

Submission on the Proposed Waimakariri District Plan

Williams Waimak Limited
12 Williams Street, Kaiapoi



25 November 2021

Resource Management Act 1991

Waimakariri District Council

Submission on the Proposed Waimakariri District Plan

Submitter Details

Name: Williams Waimak Limited
Submitter address: 12 Williams Street, Kaiapoi

Contact Details

Contact name: Max Stevenson
Contact organisation: Inovo Projects Ltd
Contact address: 122 Montreal Street, Po Box 7069, Christchurch 8240
Email address: max@inovo.nz
Phone Number: 022 533 6606

Trade Competition Declaration:

Williams Waimak Limited (herein known as the Submitter), does not have the ability to gain trade competition advantage through this submission.

Hearing Options:

The submitter, wishes to be heard in support of their submission.

Submission details:

The submitter, **opposes in part** the Proposed District Plan (PDP), in particular, the site, being zoned:

- General Residential Zone – GRZ

Site and Surrounding Area

The Submitters site is legally described as Lot 1 DP 345997 and Lot 3 DP 40787 and has a total area of approximately 6.14ha (contained in Register of Title 188573 and CB18F/1455 – **Appendix A**). The site is located within the south eastern edge of the Kaiapoi township. The application site is bounded to the north by Courtenay Drive, Business Zoned land (Bus2) and Residential Housing (Res2), to the west by Residential Housing (Res2) and Williams Street, to the south by Residential Housing (Res2) and to the east by a railway line and further Business Zoned land (Bus2). The topography of the site generally comprises of flat land. **Figure 1** below shows the approximate location of the site.



Figure 1: Location of the site – highlighted in yellow

The Site is currently occupied by Blue Skies Group Accommodation & Outdoor Activities events complex.

The surrounding environment comprises business/industrial land to the north and east, with low residential and medium density developments along all other immediate boundaries.

Submitter – Background

The Submitter purchased the site in approximately 2019, with the intention of developing for residential purposes and create a high amenity environment.

Proposal

The Submitter 'Williams Waimak Limited' seeks to amend the proposed zoning of the PDP Planning Map for Kaiapoi from General Residential Zone (GRZ) to Medium Density Residential Zone (MRZ) so that it is generally consistent with the surrounding proposed MRZ environment. The PDP rule frameworks including the objectives and policies for the proposed MRZ will not be altered as part of the requested zone change.

Planning Framework

Operative Plan District Plan

The Site is currently zoned Residential 2 (Res2) in the Operative District Plan (refer to Figure 2 below).

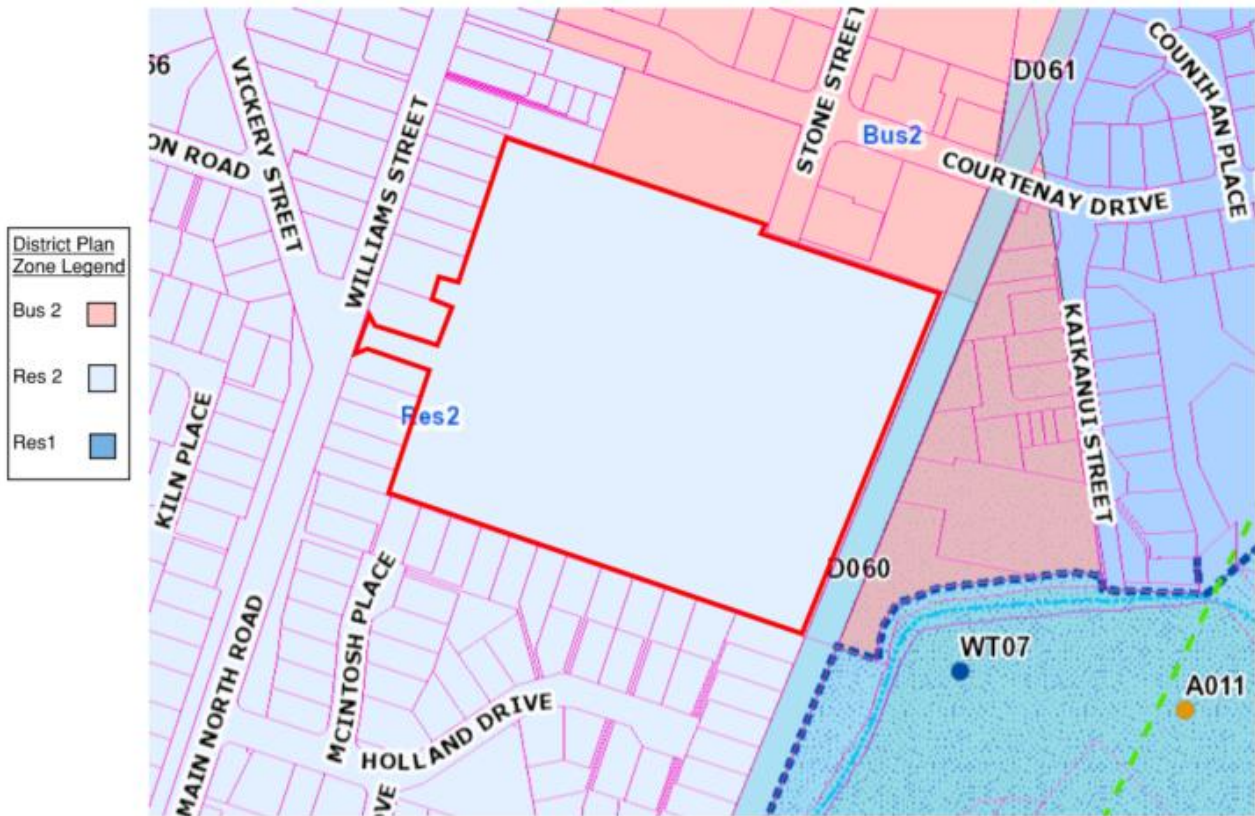


Figure 2: Operative Plan zoning (bordered in red)

In accordance with the Res2 rules of the Operative District Plan, an allotment size of 600 m² sections created by means of subdivision consent is considered a controlled activity, subject to the relevant subdivision use rules. One dwelling per 600 m² is a permitted activity subject to the relevant land use rules.

Proposed District Plan (PDP)

The Site is proposed to be zoned General Residential Zone (GRZ) in the Proposed District Plan (refer to Figure 3 below).

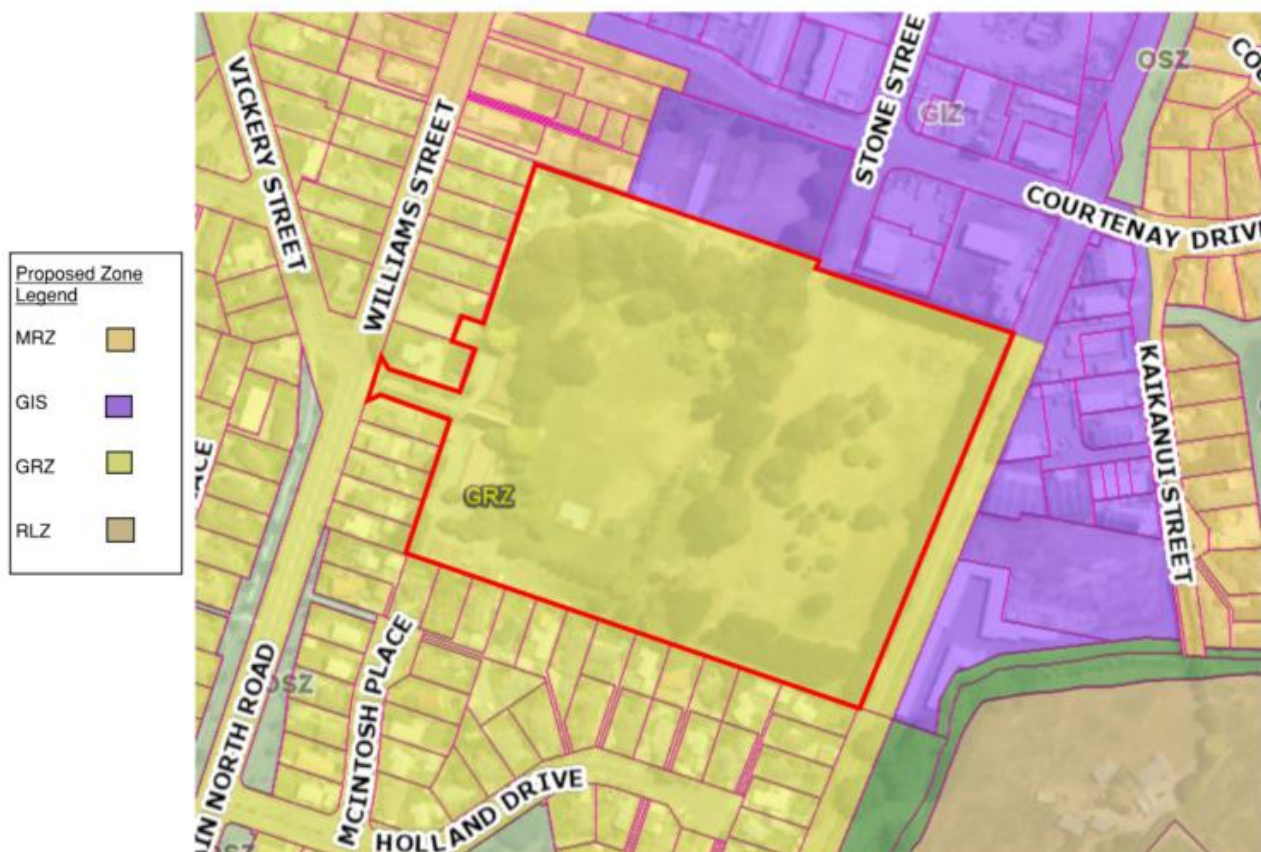


Figure 3: Proposed District Plan Zoning (bordered in red)

In accordance with the relevant rules of the PDP the establishment of a residential dwelling within the GRZ is a Permitted activity subject to relevant bulk and location rules. An allotment size of 500 m² sections created by means of subdivision consent is considered a controlled activity, subject to adherence of the relevant subdivision rules. When non-compliance with the former is not achieved the proposal becomes a Non-Complying Activity. It is also noted that Table SUB-1 does not provide for 'no minimum allotment sizes for multi-unit residential development' within the General Residential Zone.

One dwelling per 500 m² is a permitted activity subject to the relevant land use rules under GRZ. Multi-Unit Residential Development under Rule GRZ-19 shall be considered a Restricted Discretionary Activity subject to compliance with the sub-rules, if non-compliant the activity is considered a Discretionary Activity.

The proposed District Plan GRZ Objective GRZ-01 states the following:

'GRZ-01-General Residential Zone

A general suburban residential zone with a range of larger site sizes providing for predominantly residential use.'

It is anticipated that any 'multi-unit residential development' on sites smaller than 500m² in the General Residential Zone could be considered as being inconsistent with GRZ-01.

Relief Sought:

Williams Waimak Limited seeks to:

1. Amend the zoning of the PDP Planning Map for Kaiapoi from General Residential Zone (GRZ) to Medium Density Residential Zone (MRZ).

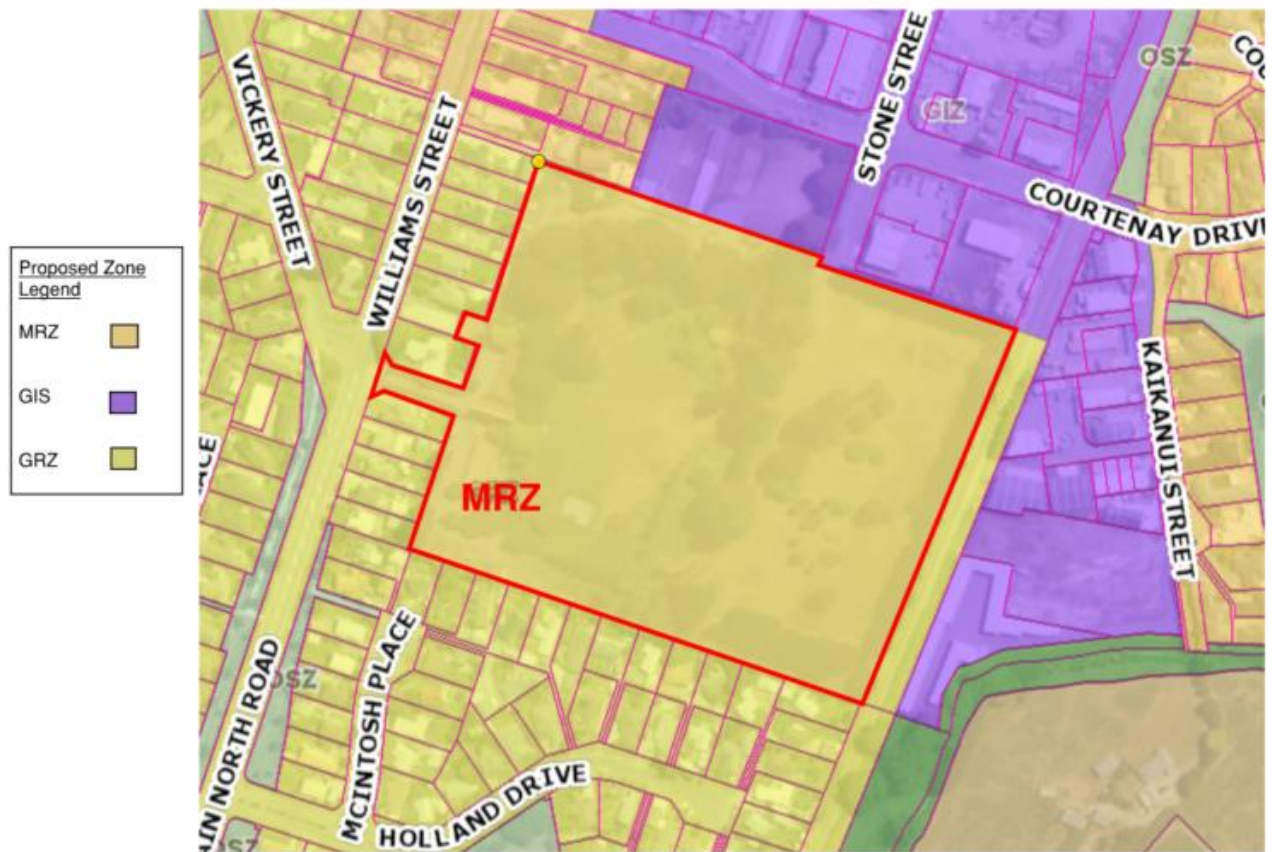


Figure 4: Submitters Proposed District Plan Zoning (bordered in red)

Reasons for Relief Sought:

1. The submission is consistent with the Resource Management Act (RMA), including Part 2. In particular the rezoning of the Site from GRZ to MRZ is a more cohesive and efficient use of the land resource for this largely vacant land rather than retrospectively intensifying land which that has already been developed with lower density residential stock (that is infill development).
2. In terms of s32 of the RMA, is considered to be more efficient and effective, rather than relying on a non-complying resource consent process for the establishment of Medium Density, providing greater density to all parties.
3. MRZ zoning is considered to be consistent with the intentions of the National Policy Statement on Urban Development (NPS-UD), in particular Objectives 1, 2, 3, 4, 8 and Policies 1 and 2, 3 (this is not a conclusive list).
4. MRZ zoning will allow for additional housing to help alleviate the current New Zealand housing crisis.

(Handwritten signature)

.....
Max Stevenson
Resource Management Planner, Inovo Projects Ltd

Appendix A – Record of Title



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **188573**
Land Registration District **Canterbury**
Date Issued 15 August 2005

Prior References

CB4C/292 CB725/16

Estate Fee Simple
Area 4.5150 hectares more or less
Legal Description Lot 1 Deposited Plan 345997
Registered Owners
Williams Waimak Limited

Interests

Appurtenant hereto is a right to convey electric power created by Easement Instrument 6506556.9 - Produced 25.7.2005 at 9:00 am and Entered 15.8.2005 at 9.00 am

The easements created by Easement Instrument 6506556.9 are subject to Section 243 (a) Resource Management Act 1991

Subject to a right of way over part marked A on DP 345997 created by Easement Instrument 6506556.12 - Produced 25.7.2005 at 9:00 am and Entered 15.8.2005 at 9.00 am

The easements created by Easement Instrument 6506556.12 are subject to Section 243 (a) Resource Management Act 1991

11411643.2 Mortgage to Scout Association of New Zealand - 15.5.2019 at 12:53 pm

11764599.1 Mortgage to VFL Limited - 25.6.2020 at 3:04 pm





RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **CB18F/1455**
Land Registration District **Canterbury**
Date Issued 13 June 1978

Prior References
CB394/92

Estate Fee Simple
Area 2.3620 hectares more or less
Legal Description Lot 3 Deposited Plan 40787
Registered Owners
Williams Waimak Limited

Interests

180337.1 Transfer creating the following easements in gross - 9.6.1978 at 11.59 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Drain water	Lot 3 Deposited Plan 40787 - herein	Part herein	The Kaiapoi Borough Council	

The easement granted by Transfer 180337.1 is Subject to Section 351E(1)(a) Municipal Corporations Act 1954

738408.1 Transfer creating the following easements in gross - 29.4.1988 at 10.30 am

Type	Servient Tenement	Easement Area	Grantee	Statutory Restriction
Convey water	Lot 3 Deposited Plan 40787 - herein	Part herein	The Kaiapoi Borough Council	

11411643.2 Mortgage to Scout Association of New Zealand - 15.5.2019 at 12:53 pm

11764599.1 Mortgage to VFL Limited - 25.6.2020 at 3:04 pm

MEMORANDUM OF AGREEMENTS			
PURPOSE	SHOWN SERV. YEN	BRANTEE	RAIAPOI BOROUGH COUNCIL
RIGHT TO DRAIN	A	3	
STORMWATER	B	4	
RIGHTS TO DRAIN			
SEWAGE & STORMWATER			

The RAIAPOI Borough Council pursuant to Section 38 (4) of the Town and Country Planning Act, 1953, certifies that the subdivision shown hereon complies with the requirements and provisions of the said Act and the Regulations made thereunder and that the same is in accordance with the plan as they stand as the basis of this agreement. Dated 4 October 1977.

W. J. Stone
MAYOR

TOWN CLERK

THE COMMON SEAL OF THE RAIAPOI BOROUGH COUNCIL

Total Area 4.4074 ha
Comprised in C.T. 394/92 LTD.

I, James Magennis Bruce of Christchurch, Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from Surveys executed by me or under my direction, that both plan and Surveys are correct and have been made in accordance with the regulations under the Surveyors Act 1958.

Dated at Christchurch this 10th day of October 1977
Signature of Surveyor

Field Book P. 28095, 30200, 37153, A
Reference Plans P.P. 5, 2304, 9636, 15398, 27834,
S.O. 1159, 8137, 9218, 13407.
Examined J. Gilchrist Correct 3.9.1980.

Approved as to Survey
28/12/78. Chief Surveyor

Deposited this 12th day of May 1978
2001 District Land Registrar

File DP 40787
Received 8.11.77
Instructions

LAND DISTRICT CANTERBURY
SURVEY BLK. & DIST. XV RANGIORA
NZMS 177 SHEET NO. 5.76

LOCAL AUTHORITY BOROUGH OF KAIAPOI
Surveyed by DAVIS, OGILVIE & PARTNERS
Scale 1:1250 Date DEC. 1976

LOTS 3, 4 & 8 BEING PT. SUBDN OF PT. R.S. 468 & R.S. 40857

JOINS D.P. 40786

294050E

294250E

294450E

294650E

294850E

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364450E

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