

## DISTRICT PLAN REVIEW

# Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

### Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: Suburban Estates Limited and all of Appendix 1 as landowners and parties listed in Appendix 1 to this submission

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(if different from above)

Post Code: 8141

Please select one of the two options below:

- I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)
- I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

- I **am** directly affected by an effect of the subject matter of the submission that:
- A) Adversely affects the environment; and
  - B) Does not relate to trade competition or the effect of trade competition.
- I **am not** directly affected by an effect of the subject matter of the submission that:
- A) Adversely affects the environment; and
  - B) Does not relate to trade competition or the effect of trade competition.

## Submission details

The specific provisions of the proposal that my submission relates to are as follows:

1. *The District Plan provisions for the future development of Kaiapoi, the process for managing consenting to enable residential development in the Kaiapoi Development Area;*
2. *The objectives, policies and rules applying to the Kaiapoi Development area;*
3. *The certification process and criteria listed in policies DEV-K-P1 and DEV-K-P2 and the relevant outline Development Plan*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

1. The zoning of the submitters' land in Kaiapoi be changed from an underlying Rural Lifestyle Zone to General Residential Zone, with immediate effect (refer Appendix 3)
2. That the proposed process of certification by the WDC Chief Executive Officer or delegate as described in policies DEV-K-P1 and DEV-K-P2, and in the related activity rules and development area standards (DEV-K-S1 together with Appendix DEV-K-APP1 – Kaiapoi outline Development Plan is an unnecessary, complex and inflexible limitation on the provision of additional housing capacity in Kaiapoi. The process of subdivision consents and the confirmation of infrastructure capacity and design requirements for connections to servicing networks is sufficient to achieve efficient development for urban growth, without the uncertainty caused by the proposed certification process.
3. That there exists in Kaiapoi sufficient lack of land zoned for residential development with feasible development capacity to meet the short-term and medium-term housing demand to justify the rezoning of this land without further delay or other restrictions.
4. Full background and reasons which support this submission are set out in a submission dated July 2019 by Sovereign Palms Ltd to Environment Canterbury on a Draft Proposed Change to Chapter 6 of the Canterbury Regional Policy Statement, a copy of which is attached to this submission as Appendix 2 and which forms part of this submission.
5. The submitter Suburban Estates Ltd was a submitter on our Space consultation in 2018 and provided expert evidence and legal council to assist the hearing. That process established that Kaiapoi had sufficient Greenfield priority area land for only one year and required additional land immediately to meet its housing target, and even with all the Future Development Area land would still fall short of feasible housing development land by 2031. The Proposed District Plan Review addresses these issues to some extent, but a restrictive approach to land supply is not justified, nor a rationing approach to the staging of development areas.
6. When considering the merits of this submission the Council is required to be guided by the National Policy Statement on Urban Development (2020), which replaced the National Policy statement on Urban Development Capacity (2016). The submitter believes that both versions are relevant to this matter. They both provide direction to decision-makers under the RMA in respect to planning for urban environments and in managing their growth and change. In particular they support the achievement of well-functioning urban environments in existing and future urban areas that provide for the social, economic and cultural well-being and community safety. With respect to housing need they expect councils to provide at least sufficient development capacity over the next 30 years to meet expected demands and to support a variety of housing types, sizes and locations. Capacity is to be provided for housing development over the short, medium and long term, and to be responsive to regular reviews and flexible to changed market conditions and the changing needs of people and communities. The submitter considers that the National Policy Statements support this submission.

I/we have included: no additional pages, plus 3 Appendices

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

That the submission be accepted in full and given effect to as follows:

1. That the zoning of the property be changed to General Residential Zone
2. That the proposed certification process which is required to precede development in the Kaiapoi Development Area and all related objectives, policies and rules be deleted from the District Plan.

3. That UFD-P6 be amended to read as follows;

UFD-P6 Mechanism to release Residential Development Areas

*“The development of land within identified new development areas of Kaiapoi, North East Rangiora and South East Rangiora occurs in an efficient and timely manner to enable residential activity to meet short to medium term feasible development capacity.”*

- 4 That Urban Form and Development objective UFD-01 be amended to read  
“Sufficient feasible development capacity for residential activity to meet housing demand.”
- 5 The inclusion of an outline development plan for the site (refer Appendix 3)

## APPENDICES:

- 1 Names + Addresses of submitters
- 2 Submission on Proposed Change C6 CRPS
- 3 Proposed outline development plan and submitters land (refer Appendix 3)

## Submission at the Hearing

- I/we wish to speak in support of my/our submission
- I/we do not wish to speak in support of my/our submission
- If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

## Signature

*Of submitters or person authorised to sign on behalf of submitter(s)*

Signature

Date 26/11/2021

*(If you are making your submission electronically, a signature is not required)*

## Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious

- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

**Send your submission to:** Proposed District Plan Submission  
Waimakariri District Council  
Private Bag 1005, Rangiora 7440

**Email to:** [developmentplanning@wmk.govt.nz](mailto:developmentplanning@wmk.govt.nz)

**Phone:** 0800 965 468 (0800WMKGOV)

**You can also deliver this submission form to one our service centres:**

**Rangiora Service Centre:** 215 High Street, Rangiora

**Kaiapoi Service Centre:** Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

**Oxford Service Centre:** 34 Main Street, Oxford

**Submissions close 5pm, Friday 26 November 2021**

**Please refer to the Council website [waimakariri.govt.nz](http://waimakariri.govt.nz) for further updates**

# APPENDIX 1

Joint Submission on the Waimakariri District Plan Review (2021) by

- Suburban Estates Limited, P.O. Box 13349, Chch East, Christchurch 8141
  - Chris Wilson - [chris@chriswilson.kiwi](mailto:chris@chriswilson.kiwi)
  - Nick Auld - [m.n.auld@farmside.co.nz](mailto:m.n.auld@farmside.co.nz)
  - John Wakeman - [johnwakeman@xtra.co.nz](mailto:johnwakeman@xtra.co.nz)

|                        |                               |
|------------------------|-------------------------------|
| Jane& Mary Wakeman     | 249 Reveals Road 7691         |
| John Wakeman           | 142 Lees Road, Kaiapoi 7691   |
| Ann Deans              | 236 Lees Road, Kaiapoi 7691   |
| Nick Auld              | 230 Lees Road, Kaiapoi 7691   |
| WK Wakeman Estate      | 1 Lees Road, Kaiapoi 7691     |
| Air Charter Queenstown | 69 Barkers Road, Kaiapoi 7691 |

# APPENDIX 2

## Submission on Consultation on Draft Proposed Change to Chapter 6 of the Canterbury Regional Policy Statement July 2019

Sovereign Palms Ltd

August 2019

Environment Canterbury

To: Environment Canterbury  
Email: [crpschange@ecan.govt.nz](mailto:crpschange@ecan.govt.nz)

**ENVIRONMENT CANTERBURY**  
**SUBMISSION ON CONSULTATION ON DRAFT PROPOSED CHANGE TO CHAPTER 6 OF**  
**THE CANTERBURY REGIONAL POLICY STATEMENT**

**Submitter Details**

Name: Sovereign Palms Ltd

Postal address: C/- Suburban Estates Ltd  
PO Box 13349  
Christchurch 8141

Email address: [kim@sel.kiwi](mailto:kim@sel.kiwi)

Phone Number: 03 3663729

Mobile Number: 0274 33 65 83

Contact Person Kim Sanders

We would like to be heard in support of this submission.

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**1. Summary of Relief Sought**

- 1) The submitters' land at Kaiapoi is included as a Future Development Area on Map A and is suitable for development now (Appendix B).
- 2) Amendments to policies to provide more references to NPS-UDC and to be consistent with and give effect to same;
- 3) Oppose any provisions that may delay or prevent such rezoning.
- 4) Oppose the current housing capacity assessments and housing "targets" for WDC contained in the proposed change and supporting documents.

**2. Reasons**

- 1) There is a present and short term shortage of developable residential zoned land in Kaiapoi. Refer to the statement of evidence by Adam Thompson (dated 21 February 2019) to the Our Space submission hearings on the supply of residential land in Rangiora and Kaiapoi. His conclusion that "...Kaiapoi...requires additional land immediately to meet its housing target." and "Overall there is an immediate need for

additional land in these two main towns in Waimakariri District" , were not refuted by other reliable evidence.

- 2) The proposed change will not deliver the NES/UDC outcomes for WDC residential areas without additional land being freed up for housing development. Significant under provision will lead to increases in the price of housing and other undesirable consequences. Refer again to Adam Thompson's evidence.
- 3) The land identified in submission 051 is suitable for development for housing in the short term. Refer to the statement of evidence by Kim Sanders to the Our Space submission hearings.
- 4) Background to this submission and further reasons are set out in the original submission 051 which sets out in detail the position of this submitter. Refer in particular to paragraphs 2.3 and 3.2 which are adopted as part of this submission.
- 5) In addition - the submitter opposes the proposal to follow "alternative planning process" and requests that standard Schedule 1 RMA process be followed. The reason for this request is that the submitter feels that the Our Space submission hearing process suffered from pre determination and a lack of fair process. The submitter feels that the decision making process cannot be made accountable without the ability for submitters to test the planning merits of decisions.

### **3. The Submitters**

Sovereign Palms Limited (SPL) have an interest in a block of land comprising approximately 26ha on the north-east edge of Kaiapoi. It adjoins residential land recently developed by Sovereign Palms Ltd. The land is within the Proposed Infrastructure Boundary/Urban Limit line but is shown as Future Development Area in Figure 16 of the Update. It is understood that the development of this land is required to be deferred to a later stage of development. Sovereign Palms Ltd supports the inclusion of this land so that sections can be made available to the Kaiapoi market in an economic and planned sequence to follow the developments already completed in the area.

The land is physically well suited for residential development, services connections and road links are available from the Sovereign Lakes subdivision adjoining and the land is not



affected by the air noise contour. As the immediately adjacent final stage for Sovereign Lakes has only just completed, there is little point delaying the next stage any longer. Any delays would create construction disturbance to the new home owners in that last stage of Sovereign Lakes. The public interest would not be served by delaying the start of this next stage of development.

SPL has closely monitored sales of sections in Sovereign Palms and Sovereign Lakes at this north end of Kaiapoi. They have found that purchasers prefer this location and the section size. Purchasers have told SPL that they do not want to be close to a large amount of 500m<sup>2</sup> or smaller sections. SPL also concludes that purchasers at Sovereign Palms prefer their sections to Pegasus or Woodend because those towns are just a little further away from Christchurch. Kaiapoi is a community with extensive facilities and strong community feel. SPL have the ability to develop at least a further 150 lots on this land, immediately to the east of Sovereign Lakes.

#### **4. Housing and Business Capacity Targets**

##### Minimum Targets

The Our Space housing and business capacity targets in Table 3 have been inserted into C6CRPS in accordance with sections 55(2) and 55(A) of the Resource Management Act 1991, from the NPS-UDC. Objective 6.2.1a and Table 6.1 should be amended to refer to 'minimum targets' rather than 'targets' to be consistent with Policy PC5-11 of the NPS-UDC. This requires local authorities to set minimum targets (our underlining) for sufficient feasible development capacity.

The requirement to set minimum targets not maximum targets (as proposed in the Draft Change) reflects the focus of the NPS-UC in ensuring that there is a plentiful land supply so that urban environments are efficient, including with respect to housing affordability. Planning decisions should enable the market to respond efficiently to demand and function competitively thus keeping prices lower, minimising artificially inflated house prices and contributing to housing affordability.

The consequences of an 'undersupply' of housing are more significant than the consequences of oversupply i.e. land scarcity which generally leads to higher land prices

and a greater incentive to land bank and achieve an 'easier' return on capital (at no risk) by capitalizing on increasing land values rather than by undertaking development.

**5. Policy 6.3.11 Monitoring and Review**

Amendments are required to ensure Policy 6.3.11:-

- a) refers to short, medium and long term land supply as described in the NPS-UDC;
- b) refers to the NPS-UDC requirement to provide sufficient feasible development capacity for different dwelling types, locations and price points (our underlining) and a range of working environments and places to locate businesses (Objective OA2, Policy PB1);
- c) refers to the NPS-UDC requirement for monitoring to be undertaken with and to use the input from iwi authorities, the property development sector, significant landowners, social housing providers and providers of development and other infrastructure (Policy PB5).

**6. Policy 6.3.12 Future Development Areas**

Enabling re-zoning for medium term capacity shortfalls identified in mandatory future housing and capacity assessments

Amendment is required to ensure Policy 6.3.12. enables land to be re-zoned to address land sufficiency medium term shortfalls identified in the Table 6.1 and medium term shortfalls identified in subsequent housing and capacity assessments. This is essential because the NPS-UDC requires capacity assessments to be reviewed every three years (Policy PC5-11) and for minimum targets to updated accordingly without going through the RMA Schedule 1 consultation. The next capacity assessment is due in 2020, ahead of the full CRPS Review to be notified in 2022 and in time to inform the Selwyn and Waimakariri District Plan Reviews, due to be notified in 2020.

Our Space Action 9 also requires the Draft Change to *"enable territorial authorities to respond to changes in efficiency of development capacity on a rolling basis as a result of periodic capacity assessments"*.

In reality, the Table 6.1 land sufficiency targets are already out of date. The purpose of the three yearly updates is to ensure that land supply is informed about and responsive to market needs which are constantly changing. NPS-UDC Objective OC2 requires local

authorities to *“adapt and respond to evidence about urban development, market activity ... in a timely way.”*

Our Space also acknowledges the range in reported feasibility and that *“further and ongoing refinement of the feasibility tools will be undertaken by constituent partner councils and incorporated as part of the next capacity assessment due in 2020. This assessment will benefit from up-to-date data and can be used as a basis for making zoning changes to address development capacity shortfalls as part of the District Plan Reviews for Selwyn and Waimakariri.”*

As currently worded, Policy 6.3.11 1. will preclude the above.

Mandatory requirement for monitoring to be undertaken in consultation with and to use input of specified groups, including the property development sector and significant landowners.

This is a requirement under the NPS-UDC PB5. It is essential to ensure monitoring is informed and utilises development industry knowledge and experience, including regarding market demand and the commercial feasibility of development; and that land is identified for urban growth and re-zoned in locations where landowners intend to develop or make land available for development in a timely way. Without using this input, there will be a high level of uncertainty around the ability of urban environments to deliver sufficient opportunities to meet demand as required by NPS-UDC Objective OA2.

Long term needs – CRPS Review

The Explanation to Policy 6.3.12 needs to be amended to clearly state that the CRPS Review will be notified in 2022, not *‘scheduled for 2023’* as currently worded. This is consistent with Our Space Action 12 which recommends the review be undertaken in 2022. This is a full review, but Chapter 6 can be dealt with on a ‘stand alone’ basis (relating only to urban growth issues in Greater Christchurch). It could be considered and notified ahead of the balance of the CRPS review.

A review of C6CRPS is well overdue. It was notified in 2007, 12 years ago, and was never subject to rigorous testing because appeals were extinguished under subsequent earthquake legislation. The restrictive and inflexible urban growth management approach, with a non contestable cadastrally based urban limit and maximum rather than minimum

land supply targets may no longer be 'fit for purpose'. It is not consistent with the approach and intent of the NPS-UDC to be responsive to market needs, contribute to an efficient, competitive land market whilst ensuring integration between land use planning and provision of infrastructure. Of note is that the more recent Auckland Unitary Plan has abandoned a fixed non contestable urban/rural boundary.

There are numerous parties, including submitters on Our Space, who have had their development plans on hold for many years due to the restrictive approach of C6CRPS, despite territorial authorities acknowledging that their development proposals have merit and can be supported. The Draft Change needs to include a clear commitment by ECAN to a definitive timeframe for notification of the full review of C6CRPS. 2022 is realistic as the schedule of work put forward by ECAN officers at the Our Space hearings, as recorded in Our Space Action 12 specified this (reproduced in **Appendix B**). Notification of C6 was specified as June 2022 with decisions expected in June 2023.

The submitters are fully aware that if RMA streamlined processes are adopted for the Draft Change, there will be no appeal rights, with no requirement for rigorous testing of the Draft Change. In the event that this request is not accepted, they will have no choice but to re-submit on the 2022 CRPS review. This must proceed as a high priority urgent matter.

**7. Policy 6.3.1A**

The submitters consider that the preferred more responsive urban growth management approach is to remove the fixed non contestable urban boundary from C6CRPS. Our Space recognises the need for greater flexibility in the delivery of future growth and has notated the FDAs as 'indicative', enabling consideration of the merits of proposals outside the FDAs. However, this also requires consequential changes to the policy framework i.e. Policy 6.3.1A (or similar).

**8. Relief Sought**

- 1) The submitter asks that the Regional Policy Statement be amended to show the land at north-east Kaiapoi now shown as "Future Development Area" in figure 16 be changed to "Greenfield Priority Areas – Residential"; and that the CRPS be changed so that Map A is changed, to the same effect.
  - a. In accordance with the above the submitter supports that part of the Draft change

which provides for the inclusion of the subject land within a Greenfield Priority Area.

- 2) In accordance with the above the submitter supports the Draft Change subject to the amendments in Appendix A.



.....  
(Signature of applicant or person authorized to sign on behalf of the applicant)

Date: August 16, 2019

**Appendices:**

**Appendix A:** Requested amendments to Draft Proposed Change to Chapter 6 of the Canterbury Regional Policy Statement

**Appendix B:** Kaiapoi Land – Map A

**Appendix B:**  
Kaiapoi Land – Map A

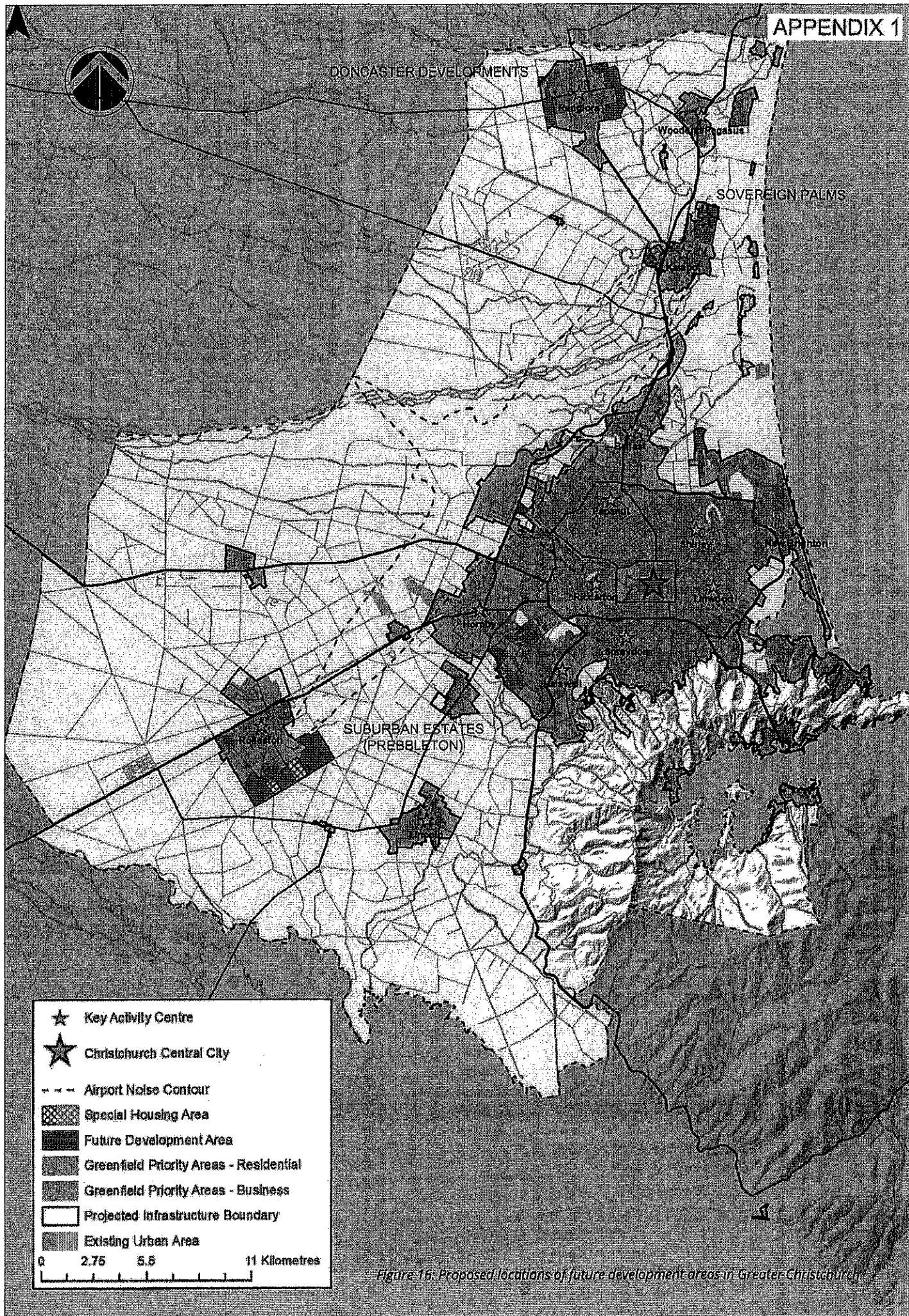
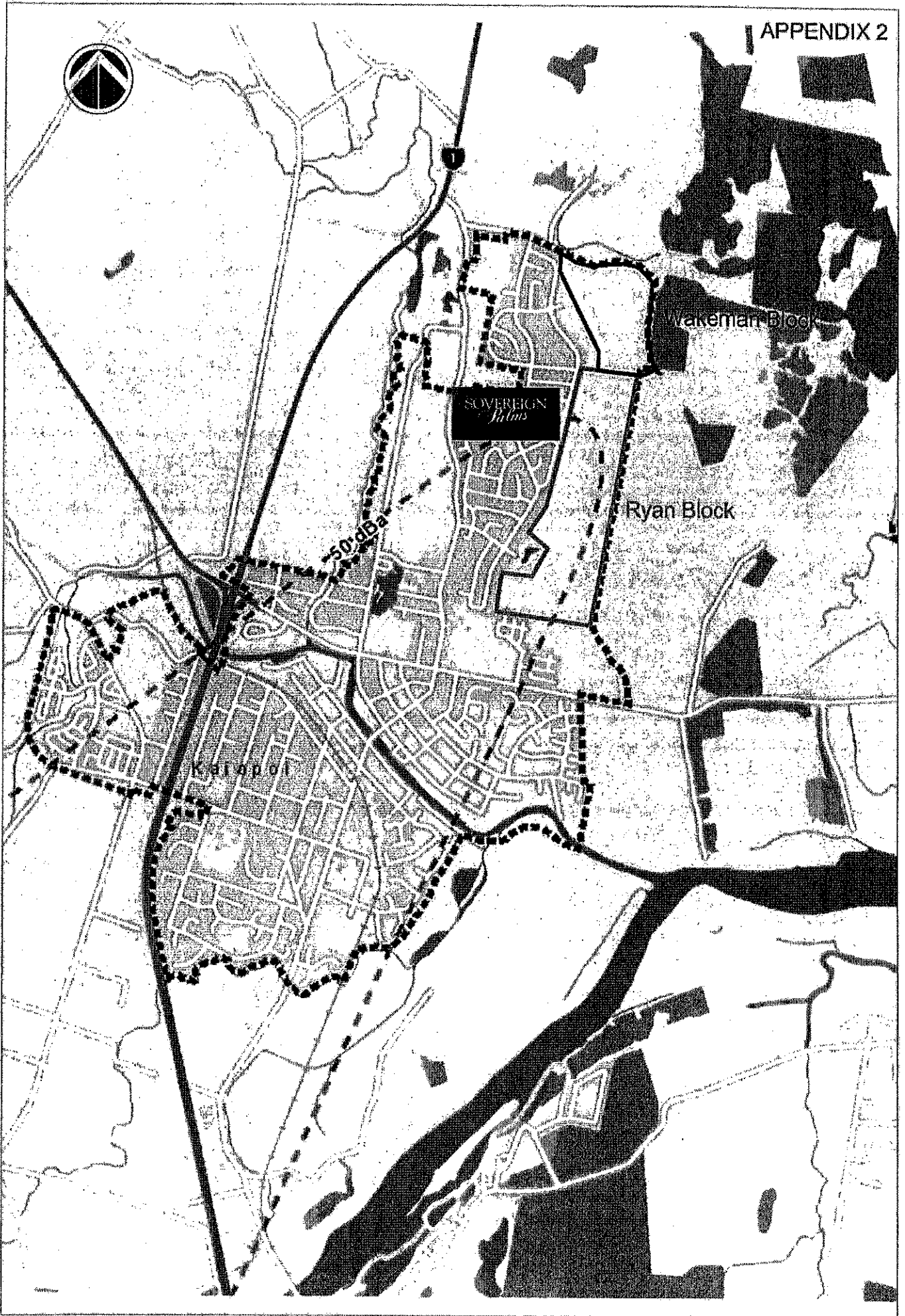
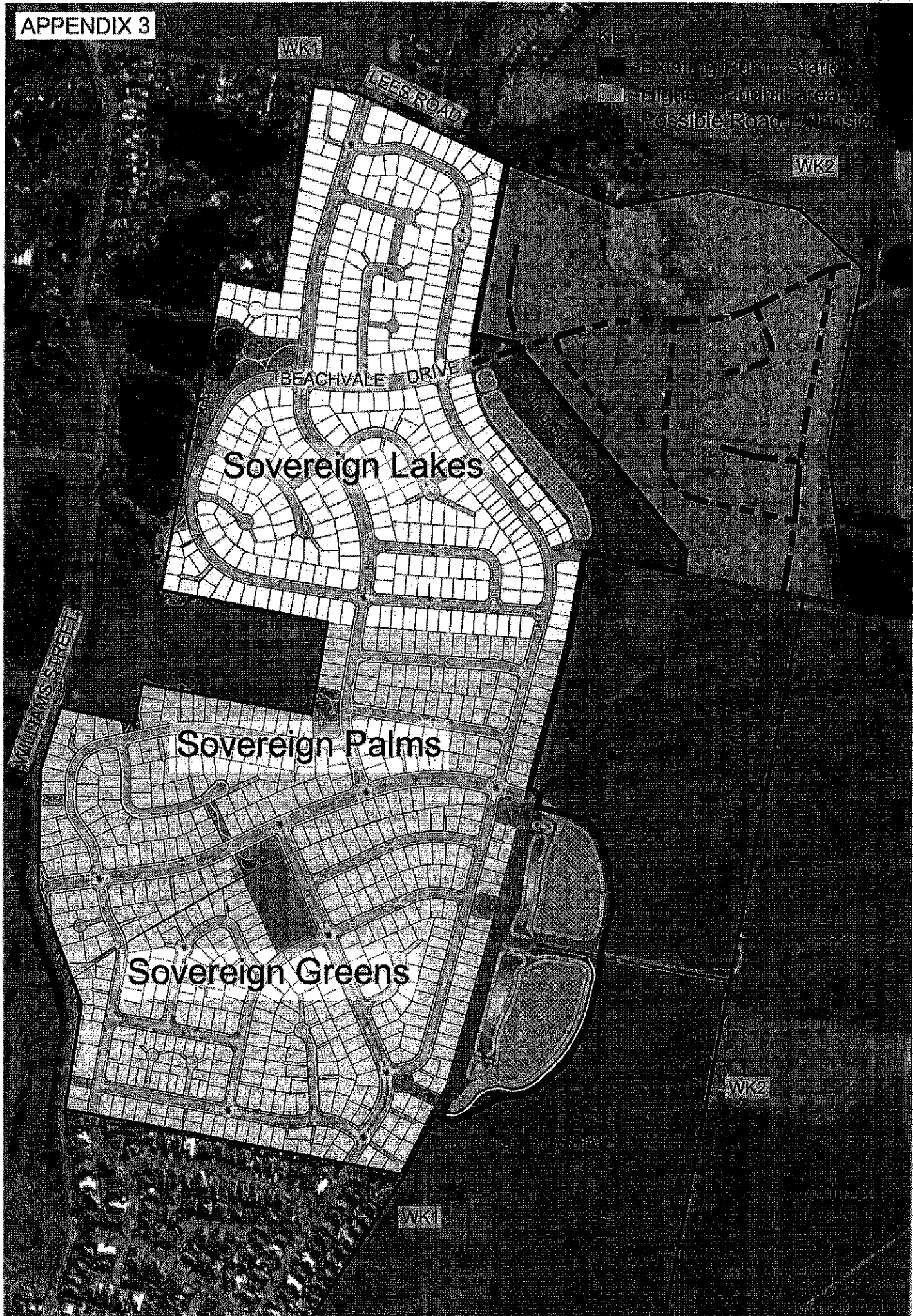


Figure 16: Proposed locations of future development areas in Greater Christchurch

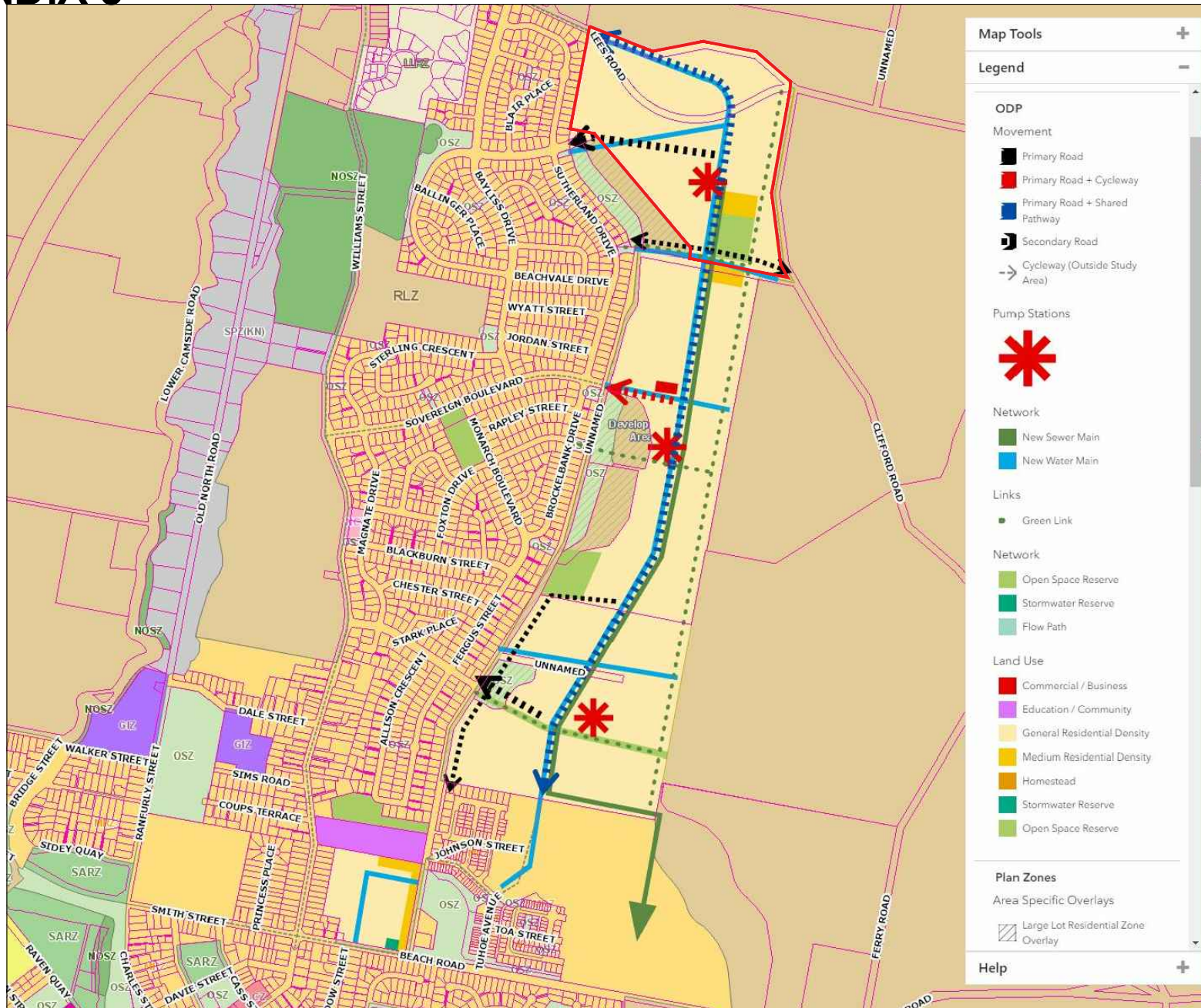




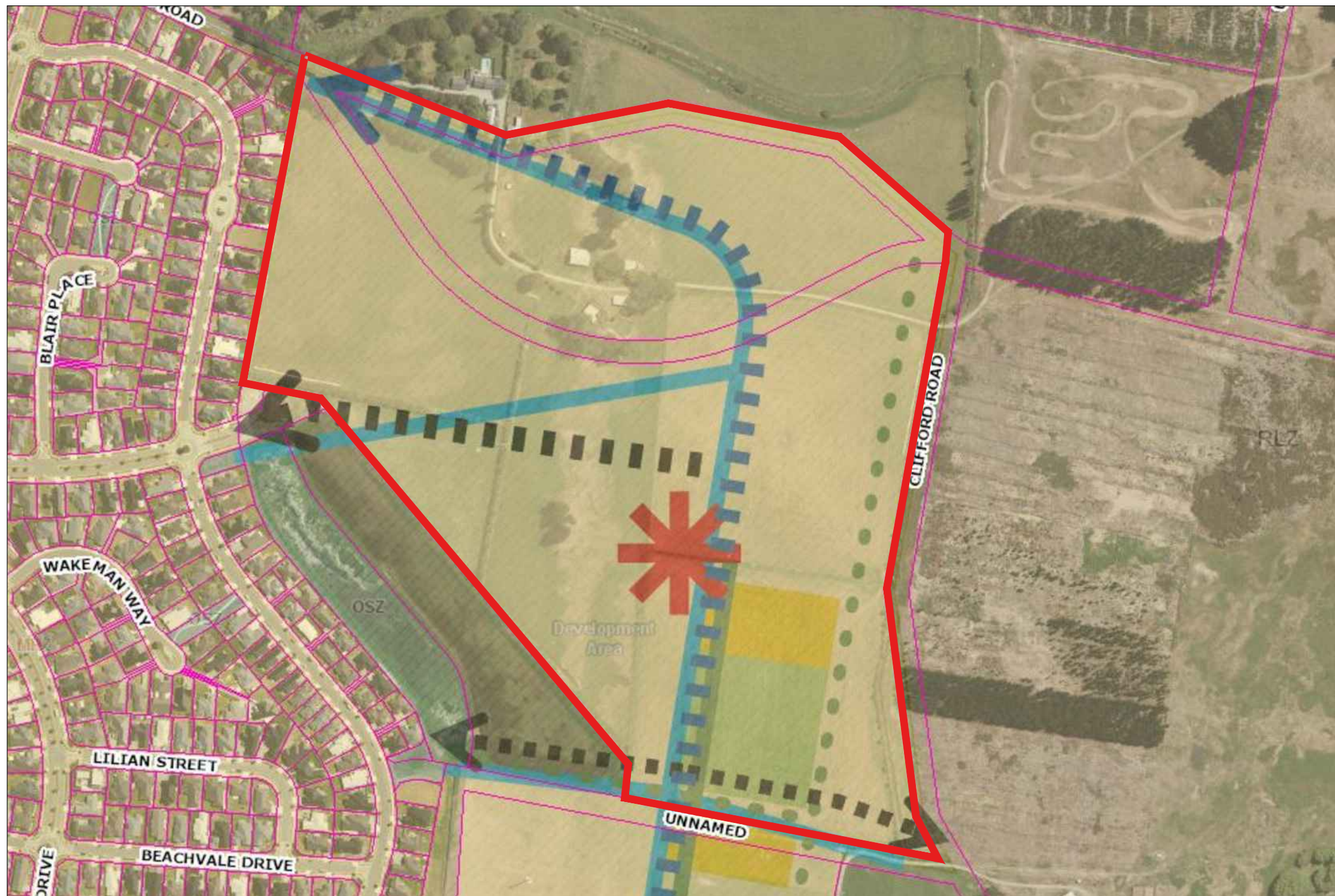
APPENDIX 3



# APPENDIX 3



PROPOSED OUTLINE DEVELOPMENT PLAN - KAIAPOI DEVELOPMENT AREA



PROPOSED OUTLINE DEVELOPMENT PLAN - KAIAPOI DEVELOPMENT AREA - WAKEMAN BLOCK