

SUBMISSION ON 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: The proposed Waimakariri District Plan

Submission by: Beach Road Estates Limited

Trade competition statement: Beach Road Estates Limited could not gain an advantage in trade competition through this submission

Submitter address: Beach Road Estates Limited
Attention: Shane Farmaid
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Lower Shotover
Queenstown 9304

Please note the different address for service below.

Introduction

1. These submissions are made by Beach Road Estates Limited (“BREL”).
2. BREL makes submissions in support and in opposition to elements of the proposed Waimakariri District Plan.

Statement of Interest and Background

3. BREL is a development company that owns land at Beach Road, Kaiapoi.
4. The land is the subject of the East Kaiapoi Outline Development Plan.
5. The land has been progressively residentially developed since it was rezoned from Rural to Residential through two private plan changes to the operative Waimakariri District Plan. The plan changes were made operative in May 2012.

6. The residential subdivision is known as “Beachgrove”. Subdivision and land use consents relating to Stages 1 – 4 have been granted by Council. Stages 5 and 6 are at consenting stage and Stages 7 and 8 will be subject to a future application.

Submission Summary

7. BREL’s submissions are outlined in **Attachment 1**.
8. BREL makes submissions in relation to the following chapters of the proposed plan:
- a. Subdivision
 - b. Medium Density Residential Zone
 - c. Natural Hazards
 - d. Development Areas – East Kaiapoi
9. Submissions are also made to rezone land at 25, 27, 29, 31 and 35 Tuhoe Avenue, Kaiapoi from Medium Density Residential Zone to Commercial Neighbourhood Zone.

Relief

10. BREL seeks the following decision from the Council:
- a. grant the relief as set out in **Attachment 1**; and/or
 - b. grant any other consequential or similar relief that is necessary to deal with BREL’s concerns and the issues raised in this submission.

Hearing

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

Submission signed for and on behalf of Beach Road Estates Limited



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Resource Management Group Limited

26 November 2021

Address for service:

Beach Road Estates Limited
C/- Resource Management Group
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Attachments:

1. Submissions on proposed plan provisions
2. Revised East Kaiapoi Outline Development Plan

Appendix One – Submission Details

General Relief Sought
Beach Road Estates Limited (BREL) seek the amendments to the Proposed Waimakariri District Plan as detailed in the table that follows, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Provision	Submission	Relief Sought
SUB - Wāwāhia whenua - Subdivision		
SUB-S1 Allotment size and dimensions	<p>BREL support Rule SUB-S1.</p> <p>BREL support the minimum allotment area of 200m² in the Medium Density Residential Zone and the non-applicable internal square and frontage provisions.</p>	Retain Rule SUB-S1 as notified.
MRZ – Medium Density Residential Zone		
MRZ-BFS2 Building coverage	<p>BREL support Rule MRZ-BFS2.</p> <p>BREL support the maximum building coverage of 55%.</p>	Retain Rule MRZ-BFS2 as notified.

Provision	Submission	Relief Sought
MRZ-BFS5 Building and structure setbacks	BREL supports Rule MRZ-BFS5 but seeks that the garage road boundary setback of 6m only applies where garage doors face the road. It is understood that the purpose of this setback is to provide sufficient length for a vehicle to park in front of a garage, clear of the footpath/berm. Where a garage is at right angles to the road (for example fronting a ROW or access lot), BREL seek that the 2m road boundary setback for buildings and structures applies.	<p>Reword Rule MRZ-BFS5 as follows:</p> <ol style="list-style-type: none"> 1. Any building or structure, other than a garage <u>with a vehicle door facing the street,</u> shall be set back a minimum of 2m from any road boundary (other than a strategic road or arterial road boundary where the minimum setback shall be 6m) except for: <ol style="list-style-type: none"> a. any fence permitted by MRZ-BFS8; b. poles and masts up to 6.5m in height above ground level; c. structures other than a fence, less than 10m² and less than 3m in height above ground level; d. any caravan; e. the replacement, maintenance and minor upgrading of any infrastructure; and f. any structure or residential unit adjoining an accessway that

Provision	Submission	Relief Sought
		<p>does not have doors or windows that open into that accessway.</p> <p>2. Any garage <u>with a vehicle door facing the street</u> shall be set back a minimum of 6m from the road boundary.</p>
NH - Matepā māhorahora - Natural Hazards		
NH-R1 Natural hazard sensitive activities	<p>BREL support Rule NH-R1 (1) as in the Urban Flood Assessment Overlay it provides for buildings to be erected to the level specified in an existing consent notice that is less than five years old. Previous subdivision stages of Beachgrove have been granted subject to a minimum floor level specified in a consent notice. Rule NH-R1, as notified, provides certainty on the minimum floor level requirement for new dwellings that are constructed within these stages.</p>	Retain Rule NH-R1 (1) as notified.
NH-R15 Natural hazard sensitive activities within the urban environment	<p>BREL support Rule NH-R15 (1) as in the Coastal Flood Assessment Overlay it provides for buildings to be erected to the level specified in an existing consent notice that is less than five years old. Previous subdivision stages of Beachgrove have been granted subject to a minimum floor level specified</p>	Retain Rule NH-R15 (1) as notified.

Provision	Submission	Relief Sought
	in a consent notice. Rule NH-R15, as notified, provides certainty on the minimum floor level requirement for new dwellings that are constructed within these stages.	
EKP – East Kaiapoi Development Area		
DEV-EKP-APP1-East Kaiapoi ODP	<p>BREL oppose the East Kaiapoi ODP, as notified.</p> <p>The ODP covers the Beachgrove subdivision but does not reflect what has been constructed under Stages 1 and 2, what has been consented under Stages 3 and 4, and what is proposed for Stages 5 to 8.</p>	Delete the notified East Kaiapoi ODP and replace with the East Kaiapoi ODP attached as Appendix Two .
Planning Map		
Planning Map relating to 25, 27, 29, 31 and 35 Tuhoe Avenue, Kaiapoi	<p>BREL seeks to rezone the following sites from Medium Density Residential Zone to Commercial Neighbourhood Zone:</p> <ul style="list-style-type: none"> • 25 Tuhoe Avenue – Lot 90 DP 485790 • 27 Tuhoe Avenue – Lot 89 DP 485790 • 29 Tuhoe Avenue – Lot 88 DP 485790 • 31 Tuhoe Avenue – Lot 87 DP 485790 • 35 Tuhoe Avenue – Lot 86 DP 485790 <p>These sites are located within Stage 2 of Beachgrove and are currently vacant.</p>	Rezone Lots 86 – 90 DP 485790 to Commercial Neighbourhood Zone.

Provision	Submission	Relief Sought
	<p>Lots 87 – 90 were approved as “multi-use” lots under resource consents RC145503/RC145504, comprising two-storey attached dwellings with ground floor space for home occupations. RC145504 also approved construction and operation of a commercial building on Lot 86. The consent conditions required a minimum of two tenancies, with operating hours of 7am to 10pm, Monday to Sunday. While the tenancies were not confirmed as part of the resource consent, they were intended to comprise commercial services and retail activities which were neighbourhood focused.</p> <p>The consents have subsequently lapsed as they have not been given effect to. BREL still, however, wish to undertake a commercial development on these lots to serve the Beachgrove neighbourhood. As such, a rezoning is sought to provide for this.</p>	

BEACH GROVE OUTLINE DEVELOPMENT PLAN

-  ODP Boundary
-  Medium Density Residential
-  Retirement Living
-  Education Facility
-  Neighbourhood Retail
-  Reserve
-  Recreational Corridor
Includes stormwater drainage channel (to be daylighted and naturalised)
-  Primary Road
Indicative alignment - includes cycleway and wider footpaths
-  Flexible Road Access Point
To include pedestrian and cycle access
-  Green Road Linkage
Pedestrian / cycle priority with low-speed vehicle access
-  Pedestrian / Cycle Link / Route
Location and alignment may vary
-  Recreational Play Area
Includes playground equipment
-  Stormwater Detention Area
*Indicative location
Size to be determined*



0 100 200m

Updated 26.11.2021

