

SUBMISSION ON VARIATION 1 TO THE PROPOSED WAIMAKARIRI DISTRICT PLAN
(Clause 6 First Schedule Resource Management Act 1991)

To: Proposed District Plan Submissions
Waimakariri District Council
Private Bag 1005
Rangiora 7440

Submission lodged via email –
developmentplanning@wmk.govt.nz

Submission on: Variation 1: Housing Intensification to the Proposed
Waimakariri District Plan

Submission by: Momentum Land Limited

Trade competition statement: Momentum Land Limited could not gain an advantage in
trade competition through this submission

Submitter address: Momentum Land Limited
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Please note the different address for service below.

Introduction

1. These submissions are made by Momentum Land Limited (“MLL”).
2. MLL makes submissions in support and in opposition to elements of Variation 1 to the Proposed Waimakariri District Plan.

Statement of Interest and Background

3. MLL is a development company who has a contract to purchase land at Beach Road and Ferry Road, Kaiapoi.
4. The land parcels that are subject to this submission are:

- i. Lot 2 DP 83191, being 6.04 hectares of land at 310 Beach Road.
 - ii. Lot 2 DP 4532, Lot 1 DP 5010 and Lot 5 DP 313322, totalling 28.5 hectares of land at 177 Ferry Road.
5. The land parcels are identified in **Figure 1**.



Figure 1: Land parcels subject to this submission

6. Lot 2 DP 4532, Lot 1 DP 5010 and Lot 5 DP 313322 are located directly to the north of the Beachgrove subdivision (North Block). Beachgrove has been developed by Beach Road Estates Limited, of which three of the directors are also directors of MLL.
7. Lot 2 DP 83191 is located to the west of Beachgrove, separated by a Council paper road (South Block).

Submission Summary

8. The land parcels described above and identified in **Figure 1** are currently proposed to be rezoned to Rural Lifestyle under the Proposed District Plan. Variation 1 does not propose any changes to this zoning.
9. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act provides an opportunity for Council to rezone land for residential purposes.
10. This submission seeks that the land parcels be rezoned to **Medium Density Residential**, with consequential relief arising from this. The specific relief sought by MLL is contained in **Appendix 1**.

Canterbury Regional Policy Statement

11. The land parcels have been identified in the Canterbury Regional Policy Statement (CRPS) as Future Development Areas (orange in **Figure 2**) and within the Projected Infrastructure Boundary shown on Map A in Chapter 6.
12. A portion of the land, to the north of Ranginui Drive, is identified as a Greenfield Priority Area (green in **Figure 2**).



Figure 2: Future Development and Greenfield Priority Areas

13. Greenfield Priority Areas and Future Development Areas are identified in the CRPS as being required to provide sufficient land for residential development to meet minimum residential targets contained in Objective 6.2.1a for the period 2018 – 2048. For Waimakariri, these targets are 6,300 dwellings in the medium term (2018 – 2028) and 7,060 dwellings in the long term (2028 – 2048).
14. Within Kaiapoi, the Greenfield Priority Areas cover Sovereign Palms, Silverstream and Beachgrove and these residential subdivisions have largely been completed.
15. The Future Development Areas within Kaiapoi are limited to those areas identified in **Figure 2**. There is no other land identified for future residential development in Kaiapoi.
16. Given that very little land within the Greenfield Priority Areas remains, land within the Future Development Areas within Kaiapoi requires rezoning to provide sufficient development capacity to meet expected demand for housing in Kaiapoi. The continual selling

out of sections within Beachgrove as they go to market demonstrates that there continues to be demand for housing in Kaiapoi.

Variation 1 Submission

Rezone

17. MLL seeks to rezone the land parcels identified in **Figure 1** to Medium Density Residential.
18. The land parcels are within the Kaiapoi Development Area, where residential development is anticipated by the Proposed District Plan in accordance with the Kaiapoi Outline Development Plan. They directly adjoin land proposed to be rezoned to Medium Density Residential to the south and east. As mentioned above, they are also identified as Greenfield Priority Areas or Future Development Areas in the CRPS.

Retirement Village

19. Lot 2 DP 83191, being 6.04 hectares of land at 310 Beach Road, is proposed to be developed as a retirement village catering for the full continuum of care. This will include aged care beds and suites, apartments and lifestyle villas, with onsite amenities.
20. The retirement village design concept is well advanced. Given timing, with decisions on Variation 1 unlikely to be issued until August 2023, it is intended to progress the retirement village proposal through a land use consent process under the Rural zoning in the Operative District Plan.
21. Rezoning of the site to Medium Density Residential is sought concurrently.

Residential Subdivision

22. Lot 2 DP 4532, Lot 1 DP 5010 and Lot 5 DP 313322, totalling 28.5 hectares of land at 177 Ferry Road, is proposed to be developed as a medium density residential subdivision.

23. The MLL project team has been working on the subdivision design and has made a number of presentations to Council staff on the proposal. An indicative Master Plan is contained in **Appendix 2**. This is provided for information purposes only, in order to demonstrate progress to date.

Outline Development Plan

24. A revised Outline Development Plan (ODP) for the land parcels has been prepared and is contained in **Appendix 3**. The ODP includes the Beachgrove subdivision to the south given the connectivity proposed between the two subdivisions. The proposed rezoning will essentially be an extension of Beachgrove, enabling contiguous and consolidated residential development, and logical connection to land north of the North Block within the Kaiapoi Outline Development Plan. The revised ODP for Beachgrove was also included by Beach Road Estates Limited in their original submission on the Proposed District Plan.
25. The ODP identifies medium density residential development, a neighbourhood centre and retirement village living, with associated vehicle, cycle and pedestrian connections, green space and stormwater management areas.
26. MLL seek that, as part of the rezoning, this Outline Development Plan is inserted into the Proposed District Plan.
27. MLL also seek that development within the Neighbourhood Centre shown on the ODP be subject to the rules for the Neighbourhood Centre Zone rather than the Medium Density Residential Zone.

Qualifying Matters

28. MLL seek that no qualifying matters apply to the North Block, and that only the airport noise qualifying matter applies to the South Block. Specific comments relating to the airport noise and natural hazards qualifying matters are made below.

Airport Noise

29. Two section 77K assessments have been prepared in relation to the Christchurch International Airport noise contour as a qualifying matter. One assessment has been completed by Waimakariri District Council and the other assessment by Christchurch International Airport Limited (CIAL).
30. The Council assessment states that the airport noise qualifying matter should apply to the Operative Airport Noise Contour, this being as shown in **Figure 3**. Variation 1 has been notified on this basis.



Figure 3: Notified airport noise qualifying matter (Operative Noise Contour)

31. Where land within the Medium Density Residential Zone is within the Operative Airport Noise Contour, Variation 1 proposes that density be limited to one dwelling per 200m². Where this is not achieved, the activity status is restricted discretionary under Rule MRZ-BFS1. All other medium density residential standards remain applicable.

32. MLL supports the density standard of 200m² per dwelling within the qualifying matter area but opposes the use of the Operative Airport Noise Contour as defining the spatial extent of the qualifying matter.
33. The CIAL assessment considers that the qualifying matter should apply to the Annual Average Outer Control Boundary (AAOCB). The AAOCB is shown in red in **Figure 4**.



Figure 4: Annual Average Outer Control Boundary (shown in red)

34. Where land within the Medium Density Residential Zone is within the AAOCB, the CIAL assessment states that density should be limited to the Operative District Plan standards. These are 300m² for the Residential 1 Zone and 600m² for the Residential 2 Zone. Variation 1 does not, however, adopt this.
35. All land parcels subject to this submission are within the Operative Airport Noise Contour. Under the AAOCB, only Lot 2 DP 83191 (South Block) is within the contour.

36. MLL opposes the use of the Operative Airport Noise Contour and supports the use of the AAOCB as the spatial extent for the qualifying matter. The AAOCB reflects the new take off operations that are being presently used by aircraft and is therefore considered to be more up-to-date than the operative contour which dates back to 2008.
37. Consequently, the use of the AAOCB means that the land parcels within the North Block (intended for residential subdivision) sit outside the AAOCB and would therefore not be subject to the qualifying matter. MLL supports this.
38. MLL opposes CIAL's proposal that density limits beneath the noise contour should be limited to the Operative District Plan standards and supports the Council's proposed density limit of one dwelling per 200m² within the noise contour.

Natural Hazards

39. Variation 1 proposes a natural hazards qualifying matter over much of Kaiapoi. Appendix 1 to Council's Section 32 Report advises that *"due to the low lying nature of the Kaiapoi township there are parts of the town that have significant flood risk and allowing greater intensification in these areas has the potential to increase the overall risk to people and property from flooding."* To address this, the natural hazards qualifying matter spatially covers residential zoned properties subject to a 500 year high hazard category (as defined in the CRPS).
40. The notified natural hazards qualifying matter excludes Silverstream, Beachgrove and Sovereign Palms. These subdivisions were developed from greenfield sites which meant they could be designed to employ flood mitigation measures to reduce flood risk. For Beachgrove, this involved raising the existing ground level and constructing new dwellings to a minimum floor level.
41. MML seek that the North Block and South Block, on rezoning, are not subject to the natural hazards qualifying matter. The sites are proposed to be filled as part of the development of the retirement village and subdivision, with new buildings constructed to minimum floor levels. This allows for intensification while mitigating hazard risk.

Relief

42. MLL's specific relief is outlined in **Appendix 1**.
43. To summarise, MLL seeks the following decision from the Council:
- a. Rezoning of the land parcels described in Paragraph 4 and identified in **Figure 1** to Medium Density Residential.
 - b. Insertion of the Outline Development Plan attached as **Appendix 3**.
 - c. That the AAOCB is used to spatially define the airport noise qualifying matter.
 - d. That within the airport noise qualifying matter, the density standard of one dwelling per 200m² is retained.
 - e. That the natural hazards qualifying matter does not apply to any of the land parcels subject to this submission.
 - f. The granting of any other consequential or similar relief that is necessary to deal with MLL's concerns and the issues raised in this submission.

Hearing

44. MLL wishes to be heard in support of its submissions.
45. If others make similar submissions, MLL will consider presenting a joint case with them at the hearing.

Submission signed for and on behalf of Momentum Land Limited



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9 September 2022

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Appendices:

1. Relief sought
2. Indicative Master Plan – for information purposes only
3. Outline Development Plan proposed by MLL