any New Zealand coastal policy statement; and
- (c) any regional policy statement”
- and under s75 (4), district plans must not be inconsistent with –
- “(b) a regional plan for any matter specified in section 30(1)”.
- 8.7 All the above matters have been considered in the evaluation that follows in this report.

9.0 Part 2 and Section 32 of the Act

- 9.1 Part 2 of the Act is overarching and the detailed considerations and assessments under other sections are subject to it. In order to make a decision on the request, the Commissioners must decide whether the request will promote the sustainable management of natural and physical resources in an efficient and effective way.

Section 5 - Purpose

- 9.2 The purpose of the Act is to “*promote the sustainable management of natural and physical resources*”. Sustainable management is defined under the Act as:
- “Managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*
- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life supporting capacity of air, water, soil, and ecosystems; and*
 - (c) avoiding, remedying or mitigating any adverse effects of activities on the environment”.*

- 9.3 The Operative Kapiti Coast District Plan 2021 (the District Plan) was developed under the Act and meets its purpose. The Council is required to ensure that all proposed changes to the District Plan will also result in outcomes that meet the purpose of the Act.

Section 6 – Matters of National Importance

- 9.4 Section 6 sets out a number of matters of national importance to be recognised and provided for.
- “(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
 - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
 - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.”*

- 9.5 Whether the proposal has recognised and provided for these matters is addressed in the evaluation in section 12.0 of this report.

Section 7 – Other Matters

Section 7 of the Act sets out a number of other matters that must be had particular regard to. Of these, I consider the following are relevant:

- “(b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment.”*

- 9.6 Whether the proposal has particular regard to these matters is addressed in section 12.0 of this report.

Section 8 – Treaty of Waitangi

- 9.7 Section 8 of the Act requires the Council to take into account the principles of the Treaty of Waitangi.
- 9.8 While no submissions were received from local iwi on PPC5, a letter from Ātiawa ki Whakarongotai Charitable Trust was included with the plan change request, noting that in principle the Trust does not oppose the plan change³. The letter notes the Trust foresees further opportunities to be engaged in the design of future development at the consenting stage and that will include other Ātiawa groups to provide a broader range of perspectives and values.

Section 32 – Consideration of Appropriateness

- 9.9 Section 32 of the Act requires the Council to evaluate the proposed change and decide whether it is the most appropriate way to achieve the purpose of the Act, and, whether having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives of the Plan.
- 9.10 Section 32(1) requires that, before the Council publicly notifies a proposed district plan, it must:

“(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions;”

- 9.11 The evaluation report must also contain a level of detail that

“(c) corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.”

- 9.12 When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan change the report must under s32(2):

“(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

³ Appendix 11 of the plan change request, [appendix-11-tākw-letter-re-osborne-private-plan-change.pdf](#)

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”

9.13 Where a plan change proposes to amend a District Plan, the examination under s32(1)(b) must relate to:

“(a) The provisions and objectives of the amending proposal; and

(b) The objectives of the existing proposal to the extent that those objectives –

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.”

9.14 In the above, the term “existing proposal” refers to the existing plan provisions.

9.15 The requestor submitted a section 32 evaluation as part of the request.

9.16 The Council is required to undertake a further evaluation of the plan change in accordance with s32AA before making a decision under clause 29(4) of Schedule 1 of the RMA. S32AA is set out below:

“(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the ... decision on the proposal, is publicly notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).”

9.17 In this instance, the requestor does not propose to amend any provisions in the District Plan and the only change sought is the rezoning.

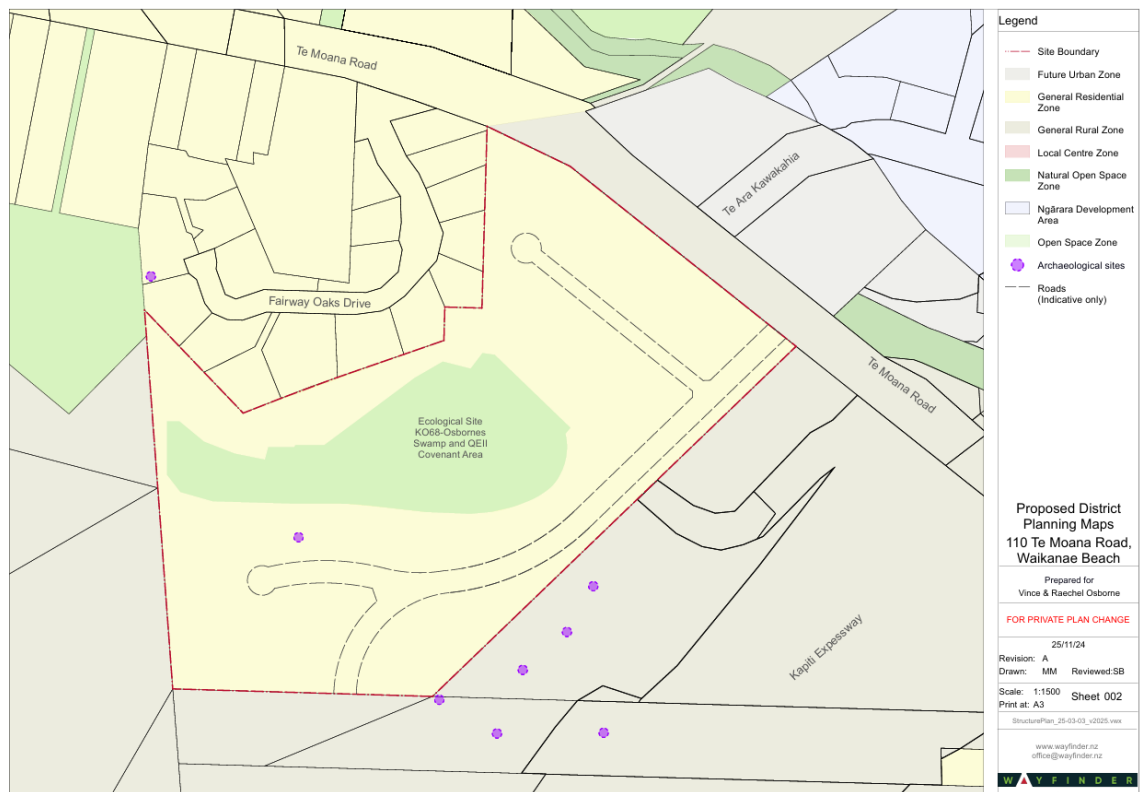
9.18 In order to assist the Commissioners in respect of a further evaluation, this s42A report also includes an evaluation under s32AA. Specifically, this s42A report sets out my evaluation of the request and includes consideration of:

- The matters raised in submissions;
- The Council expert evidence commissioned as part of the assessment of the request; and
- The wider statutory and non-statutory policy framework.

10.0 Form of the Proposed Plan Change

Concept plan

- 10.1 At a concept level, the Requestor proposes rezoning the site for residential development and retaining the existing QEII covenanted wetland and pond in the centre of the site. The preferred concept plan is shown in Figure 6, and shows an indicative roading layout for the site.



- 10.2 The Requestor has also provided an alternative concept plan, as shown in Figure 7, should the option of staging the rezoning (as described in paragraph 4.5) be considered more appropriate.



Figure 7 Alternative concept plan

11.0 Relevant Policy Framework

- 11.1 In assessing the appropriateness of PPC5, national, regional, district and local level policies are to be considered.
- 11.2 The District Plan sits within a wider framework of both statutory and non-statutory policy documents. The request document includes a policy evaluation in Section 6. I generally agree with the policy evaluation presented in the application and I rely on that evaluation of the policy framework apart from where noted in the sub-sections below.

Amendments to national direction instruments since PPC5 was lodged

- 11.3 In addition, since PPC5 was originally lodged and submissions received, amendments to the following relevant national direction instruments have been made:
 - New Zealand Coastal Policy Statement (NZCPS)
 - National Policy Statement for Highly Productive Land (NPS-HPL)
 - National Policy Statement on Indigenous Biodiversity (NPS-IB)

- National Policy Statement for Freshwater Management (NPS-FM)
 - Resource Management (National Environmental Standards for Freshwater) Regulations
- 11.4 Of these, the only relevant amendments are those relating to the NPS-HPL. I provide an assessment of these amendments relevant to PPC5 in the following section. Changes to all other instruments were targeted amendments relating to provision of specific activities such as quarrying and infrastructure.

New national direction instruments

- 11.5 The following new national direction instruments have taken effect in 2026:
- National Policy Statement for Infrastructure 2025 (NPS-I)
 - National Policy Statement on Natural Hazards 2025 (NPS-NH)
 - Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025 (NES-DMU)
 - Resource Management (National Environmental Standards for Papakāinga) Regulations 2026 (NES-P)
- 11.6 As PPC5 proposes rezoning for residential purposes, the NPS-I is not considered relevant. Similarly, given the high-level rezoning stage, the NES-DMU and the NES-P are not relevant.

National Policy Statement for Highly Productive Land 2025

- 11.7 As indicated in the PPC5 application, Central Government considered changes to the NPS-HPL 2022 to remove LUC3 land from the definition of highly productive land. The NPS-HPL 2022 also directed regional councils to notify changes to their RPS to include more detailed mapping of highly productive land by October 2025.
- 11.8 However, since the PPC5 application was lodged, Central Government has consulted on those amendments to the NPS-HPL. While the removal of LUC3 land from the definition of highly productive land was considered, ultimately that change was not made. Instead, amendments were made to clause 3.5(7) so the NPS-HPL does not apply to urban development on LUC3 land until the end of 2027 or until new direction on mapping HPL is provided under the new resource management system. These amendments also exempt LUC3 land from the rezoning tests in clause 3.6 (see clause 3.6(6)).
- 11.9 In parallel with these amendments, the 'Plan Stop' legislation introduced in mid-2025 prevents GWRC from notifying any changes to its RPS until 2028⁴. This means more detailed highly productive land mapping required under the NPS-HPL is not included in the RPS and any such mapping will now be undertaken under the new resource management system.

⁴ Resource Management (Consenting and Other System Changes) Amendment Act 2025

- 11.10 The implications of these amendments for the application, and in particular the proposal to split the rezoning into two stages, are addressed in section 12.0 of this report in the assessment of land use capability effects.

National Policy Statement for Natural Hazards 2025

- 11.11 The National Policy Statement for Natural Hazards (NPS-NH) came into effect in December 2025 and has a single objective of managing natural hazard risk to people and property associated with subdivision, use and development using a risk-based proportionate approach.
- 11.12 The NPS-NH provides a risk matrix which must be used to determine the likelihood and consequence of a natural hazard event occurring when assessing natural hazard risk associated with subdivision, use and development. An assessment of natural hazard must also consider mitigation measures that exist or are proposed and any residual risk that could arise when certain design thresholds are exceeded.
- 11.13 Policy 3 of the NPS-NH requires that where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided.
- 11.14 Policy 4 directs that where the subdivision, use or development will create new risks or worsen an existing natural hazard risk for other sites, that risk must be avoided or mitigated using a proportionate approach.
- 11.15 Policy 5 directs the use of the best available information when assessing and making decisions about natural hazard risks, even if that information is uncertain or incomplete. The potential impacts of climate change to at least 100 years in the future must also be considered.
- 11.16 Given the presence of known flood hazards across the plan change site, the NPS-NH is a relevant consideration for PPC5, while noting the District Plan already contains provisions to manage natural hazard risks, including a risk-based approach.

National Policy Statement for Freshwater Management and National Environmental Standards for Freshwater

- 11.17 The NPS-FM and NES-F and their relevance to the application has been assessed in sections 6.2.3 and 6.3.3 of the application document respectively. While I generally agree with that evaluation, I note that the effects on the wetland on the site (Osborne's Swamp) are a relevant consideration with regard to how earthworks and stormwater are managed should development proceed. While the detail of this management approach is indeed a matter for the resource consent stage, it is a relevant consideration at this rezoning stage in terms of ensuring the location of development relative to any stormwater attenuation areas is comprehensively considered.

New Zealand Coastal Policy Statement

- 11.18 The Requestor has assessed the provisions of the NZCPS in the context of PPC5 in section 6.2.5 of the application. I concur with that evaluation, however I note the evaluation is silent on Objective 1 of the NZCPS. Objective 1 reads as follows:

To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;*
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and*
- maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity*

11.19 Given the presence of natural dunes on the site, I consider Objective 1 is relevant to the plan change insofar as it relates to maintaining or enhancing natural biological and physical processes in the coastal environment (bullet point 1 of Objective 1). The importance of the dunes in terms of landscape values is discussed further in section 12.0 of this report. For the purposes of this plan change, I consider the relevant policies of the NZCPS that give effect to Objective 1 are Policy 6, Policy 13, and Policy 15 which have been identified and assessed in the PPC request. I concur with that assessment.

Regional Policy Statement for the Wellington Region

- 11.20 The application document sets out the relevant objectives and policies of the RPS 2013 and the more recent RPS Change 1 provisions. It is useful to note that parts of RPS Change 1 followed the Freshwater Planning Process (FPP) and at the time of lodgement of this plan change request were 'operative', and so the equivalent Operative RPS provisions were no longer applicable at the time or had been substantially amended. This is the case for Objective 12, Policy 40, Policy 42, and Policy 41.
- 11.21 Other provisions followed the standard Part 1, Schedule 1 process and were either beyond the point of legal challenge or were subject to appeals. At the time of writing this report, I understand the majority of appeals have been resolved with consent orders pending. I have been advised by GWRC that the only policies that remain the subject of appeal are Policy 39 and Policy 47. These policies are subject to Environment Court proceedings.
- 11.22 GWRC published an Appeals version of the RPS in September 2025⁵ which I rely on for this assessment.
- 11.23 While I generally agree with the assessment provided by the Requestor, I consider there are additional provisions that are relevant to PPC5. I also note that some provisions in RPS Change 1 have been amended through the hearings process which does not appear to be reflected in the PPC5 assessment. The RPS Change 1

⁵ [Microsoft Word - RPS Change 1 Appeals Version - Sep 2025.docx](#)

provisions listed in the application appear to be based on the notified version. Appendix 1 sets out the full set of provisions that I consider are relevant.

- 11.24 As shown in Appendix 1, I consider the following additional RPS provisions are relevant to PPC5:
- Integrated Management Objective A
 - Policy IM.1 Integrated Management – ki uta ki tai – consideration
 - Policy CC.7: Protecting, restoring, enhancing and sustainably managing ecosystems that provide nature-based solutions to climate change – non-regulatory
 - Objective 12(a)-(d), (g), (h), and (j)
 - Policy 56: Managing development in rural areas – consideration
 - Policy UD.4: Achieving a compact urban form – district and regional plans.
- 11.25 I have considered and assessed this policy direction in section 12.0 of this report.

Natural Resources Plan for the Wellington Region

- 11.26 Section 6.6 of the application provides an assessment of the Natural Resources Plan for the Wellington Region (NRP) as it relates to PPC5, as required under Section 74(2)(a) (ii) of the RMA.
- 11.27 I note the application references Proposed Plan Change 1 (PC1) to the NRP which was notified in October 2023. The amendments proposed in PC1 only apply to two whaitua (catchments) of the region, being Te Whanganui-a-Tara (Wellington-Hutt Valley) and Te Awarua-o-Porirua (Porirua). Accordingly, PC1 does not apply to Kāpiti and does not need to be considered as part of the PPC5 assessment.
- 11.28 I generally agree with the assessment of relevant objectives and policies provided in Table 4 of the application. However, I also consider the following provisions are relevant:
- Objective O4 The intrinsic values of fresh water and marine ecosystems are recognised and the life supporting capacity of air, water, soil and ecosystems is safeguarded.
 - Objective O7 The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where appropriate for recreational purposes, is enhanced.
 - Objective O21 Vegetated riparian margins are established, maintained or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.
 - Objective O33 Soils are healthy, and productive to support a range of uses, life supporting capacity is safeguarded and accelerated soil erosion is minimised.
 - Policy P1: Ki uta ki tai and integrated catchment management
 - Policy P3 Precautionary Approach

- Policy P15: Incompatible activities adjacent to Regionally Significant Infrastructure, renewable electricity generation activities and significant mineral resources
- Policy P30: Biodiversity, aquatic ecosystem health and mahinga kai
- Policy P31: Adverse effects on biodiversity, aquatic ecosystem health, and mahinga kai
- Policy 83: Minimising adverse effects of stormwater discharges.

11.29 I have considered and assessed this policy direction in section 12.0 of this report.

Operative Kapiti Coast District Plan 2021

11.30 The Requestor has set out an assessment of relevant objectives and policies under the Operative District Plan in section 6.9.1 of the application. I agree that the provisions identified in section 6.9.1 of the application are relevant. In addition, I consider the following provisions are also relevant to PPC5:

- DO-O8 Strong Communities
- UEDI-P1 Urban Design
- UFD-P11 Amenity Values

11.31 I have considered and assessed this policy direction in section 12.0 of this report.

Other Planning Documents

11.32 The plan change request document also appropriately identifies and evaluates other planning documents which help inform this plan change. These documents are:

- Wellington Regional Housing and Business Assessment (HBA) 2023
- Te Tupu Pai - Growing Well 2022
- Infrastructure Strategy 2024 - 2045
- Housing Strategy 2022
- Sustainable Transport Strategy 2022
- Climate Emergency Action Framework 2021
- Iwi Management Plans

11.33 I concur with the commentary in the plan change request of these documents setting the background and context for this plan change. I note the Wairarapa-Wellington-Horowhenua Future Development Strategy 2024-2054 (FDS) is also relevant to PPC5. I have considered the FDS, along with the documents listed above, in section 12.0 of this report.

12.0 Evaluation of Proposed Plan Change

- 12.1 This section of the report provides an overall analysis of PPC5 in terms of:
- The plan change documentation, including all accompanying expert reports
 - The submissions and further submissions made on the plan change
 - Technical review comments
 - The policy framework, as set out earlier
 - Section 32 of the RMA
 - Part 2 of the RMA
- 12.2 Having considered all of the above matters, I consider the key issues in respect of the plan change request to be:
- The appropriateness of rezoning the General Rural Zone land to General Residential Zone;
 - The environmental effects resulting from the Private Plan Change:
 - a. Traffic and roading
 - b. Landscape and visual and rural amenity
 - c. Loss of highly productive land and effects on land use capability
 - d. Ecology
 - e. Geotechnical
 - f. Archaeological
 - g. Stormwater and flooding
 - h. Wastewater and water supply servicing
- 12.3 The evaluation provided in the following sections and conclusions reached relate only to the proposed plan change and the specific site. These conclusions should not and cannot be applied to any other potential developments.

The appropriateness of rezoning the General Rural Zone land to General Residential Zone

- 12.4 The appropriateness of rezoning the land from General Rural Zone to General Residential Zone needs to be considered in relation to the objectives and policies of the Operative District Plan, Regional Policy Statement, the National Policy Statement for Urban Development, the Wairarapa-Wellington-Horowhenua Future Development Strategy 2024, the Council's urban growth strategy Te Tupu Pai - Growing Well 2022, and the Council's Housing and Business Capacity Assessment.

Submissions

- 12.5 The submissions received on PPC5 raised concerns about the appropriateness of rezoning the site for residential development for the following reasons:
- The site has not been identified as an area for future development in the Council's strategic planning documents
 - Kāpiti has an oversupply of residentially zoned land, particularly following Plan Change 2 (Intensification plan change) which was completed in 2023.
 - Infrastructure servicing and capacity including increased servicing costs for ratepayers
 - Flood hazard risks
 - Ecological impacts
 - Rural character and amenity
 - Climate change adaptation and coastal hazards
 - Lack of engagement with tangata whenua
 - Risks of precedent for future rezoning requests
 - Effects on the Mackay's to Peka Peka Expressway and the associated NZTA Designation
 - Impacts on the existing QEII Covenant for the Osborne Swamp Wetland

Urban form and alignment with strategic planning documents

- 12.6 Mr McGillivray, Manager Urban Planning and Research at the Council, has set out the strategic context for how future growth and development in Kāpiti is managed and the most recent housing and business capacity assessment for the district. For this site, Mr McGillivray notes that:
- the subject site was identified as a potential greenfield area in a preliminary assessment that informed Te Tupu Pai, but due to a number of constraints on the site and the need for a fuller assessment, it was not included in the strategy as a future greenfield site
 - a request to rezone the site was made during Council's Plan Change 2 (PC2), which was the Council's response to Central Government requirements to implement the NPS-UD and the MDRS, but that rezoning was not recommended due to the need for further assessment and investigations relating to the constraints across the site.
- 12.7 In my opinion, the exclusion of the site from Te Tupu Pai does not preclude the ability to consider a rezoning of the site altogether. Rather, the strategy provides direction and context to the consideration of areas that have not been identified, but where a sound case can be made for rezoning that does not undermine the overall strategy.
- 12.8 Similarly, I note the site is not identified as a priority growth area in the Wairarapa-Wellington-Horowhenua Future Development Strategy (FDS), but the FDS does identify Waikanae as an area for intensification in proximity to the train station and the town centre, consistent with Te Tupu Pai. Again, I do not consider this prevents

consideration of the site for rezoning where it generally aligns with the overall strategic approach. In particular, future development of the site can generally align with the place-making principles in Appendix 3 of the FDS, particularly with the addition of site-specific provisions to address key matters, such as visual amenity and transport effects, as recommended later in this report.

- 12.9 Similarly, I do not consider the previous decision to not rezone the site through PC2 to be determinative on the appropriateness of considering the rezoning at a later stage. The reason the site was not rezoned under PC2 was due to the site-specific complexities and insufficient information to support the rezoning request. It is therefore appropriate to consider the rezoning through the private plan change process where these matters can be assessed more comprehensively.
- 12.10 Turning to the matter of how the rezoning aligns with Te Tupu Pai, I agree with the assessment in section 6.7.2 of the application. I also consider the rezoning would align with Policy UFD-P1 (Growth management) of the District Plan, despite not being an identified growth area, for the following reasons:
- The site's location between the southern side of Fairway Oaks Drive and the northern side of the M2PP Expressway, consolidates the urban form, rather than extending it. The site is also well-located in terms of access to key services and amenities. (UFD-P1(1)).
 - The application of the MDRS through the General Residential Zone enables a variety of housing densities and typologies on the site. (UFD-P1(3)).
 - While there will be a change to visual amenity values with the transition from rural to urban land use, this can be appropriately mitigated (as detailed under the Landscape and Visual Amenity effects assessment). (UFD-P1(4)).
- 12.11 The location of the site supports efficient use of existing three waters infrastructure as well as public transport and active mode facilities along Te Moana Road, which is consistent with Policy UFD-P1(5) and Policy INF-GEN-P7.
- 12.12 Similarly, I consider the rezoning is not inconsistent with Policy UFD-P11 (Amenity Values) given existing rules and standards in the General Residential zone chapter which manage amenity effects of new development. I am also recommending the inclusion of additional site-specific mitigation measures in the district plan, should the site be rezoned.
- 12.13 Submitters have also questioned the need for the rezoning if there is an oversupply of residentially zoned land in Kāpiti. 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.
- 12.14 While acknowledging the growth projections and the HBA results, they do not preclude consideration of rezoning requests that may result in greater capacity. I note Policy 8 of the NPS-UD along with Policy 55, Policy UD.3, and Policy UD.5 of RPS Change 1, provide a pathway to consider out of sequence or unanticipated plan changes

affecting the urban environment. Broadly, I consider there are three key considerations inherent in these policies:

- The extent to which the plan change supports a well-functioning urban environment
- Whether future development of the site will add significant development capacity for the district
- How future development of the site will manage or protect the values and resources on the site

- 12.15 The rezoning will support a well-functioning urban environment given its location on Te Moana Road which is serviced by public transport and includes provision for active transport modes. The site is also located a short distance by vehicle to the Waikanae town centre which includes a supermarket and other key services.
- 12.16 If rezoned, while the site will not add significantly to development capacity, it will increase the housing stock giving effect to the NPS-UD. Further, 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 improvements to housing affordability. In addition, the location of the site adjacent to the existing residential area provides for effective and efficient provision of infrastructure to the site.
- 12.17 As highlighted in the application in section 6.2.1, Policy 2 of the NPS-UD also directs that Tier 1 local authorities (such as KCDC) provide *at least* sufficient development capacity, meaning there is the ability to provide more capacity than is necessarily required to meet demand. This of course needs to be applied with care to ensure a considered and planned approach to providing for growth, however I do not consider the addition of approximately 4.5ha that is the total area of the site excluding the QEII wetland and pond area) to the district's development capacity (will lead to an unmanaged urban form.

Tangata whenua matters

- 12.18 While there were no submissions from local iwi on PPC5, Submission S1 raises concern that there has been inadequate engagement with mana whenua, including Te Ātiawa ki Whakarongotai and Ngāti Raukawa ki te Tonga about the plan change. The submission notes that:
- the 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 which PPC5 falls short of
 - local precedent exists on the Kāpiti Coast that demonstrates the tangible benefits of authentic iwi involvement being the Waikanae River Environmental Strategy developed in partnership with Te Ātiawa ki Whakarongotai, GWRC, and KCDC led to measurable improvements in ecological health, flood resilience, and cultural heritage protection.
- 12.19 The application sets out the consultation that has occurred with Te Ātiawa ki Whakarongotai in section 8.6. The consultation included a site visit and hui with Liam

McAuliffe, being the Kairuruku Taiaio for Ātiawa ki Whakarongotai Charitable Trust and relevant draft technical assessments were shared with the Trust. The application also includes a letter from Te Ātiawa ki Whakarongotai stating they do not oppose the plan change but expect to be engaged in more detail at subsequent detailed design stages.

- 12.20 In my opinion, the Requestor has met the requirements for consultation with mana whenua in this instance and the letter from Te Ātiawa ki Whakarongotai confirms they do not have significant concerns at this rezoning stage.

Conclusion on the Appropriateness of the request

- 12.21 Based on the above assessment, I consider the rezoning of the site from General Rural Zone to General Residential Zone is appropriate in principle. The following sections assess the environmental effects resulting from the rezoning, and whether there are sufficient mechanisms in place through the existing district plan provisions or other mechanisms to manage those effects, or whether additional plan provisions are required to manage site-specific characteristics.

Environmental Effects Assessment

- 12.22 This section evaluates the potential environmental effects of the proposed rezoning and how those effects are proposed to be mitigated.

Traffic and Roading

- 12.23 The plan change proposes a single vehicle access to and from Te Moana Road, with indicative internal roads, to connect future allotments with Te Moana Road, as shown in Figure 2.
- 12.24 Key features within the immediate surrounding environment relevant to the plan change site from a transport perspective are Te Moana Road, the Te Moana Road/Expressway interchange to the south east of the site, and the Ngārara Development Area located directly to the north of the plan change site. The Ngārara Development Area is identified within the District Plan as a 'development area' and zoned for this purpose. The associated structure plan anticipates staged development over time and covers a large land area.
- 12.25 Te Moana Road is the route for the 280 bus service (Waikanae - Waikanae Beach route) with a bus stop pair to the west of the site on Te Moana Road. Also, there is a shared path on the northern side of Te Moana Road directly opposite the site and on the southern side of Te Moana Road to the east of the site. There is also a shared path alongside the eastern side of the expressway and on-road cycle lanes along Te Moana Road.
- 12.26 A Transport Assessment has been provided in the application documents, with an updated report provided in response to the Council's Request for Further Information. The key findings of the assessment include:
- The performance and capacity of the Te Moana Road/Expressway interchange reduces under different demand scenarios that were modelled (being the existing interchange + Ngārara Development and the existing

interchange + Ngārara Development + PPC5 development). This is particularly the case in the PM peak period when PPC5 is included. There is no change in the level of service during the AM peak. However, the assessment concludes that vehicle traffic from the site can be accommodated within the existing road network. It is also noted that these results are dependent on the timing of the completion of a collector road through the Ngārara Development Area connecting with Ngārara Road, which would redirect some traffic away from Te Moana Road, the timing of resource consents for the PPC5 site relative to those for the Ngārara development areas, and the final development yield for the PPC5 site (which may be less than originally anticipated).

- Based on historical crash data, there is an existing safety issue in this area where drivers are not maintaining safe following distances alongside a potential lack of understanding as to how right turn filtering works at signalised intersections. This is considered a driver behaviour issue rather than a transport engineering deficiency which PPC5 cannot influence.
- The future development of the site will likely result in increased demand for a pedestrian crossing on Te Moana Road, however the new intersection that will be required to service the site will not provide sufficient space for such a crossing. The proposal is to extend the footpath along the southern side of Te Moana Road to a position where a pedestrian crossing facility could be constructed.
- The future intersection will need to incorporate provision for cyclists and improve the legibility of the westbound on road cycle lane past the front of the plan change site.
- There is a bus stop pair located within 200m of the plan change site on Te Moana Road and the extension of the footpath on Te Moana Road will facilitate access to these bus stops.

12.27 The Assessment concludes that with the mitigations relating to accessibility and connectivity for pedestrians to and from the site, the plan change is suitable from a transport perspective.

Submissions

12.28 Waka Kotahi (S2.1, S2.2, and S2.3) oppose the plan change for the following reasons:

- the application does not sufficiently address the potential impacts of the rezoning on the Mackays to Peka Peka Expressway and state highway infrastructure
- the site adjoins Te Moana Road and is located approximately 71 metres west of the Te Moana Road/MacKays to Peka Peka Expressway interchange and directly interfaces with the state highway network
- The application does not sufficiently demonstrate that the potential adverse effects of the proposed rezoning on the state highway network can be managed (avoided, remedied, or mitigated) appropriately
- The Requestor's transport assessment may underestimate the traffic generation associated with the developments enabled by the proposed rezoning

- The Requestor's transport assessment assumes a trip generation rate of 9 vehicle movements per dwelling per day and 0.85 vehicle movements in peak hour, which equals approximately 1,350 vehicle movements per day for 150 dwellings
- NZTA normally calculates traffic generation from residential sites at a rate of 10.7 movements per hour, and when applying this rate to the subject site it indicates that there would be adverse effects on intersection performance, queuing, and safety at the interchange
- Traffic growth assumptions and modelling scenarios do not reflect realistic trip generation rates and distribution patterns
- The SIDRA modelling does not account adequately for pedestrian movements at signalised intersections and therefore, the modelling underestimates delay arising from pedestrian movements and does not adequately address safety requirements, making the intersections appear to perform significantly better than they would
- Raises concerns regarding signal phasing configuration, phase frequency, coordination settings and offset methodology within SIDRA models, which may affect the reliability and robustness of modelling outputs

12.29 The submission from Jill Bond et al (S1.10 and S1.19) expresses concern that the existing transport network is at capacity, and that no clear, publicly available evidence has been presented demonstrating that the system can accommodate additional residential growth without significant upgrades.

Matters arising since lodgement of PPC5

12.30 Since the PPC5 application was lodged, an application under the Fast-Track approvals process has been lodged with the EPA for a development to the north of the PPC5 site at Peka Peka Road, by Waikanae North Developments Limited (WNDL)⁶. That application is for up to 1200 dwellings and a supporting commercial centre. While locationally not within the immediate vicinity of the PPC5 site, the WNDL is relevant when considering cumulative effects on the transport network because the WNDL Integrated Transport Assessment (ITA) assumes 35% of the total traffic from the development will travel via Te Moana Road and the Expressway interchange.

12.31 Given the parallel PPC5 and WNDL processes, discussions have occurred between the Council's transport team, including the Council's traffic expert for PPC5, Mr Colin Shields, NZTA, and the equivalent personnel for the WNDL application. A key aspect of those discussions has been how to align the assumptions of the respective traffic models, including base year traffic flows, future year assessments, including what level of development should be assumed for the Ngārara Development Area, and the inclusion or exclusion of Re Ara Kawakahia (the existing formed access into the Ngārara Development Area).

12.32 For the purposes of evaluating PPC5, it has been assumed that the Ngārara Development Area will be developed as set out in the Requestor's transport assessment (i.e. 900 dwellings) and that all traffic will use Te Moana Road from Te Ara Kawakahia. This approach, while arguably a 'worst case scenario', is not considered unreasonable at the plan change stage given this scale of development is

⁶ [Waikanae North Development Fast Track Application](#)

provided for in the district plan through the Ngārara Development Area chapter which includes a detailed structure plan. While the structure plan indicates connections through to Rutherford Drive to the west and Ngārara Road to the north, I understand from the Council there may be constraining factors that prevent the Rutherford Drive connection from being established, including the presence of wetlands. There is also uncertainty about when the Ngārara Road connection would be established.

- 12.33 The WNDL development has not been factored into the transport modelling given that development has not yet been approved. However, it is considered in terms of potential cumulative effects that could arise if approval is given for that development, alongside the PPC5 rezoning and future development and further development of the Ngārara Development area.

Evaluation

- 12.34 An assessment of the plan change and the Requestor's transport assessment has been undertaken by Mr Shields, transport planner. Mr Shields' statement of evidence (Appendix 3) provides the detail of his review and sets out a number of recommendations for managing the transport effects of the plan change. As detailed in his evidence, Mr Shields has liaised with Mr Benner throughout the preparation of his evidence to fully understand the modelling approach and the potential effects of future development of the site. This has included further updates to the model by Mr Benner.

- 12.35 In summary, Mr Shields findings are as follows:

- Agrees with Mr Benner's traffic generation and trip distribution assumptions and does not agree with the submission from NZTA seeking the application of a higher trip rate.
- It is appropriate to exclude the WNDL development from the assessment of PPC5 given that development is currently unconsented. If consent is granted for WNDL, any future consents for development of the PPC5 site will need to consider the cumulative effects of development in relation to the consented WNDL development.
- Identifies capacity issues for Te Moana Road and the Expressway interchange based on the latest SIDRA modelling undertaken by Mr Benner. This includes worsening of queuing at various locations of the interchange.
- A right turn bay into the plan change site from Te Moana Road is assumed in the modelling and the two eastbound lanes are retained at the interchange.
- Widening on the south side of Te Moana Road will be required in addition to the future footpaths and crossings identified in the Requestor's transport assessment. The existing eastbound and westbound cycle lanes will also need to be retained.
- Agrees the site is within a reasonable walking distance of the bus stops that provide public transport access to the town centre and train station. The site is also within a reasonable cycle distance of the town centre and train station.
- Agrees with the proposed footpath and crossing improvements identified in the transport assessment.
- Highlights the need for additional improvements (including road widening) to the south side of Te Moana Road from the site to the Expressway shared path to improve conditions for pedestrians and cyclists and crossing improvements

of Te Moana Road to safely connect residents to the eastbound on road cycle lane.

- Disagrees that public transport is an attractive alternative to car use for future development of Lot 2 as it is outside the threshold for a reasonable walking distance to a bus stop (being 400m/5 minutes)

12.36 Mr Shields recommends the inclusion of site-specific provisions in the District Plan to address the transport effects he has identified, as follows:

- A requirement to undertake further SIDRA modelling at the time of subdivision/future development of the PPC5 site.
- Provisions requiring future development to design and deliver the sustainable transport measures identified in Figure 12 of the Requestor's transport assessment, as well as improvements to the south side of Te Moana Road from the site to the Expressway shared path and crossing improvements of Te Moana Road.
- Require the provision of safe and direct walking routes within the site to the bus stops on Te Moana Road.
- Require the future development to include a right turn bay coordinated with the proposed active mode improvements along Te Moana Road and retain the existing two eastbound traffic lanes and the existing eastbound and westbound on road cycle lanes. The design of the right turn bay should address the concerns raised by NZTA (S2) about confusion for drivers with closely spaced right turn bays.

12.37 Overall, Mr Shields concludes that these site-specific provisions and existing district plan provisions are sufficient to manage the potential transport effects of the plan change and on this basis he supports the rezoning from a transport perspective.

12.38 I concur with Mr Shields' assessment and agree that site-specific provisions should be included within the district plan to ensure the design of future development of the site addresses the effects on the transport network and the safety of all road users within the site, on Te Moana Road, and at the Expressway interchange. On this basis, I have provided some preliminary draft provisions in Appendix 7.

12.39 I also note the operative district plan transport provisions will apply to future development of the site, which will require a more detailed transport assessment. This includes:

- Rule TR-R2 (Vehicle movements) which manages trip generation and provides for vehicle movements of up to 100 vehicles per day (vpd) as a permitted activity. Development that exceeds this threshold is considered a major traffic activity requiring resource consent as a restricted discretionary activity under Rule TR-R10.
- Rule TR-R3 (Site access and loading) requires every site to include vehicular access and meet minimum design standards set out in the district plan. This also enables the provision of pedestrian access in lieu of vehicle access where no carparking or loading spaces are to be provided (noting the district plan can no longer require on-site carparking).
- Rule TR-R9 (New roads including where they are to serve a subdivision) provides for the establishment of new roads as a controlled activity with cycle

paths provided either as on-street cycle lanes, off-street shared paths or off-street dedicated cycle paths.

- Rule SUB-RES-R33 (Controlled activity for the subdivision of land in the General Residential Zone) requires that each allotment created in the zone has legal and physical access to a legal road, controls how many allotments can use a right of way for vehicle access, and requires compliance with the standards of the Transport chapter.

12.40 The site-specific provisions I am recommending will complement the existing district plan provisions, recognising the potential scale of development that could occur on the site, if rezoned, and the change in use from rural, undeveloped site and subsequent changes to the existing transport environment. The existing plan provisions are a baseline for development within areas already zoned for residential use, where new development more readily integrates with the transport infrastructure, but would not address the unanticipated effects of developing this site given the existing transport environment, as detailed in Mr Shields' evidence.

12.41 These recommended provisions, combined with the existing district plan provisions, will give effect to District Objective DO-O14 and support the achievement of Policy TR-P1 (Integrated Transport and Urban Form), Policy TR-P2 (Sustainable Transport and Maximising Mode Choice), Policy TR-P5 (Effects of Land Use on Transport), Policy TR-P6 (Safety), and TR-P7 (Cycling, Walking and Bridleway Links and Safety).

Landscape and visual effects

12.42 The application includes a Landscape and Visual Effects Assessment (LVA) in Appendix 8. The assessment concludes the landscape and visual effects will be low noting the following:

- The proposal responds to the wider developing residential landscape and is located within a highly modified landscape
- The existing accessway will be utilised and the existing mature Pohutukawa Trees will be retained
- Neighbouring properties will have a partial view of future development of the site
- Travellers at high speed along the M2PP Expressway will have periodic views into the site
- Further protection of sand dune formations is recommended

12.43 The Requestor's LVA expert has recommended the preparation of a comprehensive Landscape Development Framework to provide an integrated approach to managing these effects and potentially reduce the visual effects to 'very low' over time. The Requestor's LVA provides more detail about what this plan could include on Page 18 of the assessment document and notes the implementation of the plan could support a reduction of the landscape and visual effects to very low. I note the matters listed in the LVA in relation to a Landscape Development Framework have not been incorporated into the Request. The operative district plan provisions do not require the provision of a Landscape Development Framework associated with new development and no site-specific provisions have been proposed to require this at the consent stage. Therefore, I am uncertain as to how the matters listed in the Requestor's LVA,

or the outcomes sought by those matters, would be achieved in PPC5. The Requestor may wish to propose some site-specific provisions or provide further information about how the Landscape Development Framework mechanism might be implemented in practice to achieve certainty of outcomes.

- 12.44 Overall, the Requestor's LVA determines the effects will be less than minor.

Submissions

- 12.45 Submission S1.9 raises concerns about the effects of the plan change on rural amenity and character, in particular:
- The Te Moana landscape has 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.
- 12.46 Submission S2.3 from NZTA notes there is a portion of the site that is subject to NZTA Designation-005 which includes areas of vegetation within and adjacent to the designation which are required to be retained as part of the certified Site-Specific Landscape Management Plan and Planting Management Plan associated with the M2PP project. It is unclear if the Requestor is aware of these requirements and a reassessment from the Requestor should be undertaken to take into consideration the potential impacts of the plan change on this vegetation.

Evaluation

- 12.47 In assessing the landscape and visual amenity effects of the rezoning, I have relied on the evidence of Mr Simon Button.
- 12.48 In relation to landscape values, as distinct from natural character, Mr Button agrees that a change in zoning from rural to residential will fit well into the wider urban pattern and setting of the site and the rezoning will result in low adverse effects on existing landscape values.
- 12.49 Mr Button also generally agrees with the findings of the Requestor's LVA that the rezoning will result in low adverse visual amenity effects, but he disagrees with the Requestor's LVA conclusions regarding the potential level of effect on properties immediately adjacent/neighbouring the site on the western boundary. In Mr Button's opinion, those properties will experience a greater effect than other viewpoint locations in the wider context and concludes this would be a moderate effect compared with the Requestor's LVA conclusion of a low visual effect. This is due to the scale of development that could potentially occur on the site under the MDRS and the departure this form of development represents from the visual amenity values expected under the current rural zoning. Mr Button also considers that the landscape

treatment requirements for development in the General Residential Zone will be insufficient to address this change in amenity values noting that they would only go as far as managing the effects of development where the effects baseline is the General Residential Zone. Mr Button recommends a setback along the north western boundary of the site to appropriately manage these effects. There are a few options for achieving this outcome in the Plan:

- A specific matter of discretion for development of more than 3 dwelling units requiring assessment of visual effects through the consent process
- The provision of a Landscape Framework Plan
- Embedding a structure plan for the site into the District Plan which could also address any other constraining factors relating to other disciplines (if required)

12.50 Specific setback distances on the north western boundary recommended by Mr Button are as follows:

- A 5m development setback for development up to 8m in height (the height enabled by the General Rural Zone).
- A 10m development setback for development over 8m in height (with 11m high development enabled by the General Residential Zone).

12.51 These setbacks are to include native shrub and tree planting to filter views of development from 4, 6, 8 and 10 Fairway Oaks Drive and to integrate development into the receiving environment.

12.52 Mr Button also specifically addresses points raised in Submission 1 relating to rural character, concluding that in his opinion rural character values of the site are low, given the site is set within a broader residential context and is adjacent to State Highway 1, notwithstanding his comments relating to visual amenity and the mitigation measures he has recommended as set out above in paragraphs 12.49 and 12.50. The submitter refers to the 'Te Moana landscape' (assumed to be the eastern settlement edge of Waikanae Beach) Mr Button considers the primary feature is the undulating sand dunes, however some of these already include residential development and PPC5 will not detract from their legibility and indigenous vegetation values associated with the site will be protected.

12.53 I concur with Mr Button's conclusions and recommendations and consider that the landscape and visual amenity effects of the rezoning can be mitigated through the application of a development setback. I consider the most appropriate mechanism for doing this, given the need to manage other effects on the site as detailed below, is through a structure plan within the District Plan that clearly shows the location and scale of the setback. This should be supported by site-specific provisions in the district plan to effectively implement the structure plan, as shown in Appendix 7. These site-specific provisions will work in tandem with existing plan provisions to achieve the relevant objectives and policies of the district plan, including:

- District Objective DO-O4 (Coastal Environment)
- District Objective DO-O9 (Landscapes, Features and Landforms)
- District Objective DO-O11 (Character and Amenity Values)
- Policy UED-P11 (Amenity Values)

- Policy CE-P1 (Coastal Environment Characteristics)
- Policy GRZ-P10 (Residential Amenity)
- Policy GRZ-P12 (Landscaping)

12.54 With regard to NZTA's concerns about the retention of landscaping within and adjacent to Designation-D005, NZTA have since advised that this requirement does not apply to the plan change site, as detailed in the letter to Ms Jones (planner for the PPC5 Requestor) in Appendix 5 of this report. It is my understanding from this correspondence that there is no legal requirement for vegetation outside of the designation boundary to be retained and NZTA is no longer seeking this outcome through PPC5.

Urban design and development outcomes

Submissions

12.55 Submission S1 raises concerns, including those listed in paragraph 12.45, relating to urban development and urban design outcomes associated with the rezoning request.

Evaluation

12.56 Mr Button has provided an assessment of the urban design and development outcomes associated with PPC5 in his statement of evidence, concluding the plan change provides sufficient strategic direction to achieve urban design and development outcomes, notwithstanding the effects on visual amenity values set out above. In Mr Button's opinion, the proposed alignment of the internal road is sympathetic to the underlying landform and topography of the site and the placement of the north-east to south-west cul-de-sac in the northern part of the site is adequately spaced to ensure development can front Te Moana Road. This supports the achievement of good urban design outcomes for future development of the site. Mr Button is also supportive of the continued protection of the QEII Covenant Area and protection of the mature Pohutukawa Trees along the Te Moana Road frontage.

12.57 I concur with Mr Button's assessment of the urban design and development outcomes that will be achieved with future development of the plan change site. I consider the rezoning request, the existing district plan provisions, and the site-specific provisions I am recommending, particularly the provision of a structure plan within the district plan, support the achievement of the relevant district plan objectives and policies. This includes:

- District Objective DO-O3 (Development Management)
- District Objective DO-O11 (Character and Amenity Values)
- Policy UEDI-P1 (Urban Design)
- Policy UFD-P3 (Managing Intensification)
- Policy UFD-P11 (Amenity Values)

Natural character

- 12.58 Effects on natural character are considered relevant to the proposal given the location of the site within the coastal environment and the presence of natural dunes within the site. The Council requested an assessment of natural character effects, separate to the landscape and visual effects assessment, as part of its RFI. The Requestor subsequently provided an assessment of effects on natural character values, in addition to the rating for landscape and visual effects, in relation to the site's natural coastal character⁷. That assessment concludes that the effects of the plan change on natural character are low.

Submissions

- 12.59 Submission S1 raises concerns relating to natural character effects, such as effects of development on the natural landform of the site, the role of the site in natural processes including hydrological conveyance and storage and ecological connectivity.

Evaluation

- 12.60 Mr Button has reviewed the Requestor's assessment and agrees the site is modified and exhibits low natural character values. He also concludes the adverse effects on the natural character of the coastal environment of the rezoning will be low to moderate. Mr Button highlights that the existing district plan earthworks rules⁸ provide adequate protection for the sand dune in the southern part of the site and the existing QEII wetland, such that future housing will be able to integrate into the site in a way that there are no more than low to moderate adverse natural character effects.
- 12.61 Having reviewed the evidence, I am satisfied that the potential effects of the rezoning on natural character will be sufficiently managed through existing plan provisions, noting the natural character values of the site have been assessed as low to moderate. The assessment confirms that the rezoning and future development of the site can achieve Objective 1 of the NZCPS. I also consider the plan change will be consistent with the following district plan objectives and policies:
- District Objective DO-O3 (Development Management)
 - District Objective DO-O4 (Coastal Environment)
 - District Objective DO-O9 (Landscapes, Features and Landforms)
 - Policy NEP1 (Protection)
 - Policy UED-P11 (Amenity Values)
 - Policy CE-P1 (Coastal Environment Characteristics)
 - Policy CE-P3 (Preservation of Natural Character)
 - Policy CE-P7 (Natural Dunes)
 - Policy EW-P1 (Earthworks)

⁷ <https://www.kapiticoast.govt.nz/media/cduh02ms/07-rfi-response-landscape-and-visual.pdf>

⁸ Rules EW-R2, EW-R3, NH-FLOOD-R4, and NH-FLOOD-R8

Land use capability effects

- 12.62 As the site is currently undeveloped and zoned General Rural, an assessment of the land use capability of the site is required in accordance with the NPS-HPL. While the NPS-HPL sets requirements for regional councils to undertake regional-scale mapping of HPL and include this in the RPS, this has not yet been carried out in the Wellington Region. As such the New Zealand Land Resource Inventory (NZLRI) must be applied in lieu of any regional mapping along with a site-specific assessment.
- 12.63 The NZLRI identifies 1.83 ha of the site as LUC2 and 3.66ha as LUC6. The plan change request application documents include a Soils Resources Report in Appendix 10 which is a site-specific assessment. In summary, that report concludes that the portion of the site identified in the NZLRI as LUC 2 is more closely aligned with LUC3 soils.
- 12.64 As outlined in paragraphs 11.7 to 11.10, signalled changes to the NPS-HPL in 2025 to remove LUC 3 land from the definition of highly productive land did not occur following public consultation and instead transitional provisions were included in clause 3.5(7) with certain provisions for urban rezoning of LUC3 land and certain resource consent applications. However, those transitional provisions do not apply to this site for the following reasons:
- The site was zoned General Rural at the time of the NPS-HPL commencement date,
 - The site was not subject to a council initiated, adopted, or notified plan change to rezone the land to urban or rural lifestyle, and
 - The site was not the subject of a resource consent application for subdivision, use or development for any activity other than rural lifestyle, where that application was lodged at or after the commencement date.
- 12.65 Accordingly, the site remains subject to clause 3.10 of the NPS-HPL, which requires an assessment of whether the site has permanent or long-term constraints that justify the rezoning and future urban development of the part of the site that has been identified as highly productive land.
- 12.66 The Requestor's site-specific report concludes that the portion of the site identified as LUC 3 is further classified as 'Illw3', meaning the soils are excessively wet and poorly drained which limits the versatility of the site including moderate limitations for arable use and challenges for the harvesting of crops. The report notes that the highest and best use of the land is sheep and beef, however the size of this LUC3 land (0.8 ha) means that the economic viability of such a use would be limited. Mechanisms to overcome these challenges, such as drainage of the site, are not considered cost effective and potentially create additional effects and regulatory requirements due to the natural wetland on the site. Overall, the report concludes the viability of the site is low.
- 12.67 The Requestor's Soil Resources Report has been reviewed by Ms Juliet Chambers, Agribusiness and Environmental Consultant, on behalf of the Council. Ms Chambers has applied the NPS-HPL clause 3.10 tests in reviewing the report.
- 12.68 Stepping through each limb of clause 3.10 of the NPS-HPL, Ms Chambers concludes:
- Clause 3.10(1)(a) – Permanent or long-term constraints and economic viability*

- Long-term constraints affecting part of the site mapped as highly productive land have been demonstrated but the evidence does not outline the nature and extent of those constraints across the full 1.83 ha of highly productive land.
- There is insufficient evidence that the use of the full 1.83 ha for land-based primary production is not economically viable for at least 30 years because of the permanent or long-term constraints identified.

Clause 3.10(1)(b) – Avoidance of significant loss, fragmentation, reverse sensitivity

- The available evidence indicates that the versatility of the land for land-based primary production is relatively limited compared with unconstrained LUC 2 or 3 land.
- The loss of highly productive land is moderated by the overall land resource characteristics of the site in total (the full 5.8 ha), the extent of HPL affected, and the surrounding land use context.
- The proposal is unlikely to materially fragment a larger, geographically cohesive area of HPL given the surrounding context.
- The potential for significant reverse sensitivity effects appears to be limited given surrounding land uses and the physical context of the site.
- The cumulative effects of an incremental reduction in the district's productive land resource are moderated by the extent of highly productive land affected, the overall land resource characteristics of the site, and its physical separation from other areas of highly productive land by surrounding land uses (urban development and the M2PP Expressway).

Clause 3.10(1)(c) Environmental, social, cultural, and economic costs/benefits

- While the evidence suggests that the productive capacity and versatility of the site are more constrained than is typically expected for unconstrained LUC 2 and LUC 3 land, there is insufficient evidence to determine the benefits and costs associated with the loss of the full 1.83 ha of highly productive land.

Clause 3.10(2) Alternatives to retain productive capacity

- While the wetness and drainage limitations affecting the LUC IIIw3 land are inherent characteristics of the site and are unlikely to be fully overcome through reasonable practicable measures, a comprehensive assessment of the matters in clause 3.10(2) has not been provided in the application. Therefore, Ms Chambers is unable to conclude whether those matters could address the identified constraints on the full 1.83 ha of highly productive land.

Clause 3.10(3) Evaluation of reasonably practicable options

- The application does not include a comprehensive assessment of the matters relevant to the availability of reasonably practicable options. Therefore, Ms Chambers is unable to conclude whether the evaluation required by clause 3.10(3) has been undertaken in respect of the full 1.83 ha of highly productive land.

12.69 Ms Chambers notes that the assessment of the broader environmental, social, and economic benefits and costs (clause 3.10(1)(c)) of the proposal require a planning

assessment, which I agree with. In my opinion, it is likely that the benefits of rezoning the land for residential purposes will outweigh the costs of the loss of this highly productive land given the location of the site adjacent to the existing urban area and the relatively small scale of the site compared to other rural land holdings in the district. However, like Ms Chambers, I cannot at this stage confidently conclude this to be the case, without further evidence that the permanent or long-term constraints apply across the full extent of the area identified as highly productive land.

- 12.70 Overall, in relation to land use capability effects, I am unable to conclude that the effects of the rezoning will be satisfactorily addressed due to the absence of evidence identified by Ms Chambers. I suggest this is a matter the Requestor may wish to provide more details on prior to the hearing.

Ecological Effects

- 12.71 An ecological impact assessment is included as Appendix 4 of the application. Additional information was provided following an initial review of the assessment on behalf of the Council⁹. The assessment and additional information concludes the following:
- There is an existing drain on the site which meets the GWRC definition of a highly modified stream. This stream is considered to be human-created and was dug where there was no historic watercourse. The stream/drain is expected to be realigned closer to the north-western boundary, with planting either side in native plant species and this should be shown on a concept plan. Effects on this watercourse can be assessed at the future resource consent stage, but the preliminary view is that the watercourse will be improved compared to its current degraded state.
 - There is a 0.4 ha artificial pond on the site next to the QEII wetland and which is included in the QEII open space covenant. Though artificial, the pond is an important part of the wider dune wetland system. As the pond is artificial and due to the absence of wetland vegetation, it has been excluded from inclusion as a wetland in the assessment, though it was noted in the further information that the margins to the pond support wetland plant species and could be regarded as a wetland strip around the pond. The pond is hydrologically connected to the wetland.
 - Regarding the QEII wetland:
 - The wetland is a coastal ephemeral dune hollow wetland which are considered nationally rare habitats for various native flora and fauna.
 - Wetland vegetation includes harakeke, toetoe, mingimingi, and raupo which is considered an uncommon mix in this ecological district.
 - The wetland passes the Rapid Wetland Test for a wetland under the NPS-FM. No additional wetlands were identified on the site.
 - The wetland has improved in condition through planting and weed maintenance undertaken by the landowner.

⁹ <https://www.kapiticoast.govt.nz/media/rfzk0krr/02-rfi-response-ecology-supplementary-plus-attachment.pdf>

- The ecological value of the wetland is high due to the uncommon ecosystem type, the rarity of wetlands as a habitat across the country.
- The paddock flats around the wetland and pond are not considered to be a natural inland wetland.
- In terms of native fish habitat on the site, the modified drain is assessed as containing poor to moderate habitat. However, the Waimeha Stream may contain a number of native fish species and the drain is a direct tributary of the stream which may mean these species utilise the available habitat within the drain. The two culverts on the site do not pose a barrier to fish passage, and there are no other potential fish barriers on the site.
- There are several terrestrial vegetation communities on the site and a diverse range of species across different vegetation types including mixed exotic and native vegetation, scrambling weed land, and exotic trees. The assessment determined that the site does not meet the minimum test as a site of ecological significance under the RPS in terms of indigenous vegetation or significant habitats of indigenous fauna.
- While no lizards or signs of lizards were observed, several types of lizard habitats were present on the site such as native and exotic scrub/forest with an understorey of scrambling weed land and regenerative native scrub. However, the assessment notes that for most of the lizards recorded locally (in DOC databases) the site does not support adequate or appropriate habitat while for other types the site has been highly modified over time such that the lizards are unlikely to be present. This conclusion was reiterated in the further information provided in July 2025.
- A comprehensive bird survey at the site showed the species present on the site are all common, typical of the area, and are 'Not Threatened'. The assessment stated it is unlikely that any of the five targeted Threatened or At Risk bird species are occupying the site as the site is small, there is a lack of dense habitat to support cryptic birds and there is a lack of nesting habitat for wetland birds. The RFI response confirms no pipit were recorded at the site, however a condition of any future subdivision consent should be imposed requiring inspection of the site for pipit nests prior to undertaking vegetation clearance/earthworks, or for earthworks to be undertaken outside of the pipit breeding season.
- The site may be part of a network of sites that mobile wetland or waterfowl species use in the area. This will be determined through future investigations once the subdivision layout is known and its proximity to the wetland/pond system.
- There is no record of bats at the site, or in the local area. While there are large mature exotic and native trees at the north western boundary of the site which could provide roosting habitat for the long-tailed bat, the location next to residential property makes this unlikely.
- At Risk or Threatened invertebrate species have the potential to be present on the site within the QEII wetland and pond which will not be disturbed during earthworks. No targeted invertebrate surveys were undertaken at the site during the site assessments.

- 12.72 The Assessment identifies the following potential adverse effects from future development of the site:
- Discharge of sediment to pond and wetland
 - Dewatering if the water table is affected through flood control activities
 - Dewatering if the catchment of the pond and wetland is reduced
 - Direct effects on the pond and wetland if infilling is proposed
 - Adverse effects on wetland or waterfowl that may use the pond or wetland – these may be temporary during construction and/or permanent due to increased people use of the developed area
 - Injury or death of native lizards, and loss of potential native lizard habitat.
- 12.73 The assessment sets out a number of measures to avoid or mitigate these effects. I note many of these are applicable at the resource consent stage, and for the most part are related to matters within the NRP and NES-F which are administered by GWRC and are therefore outside the scope of this plan change.
- 12.74 However, the assessment also refers to the future subdivision concept plan including a visual screen to mitigate potential effects on birds that use the pond and wetland, for example through a 10m wide planted vegetation screen 'if necessary' between the pond/wetland and any new housing. This 10m setback is not shown on the concept plan provided with the application.

Submissions

- 12.75 Through a number of separate points, Submission 1 raises concerns about the impacts of the plan change proposal on the ecological values of the site, as follows:
- The site is ecologically sensitive and is part of a wetland corridor (S1.1)
 - The wetland buffer has been physically breached through vegetation clearance along the lagoon edge which contravenes the NES-F. This has 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 since the earlier rezoning requests. (S1.5).
 - The land performs an important ecological function and is part of a living corridor that connects native vegetation, birdlife habitats, hydrological systems, and wetland areas that sustain the wider Waikanae environment. (S1.6)
 - Rezoning 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. (S1.6)
 - 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. (S1.6)

- 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 have noticeably diminished. (S1.7)
- 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. (S1.7)
- In the case of Plan Change 79 (Ngārara 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. (S1.7)
- PC5, as currently proposed, would accelerate this decline beyond repair, repeating a pattern KCDC has already acknowledged in its own planning history. (S1.7).
- 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. (S1.16).
- 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. (S1.16).
- 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. (S1.16).

12.76 Submission 3, a neutral submission, raises the following matters in relation to the QEII covenanted wetland and pond:

- Future urbanisation will bring new threats to the area, along with other threats including dewatering of the wetland and pond, and adverse effects on fauna that live in the wetland (S3.1)
- Activities affecting the hydrology of the wetland may constitute a breach of covenant conditions and assurance is sought that covenant obligations will be recognised and upheld throughout any rezoning, subdivision, or future development process (S3.2).

Evaluation

12.77 The Requestor's ecological assessment, including the further information provided, has been reviewed by Mr David Pickett, ecologist. Mr Pickett generally agrees with the methodologies used in the application and the subsequent conclusions about ecological values for the site. However, he notes the following specific areas of disagreement and additional matters requiring consideration:

- The wetland boundary extends further than suggested in the Requestor's assessment, to include the 'pond' and is part of a wider contiguous wetland system extending to adjacent properties
- The value of the wetland is 'high', as concluded by the Requestor's ecologist, but this value also extends to the 'pond'
- Wetland vegetation, wetland hydrological indicators, and hydric soils are potentially present within 10m of the wetland boundary which is further than that identified in the Requestor's assessment, but the proposed 10m planted buffer provides an appropriate mechanism to manage this uncertainty. This buffer will also assist with minimising disturbance effects to wetland habitat and may assist with enhancing this habitat
- While New Zealand pipit were not recorded during the Requestor's site investigations, they may utilise the site periodically and could be present within the site if grassland habitat is not managed.
- There is insufficient information provided in the Application about the effectiveness of proposed mitigation measures to avoid or mitigate potential effects on the wetland extent and values both during construction and following completion of the development. Those effects could arise either from:
 - earthworks altering the groundwater levels and flow paths, resulting in temporary dewatering effects and may influence groundwater recharge or movement post-development
 - changes to surface water or groundwater hydrology post-development.

12.78 Mr Pickett concludes that these potential effects are acceptable at the plan change level, but this is subject to the inclusion of a 10m planted buffer around the QEII wetland and pond. In Mr Pickett's opinion, potential effects of future development on groundwater hydrology and subsequent loss of wetland value or extent can be managed through the resource consent process, noting the NRP, NPS-FM, and NES-F have sufficient provisions to assess future development proposals and consider potential adverse effects.

12.79 Mr Pickett has also reviewed the relevant submissions raising concerns about ecological effects of the proposal.

12.80 In relation to Submission S1, Mr Pickett concludes the following:

- While the site may provide movement and foraging opportunities for avifauna and future urban development of the site would contribute to the fragmentation of the remaining habitats in the Paraparaumu-Waikanae area, the site is already within a highly modified environment, and the plan change contribution to this fragmentation is likely to be relatively small.

- The main ecological habitats on the site are associated with the wetland and pond area which are protected in perpetuity through the QEII covenant. The addition of a requirement for a 10m planted buffer around the wetland and pond is expected to support ecological connectivity and habitat for wetland-associated birds.
- Concerns relating to soil disturbance and hydrological change are addressed in more detail in his evidence in respect of wetland hydrology, stream function and stormwater management.

12.81 In relation to Submission S3 and the concerns raised about dewatering effects on the wetland, Mr Pickett concludes that the proposed 'diffuse mitigation strategy' for earthworks and stormwater management is implemented effectively and existing hydrological inputs are maintained, significant adverse effects are not anticipated. The resource consent process will address hydrological risks in more detail. Similarly, Mr Pickett concludes that 'new ecological threats' (such as increased weed invasion) can typically be identified and managed through the detailed design stage.

12.82 I agree with Mr Pickett's conclusions, and I support the recommendation to include a 10m planted buffer around the wetland and pond area. I recommend this buffer is shown on the structure plan map, referred to in my recommendation at paragraph 12.53 relating to landscape and visual effects, with supporting plan provisions (Appendix 7). This approach ensures that the buffer is established as a requirement of any future development and can be factored into the detailed design of the subdivision layout. With this site-specific requirement in place, I consider the proposal will support the achievement of Objective 1 and Policy 7 of the NPS-IB and Objective 1 and Policy 6 of the NPS-FM. I also consider the proposal will achieve the following district plan objectives and policies:

- DO-O2 (Ecology and Biodiversity)
- ECO-P2 (Management Approach to Biodiversity Protection)
- ECO-P4 (Enhancement)

Geotechnical effects

12.83 A geotechnical assessment of the site has been prepared as part of the plan change application, with further information provided in response to the Council's RFI. The key findings of the assessment are:

- The site is not located within an identified active fault hazard zone, although a mapped active fault is located approximately 4.4km from the site
- The risk of slope instability is low, however further analysis will be required at the subdivision stage
- Debris inundation is unlikely
- As the site is located within a mapped ponding and overflow risk area, consideration will need to be given to flooding inundation as part of future development of the site
- Liquefaction induced settlement is a risk for the site and will need to be quantified and the extent mapped at the subdivision stage

- Soft and/or weak soils are potentially present in the wetland area and around the margins of the wetland which could result in settlement effects at the development stage. Removal of the weak soils or creation of a buffer zone may be required.

12.84 Based on this, the Requestor's assessment concludes that the site is suitable for subdivision subject to further investigation at the subdivision stage.

Submissions

12.85 Submission S1 raises concerns relating to geotechnical matters, including the flood-prone nature of the site, groundwater dynamics, the hydrological functions of the site, and the impacts of earthworks and increased impervious surfaces on these features.

Evaluation

12.86 The Requestor's geotechnical assessment and the matters in Submission S1 have been reviewed by Mr Charles McDermott, geotechnical engineer, on behalf of the Council.

12.87 Mr McDermott generally agrees with the Requestor's geotechnical assessment and findings contained within that assessment, noting that the information provided is sufficient for the plan change stage with further detailed assessment to be undertaken at the resource consent stage. The matters that will need to be addressed at the detailed design stage are:

- Groundwater monitoring to address the uncertainty about groundwater levels across the site
- Liquefaction induced settlement and lateral spreading including consideration of groundwater monitoring data, reassessment of the 'technical category' zoning and assessment of the effects of liquefaction on the stability of the sand dune
- Soft and/or organic soils including their extent, effects, and how those effects will be mitigated
- Bearing capacity
- Slope instability

12.88 Mr McDermott notes that while the effects of filling the site are able to be addressed at the consent stage from a geotechnical perspective, this is a matter that requires consideration in relation to ecology, flooding and stormwater. Those effects have been considered by Mr Pickett (ecology) and Mr Oakley (flooding and stormwater). Similarly, the effects of soakage to ground and stormwater storage and flood mitigation require further consideration from a flooding/stormwater perspective. Mr Oakley addresses these matters in his statement of evidence.

12.89 I concur with Mr McDermott's assessment, and I am satisfied that geotechnical matters have been sufficiently addressed for the purposes of determining rezoning. At this rezoning stage, and from a geotechnical perspective, I consider the proposal will achieve District Plan Objective DO-O5 Natural Hazards, Policy NH-EQ-P17 (Liquefaction Prone Land), and Policy EW-P1 (Earthworks).

Archaeological Effects

- 12.90 An Archaeological Assessment has also been provided as Appendix 3 to the application. There is one recorded archaeological site located within the plan change site (R26/367 – shell midden, possible terrace) which was recorded in 2006 as part of the Western Link Road project. The assessment states there is a high probability of encountering further intact archaeological sites and features, noting particularly in the vicinity of the recorded site below the surface of the dune. However, this is not a deterrent to the plan change or future development of the site, given the recorded site is very typical of sites found beyond the plan change site. The assessment identifies several recorded sites in the vicinity of the plan change site. Adverse effects on the recorded and any unrecorded sites can be mitigated through a managed process prior to and during development earthworks. The assessment recommends seeking an archaeological authority prior to earthworks being undertaken. On this basis, the assessment concludes there are no archaeological grounds for not proceeding with the plan change, however an archaeological authority should be sought prior to the commencement of earthworks on the site.
- 12.91 The Archaeological Assessment provided by the Requestor was reviewed by Emily Howitt, Archaeologist, on behalf of the Council prior to formal lodgement of the plan change. Ms Howitt's peer review findings are included in Appendix 4 of this report. Ms Howitt agreed with the methodology and conclusions of the Requestor's Archaeological Assessment. On that basis, no further assessment has been undertaken in relation to archaeological matters.

Stormwater and flooding

- 12.92 Given the site location within a known flood hazard area and the potential for urban development of the site under a residential zoning with increased impervious surfaces, it is appropriate to consider the flooding and stormwater effects as part of the rezoning request. This includes the suitability of the site for development, the effects of earthworks, stormwater management, and effects on the wetland.
- 12.93 A flood assessment and stormwater management concept memo was supplied with the application as Appendix 9. Further information was requested by the Council following review of this documentation, which was supplied in July and August 2025. That assessment and supporting additional information concludes the following:
- The low-lying parts of the site, particularly Lot 1, are flood-prone under the existing situation
 - The site is not impacted by flooding of the Waikanae River in a 100-year climate change event
 - Of the three 'breach scenarios' modelled for the Waikanae River flood protection scheme, only the Chillingworth breach scenario impacts the plan change site
 - Partial filling of the site is recommended to mitigate flood hazard effects and fluctuating groundwater levels. The extent of this fill and loss of flood storage that results can be managed to remove the risk of displacement of flood waters beyond the site

- Low impact stormwater design is recommended including soakage or storage/soakage in crates or provision of a lowered attenuation area to achieve hydraulic neutrality and compensatory storage for any loss of storage on the floodplain. A constructed wetland is also suggested as an option to provide additional stormwater treatment and amenity.
- Overall, with these mitigation measures in place, the site is suitable for residential development.

Submissions

12.94 Submission S1 raises concerns about the flood-prone nature of the site and stormwater management issues, including:

- The site is within the 1% Annual Exceedance Probability (AEP) flood hazard overlays and functions as an integral part of the Te Moana floodway
- The hazard profile for the site has intensified with an increased frequency and intensity of extreme rainfall events, which raise the probability of overland flow and flood storage failure in areas such as Te Moana Road
- 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
- Developing on this land would mean mass earthworks, floodplain re-contouring, and engineered drainage systems that would disrupt existing flow paths, increase flood risk downstream, and potentially displace floodwaters onto neighbouring properties
- 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
- The proposed plan change does not differentiate between the hydrological and flood risk characteristics of the Stage 1 and Stage 2 areas of the site. Stage 2 in particular sits on well-defined flood risk land that has been recognised in long term planning by KDC including during the development of the M2PP Expressway
- There is a lack of a technical basis for groundwater assessment at the site. The use of hand augers and piezometers (as referenced in the application) to determine groundwater levels are not sufficiently robust methods for a flood-prone site and 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

- Neighbour observations and surface water ponding on the site following minor rainfall events corroborate the technical evidence that the north-western corner of the site regularly floods, indicating near-surface saturation. This persistent presence of surface-water underscores the role of the site as a functional floodplain reservoir
- The suggestion in the application that the M2PP Expressway has altered flood pathways in a way that removes residual ponding is inconsistent with the hydrological assessments for the M2PP and the plan change. 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.

12.95 The further submission from NZTA (FS1) supports some of the concerns raised in Submission S1 relating to stormwater management and avoiding adverse effects on downstream infrastructure including NZTA stormwater assets associated with the Te Moana Road/M2PP Expressway Interchange.

Evaluation

12.96 A review of the plan change as it relates to flooding and stormwater matters has been undertaken by Mr James Oakley, three waters engineer. Mr Oakley has prepared a statement of evidence setting out his findings and recommendations which is attached to this report as Appendix 3.

12.97 Mr Oakley confirms the site is affected by both local and regional flood hazards and elevated groundwater levels. However, these issues are more prominent for Lot 1 than for Lot 2 given it is lower-lying and is subject to significant flooding constraints. He states site filling and engineered stormwater solutions will be required to enable this land to be developed for residential purposes due to these constraints. Mr Oakley notes that while a number of potential approaches for managing stormwater on Lot 1 have been identified by the Requestor, there is insufficient information for him to be able to conclude that these are suitable. Further investigation of groundwater conditions, soakage performance, flood conveyance requirements and compensatory flood storage requirements is required to conclude that development on Lot 1 can proceed while also:

- Maintaining flood conveyance and floodplain function;
- Achieving hydraulic neutrality;
- Avoiding increases in flood hazard on surrounding land;
- Maintaining groundwater and wetland hydrological functions; and
- Providing safe access and egress during flood events.

12.98 In Mr Oakley's opinion these are critical matters that need to be addressed at the plan change stage as they will determine development feasibility. For the same reasons, many of the concerns raised in Submission S1 and Further Submission FS1 are consistent with Mr Oakley's findings insofar as those submissions relate to Lot 1.

12.99 Lot 2 is less complex and Mr Oakley concludes that subject to further investigation at the consent stage confirming groundwater conditions, soakage performance, and geotechnical suitability, the proposed soakage-based stormwater management approach for the more elevated dune areas of Lot 2 is appropriate.

- 12.100 I concur with Mr Oakley's assessment and consider that based on the currently available information, Lot 1 (being Lot 1 DP 71916 or 100 Te Moana Road) should not be rezoned for residential development until such time as the matters outlined in Mr Oakley's assessment (and summarised above in paragraph 12.97) have been addressed. The District Plan includes several objectives and policies relevant to this issue which I do not consider have yet been fully satisfied in the plan change request, including:
- District Objective DO-O5 (Natural Hazards)
 - Policy NH-P3 (Managing Activities in Natural Hazard Prone Areas)
 - Policy NH-P4 (Precautionary Approach)
 - Policy NH-FLOOD-P10 (Flood and Erosion Free Building Areas)
 - Policy NH-FLOOD-P11 (Flood Risk Levels)
 - Policy NH-FLOOD-P12 (High Hazard Flood Areas)
 - Policy NH-FLOOD-P13 (Ponding, Residual Ponding, Shallow Surface Flow, Flood Storage and Fill Control Areas)
- 12.101 In particular, I note Policy NH-FLOOD-P12 directs the avoidance of development in stream corridor and residual overflow path areas (both of which apply to Lot 1) unless the 1% AEP criteria can be mitigated on-site to avoid damage to property or harm to people and there is no increase in flood flow or level on adjoining sites or other parts of the floodplain, no reduction in storage capacity on-site, and all flow corridors or overflow paths are kept clear to allow flood waters to flow freely at all times.
- 12.102 The NPS-NH is also relevant to this issue. I consider the request as it relates to Lot 1 does not demonstrate how Objective 1 of the NPS-NH will be achieved, that is how natural hazard risk to people and property will be managed, applying the risk-based approach. It is also unclear how the Request would satisfy Policy 3 (which requires high natural hazard risk to be avoided) and Policy 4 (which requires that significant natural hazard risk is avoided or mitigated) of the NPS-NH. I acknowledge that the NPS-NH was introduced after the lodgement of PPC5, and as such an assessment of the proposal under that NPS has not yet been completed.
- 12.103 The Requestor may wish to provide further information in advance of the hearing to demonstrate how the matters identified in Mr Oakley's evidence can be resolved and how the relevant district plan and NPS-NH objectives and policies will be achieved.

Wastewater and water supply

- 12.104 The ability to service the plan change site with appropriate infrastructure, including the capacity of the existing Council water and wastewater networks, is an important consideration when assessing a plan change request. While the detail of how future development will connect to the network can be addressed at the resource consent stage, rezoning establishes the anticipated scale and intensity of future development and therefore requires consideration of whether sufficient servicing can reasonably be provided over time. In this regard, the key issue is whether there are infrastructure constraints that could make the proposed rezoning inappropriate or whether such constraints can be appropriately addressed through planned upgrades and subsequent development controls.

- 12.105 An Engineering Infrastructure report covering a range of infrastructure matters has been provided as part of the plan change request documentation. In terms of wastewater, section 6.1 of the report sets out the existing network infrastructure within the vicinity of the plan change site and notes that while no quantitative analysis was undertaken to determine the condition or capacity of the existing network, discussions with the Council's infrastructure team suggest the Rauparaha Street pump station is currently at capacity. The report also notes the Council's plans to install a duplicate rising main through to the Paraparaumu Wastewater Treatment Plant (WWTP) which is intended to address existing network constraints and provide additional capacity for future development, which could include the plan change site. The report also identifies a range of servicing options for the site, including a new gravity main connecting to existing gravity infrastructure (Council's preferred option), a centralised pump station and storage on site, or a low-pressure sewer network. The report concludes that an appropriate servicing solution can be confirmed through the future resource consent process.
- 12.106 In relation to water supply, section 7.1 of the Engineering Infrastructure report sets out existing water supply infrastructure in the vicinity of the plan change site and notes that the Waikanae water supply network is at or near capacity and that future upgrades will be necessary to meet anticipated growth in the District.
- 12.107 Overall, the Requestor's assessment of effects concludes that residential development on the site can be serviced in accordance with the Council's Land Development Minimum Requirements (LDMR) and that the resulting wastewater and water supply effects of residential development can be appropriately managed.

Submissions

- 12.108 A lack of infrastructure capacity and the costs of upgrading existing infrastructure was raised as a concern in Submission S1, including:
- The plan change site was not added to the Waikanae Service Area provisions in the Council's 2024-34 Long Term Plan (LTP), which is consistent with Te Tupu Pai where capacity is prioritised within existing centres and identified growth areas (S1.4)
 - Waikanae's core infrastructure networks are under more pressure now than at the time PC2 was considered with KCDC's recent infrastructure reporting noting limited capacity in water, wastewater, and stormwater systems and the cost of retrofitting the network in flood-prone areas. (S1.5)
 - No clear evidence has been presented showing that water supply, wastewater, stormwater, and roading networks can support additional residential development on the site without environmental degradation or cost transfer to ratepayers. (S1.10)
 - Rezoning the site would expose ratepayers/residents to significant long-term financial and service delivery risks. (S1.19)
 - Previous plan changes have 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. (S1.19)

Evaluation

- 12.109 Assessments of the wastewater and water supply effects of the PPC5 request have been undertaken by Mr Brian Robinson and Ms Kate Waterland respectively. In addition, Council's Manager Water and Wastewater Services, Mr Ramesh Pillai has provided a Statement of Evidence setting out the Council's planned water supply upgrades in the Waikanae area to complement Ms Waterland's evidence.
- 12.110 In considering the evidence before me, I have focused on whether the identified infrastructure constraints are of a nature or scale that would preclude rezoning of the site at this stage, or whether they can be appropriately addressed through planned network upgrades and the future subdivision and development process.

Wastewater

- 12.111 Mr Robinson has assessed the capacity of the Waikanae wastewater network under both the current state (pre-development scenario) and with the PPC5 anticipated residential development (post-development scenario). The pre-development scenario includes consented developments in the Waikanae area. Mr Robinson concludes that:
- While there is capacity within the gravity wastewater network, the main Waikanae pump station is a significant constraint in the wider Waikanae wastewater network. This constraint is an existing network issue and is not a consequence of PPC5.
 - Council currently manages the risk of network overflows from the main Waikanae pump station through inter-pump station controls. Any existing spare capacity in the network is reserved for currently zoned land within the Waikanae catchment.
 - Council is currently constructing a duplicate rising main. Once commissioned, this new rising main is expected to resolve the capacity constraints in the network, with sufficient capacity provided for future development on the PPC5 site.
 - In the interim, there is a risk of increased overflows from the Waikanae Ponds storage facility and a reduction in headroom to manage wastewater flows should the PPC5 development occur prior to the new rising main being commissioned.
 - For the PPC5 site, the wastewater servicing constraint can be appropriately managed through staging of development or a condition of resource consent that restricts the connection of new development to the wastewater network until the new rising main has been completed and commissioned.
- 12.112 Relying on Mr Robinson's evidence, I understand that the primary wastewater network constraint is an existing capacity limitation within the wider Waikanae network rather than a constraint created by PPC5. The evidence also indicates that Council is already progressing infrastructure upgrades to address this issue and that those upgrades are expected to provide sufficient capacity for future growth, including development enabled by PPC5. Therefore, I consider this constraint does not preclude rezoning at this stage, however it is appropriate to include policy direction that would require the necessary wastewater network upgrades to occur prior to development occurring and in a manner that does not compromise existing and recently consented developments from occurring.

- 12.113 I also note the District Plan already requires the provision of wastewater servicing in accordance with the Council's LDMR via Rule SUB-RES-R33. In my opinion, this rule provides scope within the matters of control (e.g Matter of Control 4) to impose a condition(s) pertaining to the timing of development of the site relative to the commissioning of the new rising main. On this basis, I am satisfied that the effects of the rezoning on the wastewater network do not preclude the rezoning of the site from General Rural to General Residential at this stage.

Water supply

- 12.114 Ms Waterland has provided an assessment of PPC5 in relation to the water supply network in Waikanae, including an assessment of water supply feasibility for the PPC5 site and capacity of the existing network. In summary, Ms Waterland's findings are as follows:
- The existing Waikanae water supply network is currently constrained and there is no remaining capacity for growth without upgrades or mitigation measures.
 - The Requestor's assessment focuses primarily on local network infrastructure and does not take account of the upstream or downstream network loads where the largest constraints are apparent.
 - The 2024 water network and supply model and master plan (ZMP) identifies future upgrades to increase network capacity. These upgrades are necessary prior to future development on the PPC5 site occurring.
- 12.115 Mr Pillai, has provided details of the Council's approach to watermain upgrades in the district. Mr Pillai's evidence complements Ms Waterland's findings. In summary, the Council has planned and funded capital projects for growth-related water infrastructure including a 5.5ML reservoir in Waikanae, and potable water network upgrades. The timing of completion of all upgrades is uncertain; however the Council is investigating an interim measure relating to the interconnectivity between the Hemi District Metering Area (DMA) and Te Moana Road DMA to address demand, including the demand associated with the PPC5 site.
- 12.116 Based on the evidence of Ms Waterland and Mr Pillai, I am satisfied that the water supply constraints identified can be sufficiently addressed at the resource consent stage, however I consider it is appropriate to include site-specific policy direction 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. I have included this direction as part of the site-specific policy I am recommending (GRZ-P29) as shown in Appendix 7.
- 12.117 I am also of the opinion that the District Plan provides sufficient scope for the Council to manage the timing of development through conditions of resource consent via Rule SUB-RES-R33 in the same manner as for wastewater issues noted in paragraph 12.112.

13.0 Overall Conclusions and Recommendations

Conclusion

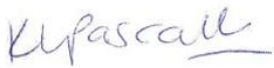
- 13.1 Private Plan Change 5 seeks to rezone 100 and 110 Te Moana Road, Waikanae from General Rural to General Residential. The proposal does not seek any changes to the District Plan objectives, policies, rules or other methods.
- 13.2 Overall, based on the information available to date and prior to hearing evidence from the Requestor and submitters, I recommend that PPC 5 as lodged by Eric, Vince and Raechel Osborne be approved in part, such that only Lot 2 is rezoned from General Rural to General Residential and Lot 1 (being Lot 1 DP 71916 or 100 Te Moana Road) remains as General Rural Zone.
- 13.3 This recommendation is subject to the amendments that I recommend to the Plan Change set out above and is also subject to the Requestor providing the following information:
- An assessment of rural productivity of the site that satisfies clause 3.10 of the National Policy Statement for Highly Productive Land 2022 (NPS-HPL), and specifically:
 - Evaluates the productive capacity of the full 1.83ha of the site that is identified as highly productive land under the transitional provisions of the NPS-HPL for the next 30 years and
 - Demonstrates permanent or long-term constraints that apply across the full extent of the mapped highly productive land
 - Includes a comprehensive assessment of alternatives to retain productive use of the site.
 - Further detail about groundwater conditions, soakage performance, flood conveyance requirements and compensatory flood storage requirements for Lot 1 that demonstrates how:
 - flood conveyance and floodplain function will be maintained;
 - hydraulic neutrality will be achieved
 - increases in flood hazard on surrounding land will be avoided;
 - groundwater and wetland hydrological functions will be maintained;
 - safe access and egress during flood events will be provided.
 - A structure plan map that identifies:
 - A 10m planting buffer around the QEII protected wetland and pond
 - The area on the northwestern boundary where a development setback with native shrub and tree planting will be required as set out in paragraph 12.50.
 - The location of the Pohutukawa trees on the Te Moana Road boundary that are proposed to be retained.

- The indicative road layout, as shown in the concept plan submitted as part of the Application.
- 13.4 An initial set of recommended district plan provisions are included as Appendix 7.

Recommendations

- 13.5 That on the basis of the evidence and information available at this time, the Commissioners make the following recommendations to Council:
- 13.6 That pursuant to Clause 29(4) of Schedule One of the Resource Management Act 1991, Council:
 - (a) approves Private Plan Change 5 in part in accordance with the reasons set out in the report above and subject to:
 - The amendments recommended to Private Plan Change 5 as set out in this report; and
 - The Requestor to confirm matters outlined in this report.
 - (b) Accepts, rejects, accepts in part or rejects in part submission points in line with the above recommendation;

Report prepared by:



Kate Pascall
Planning Consultant
24 August 2026

Appendices

Appendix 1: Relevant provisions of the RPS

Appendix 2: Relevant Objectives and Policies of Proposed District Plan

Appendix 3: Council Technical Assessment Advice

Appendix 4: Archaeological Assessment Peer Review Memo

Appendix 5: Letter from NZTA – Designation D005 and landscaping requirements

Appendix 6: Officer Recommendations on Submissions

Appendix 7: Recommended District Plan provisions and amendments to existing provisions