

IN THE MATTER
of the Resource Management Act 1991

AND

IN THE MATTER
of Hearing of Submissions and Further
Submissions on Private Plan Change 5 to the
Kapiti Coast District Plan

JOINT STATEMENT OF PLANNING

EXPERTS (JWS) 15 September 2026

INTRODUCTION

1. This joint witness statement (JWS) relates to expert conferencing on the following topics, as directed by the Independent Hearing Panel via Direction 4 (dated 9 September 2026) on Plan Change 5 to the Kapiti Coast District Plan:
 - a. **Unanticipated or out of sequence development**
Address the matters raised in Ms Jones's evidence dated 3 September 2026, at page 8, paragraphs 50–52, concerning clause 3.8 of the National Policy Statement on Urban Development 2020 (unanticipated or out-of-sequence developments) and the corresponding relevant Regional Policy Statement provisions, including whether and how PC5 satisfies the applicable criteria for development capacity that is unanticipated by, or out of sequence with, the District Plan and the Regional Policy Statement;
 - b. **National Policy Statement for Highly Productive Land**
 - Whether clause 3.6 (Restricting urban rezoning of highly productive land), rather than clause 3.10 (Exemption for highly productive land subject to permanent or long-term constraints), is the provision applicable to the PC5 rezoning request.
 - If clause 3.6 applies, how do the tests in clause 3.6(1)(a)–(c) — need for development capacity, absence of other reasonably practicable options, and the benefits and costs of rezoning — apply, including in light of Mr McGillivray's evidence on housing and business development capacity.
2. Participants in the expert conferencing were:
 - Ms Kate Pascall (S42A reporting officer for the Council)
 - Ms Susan Jones (on behalf of the Applicant)
3. The conferencing was held online (Microsoft Teams) on 15 September 2026.
4. We confirm that we have read the Environment Court's Code of Conduct set out in the Environment Court's Practice Note 2023. We have complied with the Code of Conduct in preparing this JWS. Except where we state that we are relying on the evidence of another person, this evidence is within our area of expertise. We have

not omitted to consider material facts known to us that might alter or detract from the opinions expressed in this evidence.

5. The primary data on which the opinions are based is:

- The Operative Kapiti Coast District Plan (ODP)
- The Proposed Plan Change 5 application including all relevant appendices
- The Section 42A report for Proposed Private Plan Change 5, including all relevant appendices
- The Statements of Evidence of:
 - Ms Jones (planning), dated 3 September 2026
 - Mr Lachie Grant (highly productive land), dated 2 September 2026
- The Regional Policy Statement for the Wellington Region (Appeals Version – September 2025)
- The National Policy Statement on Highly Productive Land 2022 (amended December 2025)

MATTERS COVERED BY THIS STATEMENT

ISSUE 1:	Unanticipated or out of sequence development
FACTS / ASSUMPTIONS	1. The relevant provisions of the RPS (appeals version) are Objective 22, Policy 55, Policy 56, Policy UD.4, Policy UD.3, Policy UD.5. 2. Ms Jones has included these provisions, along with a detailed assessment of them, in Appendix 3 of her Evidence in Chief, dated 3 September 2026.
AGREED POSITION	The experts agree that: 1. The plan change achieves overall consistency with the identified policies, for the reasons outlined in Appendix 3 of Ms Jones' Evidence in Chief. It is noted that there is disagreement about the necessity of a structure plan for this site, which is relevant to Policy 55(c) (refer to the JWS regarding the site-specific provisions dated 15 September 2026). 2. While Policy UD.3 refers to 'significant' development capacity, it does not state specific figures in terms of desired housing yield to define what 'significant' means in this context. However, it is agreed the plan change meets the criteria set out in this policy including the ability to undertake medium to high density development via the application of the MDRS and provide for housing choice and variety in the Waikanae area.

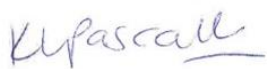
ISSUE 2:	Applicability of NPS-HPL Clause 3.6
FACTS / ASSUMPTIONS	1. The Applicant has legal submissions pending regarding the relevance of clause 3.6 to this plan change request. Ms Jones defers to those legal submissions which will be filed by Mr Williams, counsel for the Applicant, by Thursday 17 September. 2. A detailed site-specific assessment of the productive capacity of the site for land based primary production has been undertaken by Mr Lachie Grant, which was updated on 2 September 2026 following review by Ms Juliet Chambers.

	3. Ms Jones considers PC5 gives effect to the NPS-HPL given the evidence put forward by Mr Lachie Grant and pending legal submissions from Mr Williams. Ms Jones considers PC5 does not conflict with or impede the overarching objective of the NPS-HPL. The 'highly productive land' has significant long term or permanent constraints to any productive use. 4. Ms Pascall considers Clause 3.6 is a relevant consideration alongside clause 3.10 and the broader objective and policies of the NPS-HPL. A detailed assessment under clause 3.10 has been completed, as noted above, which provides context for clause 3.6 considerations.
AGREED POSITION	1. Overall, the plan change gives effect to the NPS-HPL and the principles of sustainable management under the RMA for the reasons outlined in point 2 above.

PARTICIPANTS TO JOINT WITNESS STATEMENT

We confirm that we agree that the outcome(s) of the expert conferencing are as recorded in this statement.

15 September 2026



Kate Pascall
For Kāpiti Coast District Council



Susan Jones
For the Applicant